



(Docket No. 131420)

KEVIN HAASE *et al.*, Appellees, v. KANKAKEE SCHOOL
DISTRICT 111 *et al.*, Appellants.
Opinion filed November 20, 2025.

Justice Cunningham delivered the judgment of the court, with opinion.

This case concerns the application of statutory immunity to a school district and gym teacher, after a seventh grade student was injured by another student's misbehavior in gym class. The circuit court granted summary judgment to the defendants, concluding that they were immune from liability under the Local Governmental and Governmental Employees Tort Immunity Act (Tort Immunity Act), but the appellate court reversed, finding issues of material fact with regard to the district's failure to inform teachers of the misbehaving student's disciplinary history.

The supreme court reversed, noting that plaintiffs could only overcome defendants' immunity under the Tort Immunity Act if they could show willful and wanton conduct. Although plaintiffs argued on appeal that the district acted willfully and wantonly in failing to inform teachers of the misbehaving student's disciplinary history, that theory of liability was not pled in plaintiffs' complaint. The only allegations made regarding the district were derivative of claims made about the gym teacher; no independent theories of liability for the district were raised. Plaintiffs likewise failed to overcome the gym teacher's testimony he was unaware of the student's disciplinary history, and the other facts alleged regarding the gym teacher poorly supervising the class amounted to mere negligence, not willful and wanton conduct. As a result, the circuit court's grant of summary judgment was affirmed.