Pakistan Journal of Life and Social Sciences

www.pjlss.edu.pk



https://doi.org/10.57239/PJLSS-2024-22.1.00480

RESEARCH ARTICLE

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In-Depth Study and Legal Practice Analysis of Negligence Tort Liability in American School Sports Injury Accident

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ARTICLE INFO	ABSTRACT
Received: Apr 24, 2024	This study analyzes the diversity of responsibility subjects in school sports injury accidents, including schools, teachers, students and their parents,
Accepted: Jun 28, 2024	and deeply discusses the roles and responsibilities of each responsibility
	subject in the accident. At the same time, combined with the analysis of
Keywords	typical cases, the scope and reasons of liability for school sports injury accidents are clarified, which provides a comprehensive perspective for
In-Depth Analysis	the definition of responsibility. The article emphasizes the importance of improving laws and regulations and strengthening supervision to
Sports Injury Accident	preventing and reducing school sports injury accidents. It also points out
Tort Liability for Negligence	that the establishment of a sound legal system and the strengthening of law enforcement can effectively standardize the development of school
American School	sports activities and ensure the safety of students. In short, this paper
	analyzes the constituent elements, liability subject, scope and exemption of liability of negligence tort liability in school physical education injury
*Corresponding Author:	accidents, and puts forward specific improvement suggestions and
suzhanguo@163.com	measures, in order to provide a useful reference for the improvement of the legal system of negligence tort liability in school sports injury accidents.

INTRODUCTION

In recent years, school sports injury accidents in the United States, which has attracted high attention from all walks of life. These accidents not only bring great physical and mental pain to the injured students and their families, but also bring severe challenges to the education and management of the school. In order to have a deep understanding of the tort liability in sports injury accidents and improve the level of physical education safety in the school, we designed a questionnaire to collect the views and understanding of students, parents, teachers and other relevant personnel on the tort liability in sports injury accidents.

School sports injury accident, as a common phenomenon in the field of education, has gradually been widely concerned by all walks of life in recent years. Due to the high risk of students participating in sports activities, how to define the responsibility and properly deal with the injury accident occurs is of great significance to the maintenance of school order and the protection of students' rights and interests. This paper will focus on the identification of negligence tort liability in school PE injury accidents.

Study Purpose and Significance

The study aims to analyze the connotation and extension of negligence tort liability in American school sports injury accidents in an in-depth, professional and objective way. We focus on clarifying the subject of responsibility, defining the scope of responsibility and discussing the way of taking responsibility, and strive to provide a solid theoretical basis and practical guidance for relevant legal practice.

First of all, by systematically combing relevant American cases and legal provisions, we will analyze the constituent elements of negligence liability in detail, including but not limited to the existence of the actor's negligence, the occurrence of damage results and the causal relationship between the two. In this process, we will pay special attention to the in-depth exploration of the principle of liability, including but not limited to the principle of fault liability, the principle of no fault liability and the principle of fair liability, so as to clarify the attribution and judgment of negligent tort liability in different situations.

Secondly, this study will also strive to reveal the deficiencies and defects of the existing legal system. Through an in-depth analysis of the legal practice of negligence liability for school PE injury accidents (McFadden, 1989), we will point out the problems and challenges existing in the current legal system, such as the unclear legal provisions and the inconsistent judicial practice (Leishman, 1992). In view of these problems, we will put forward specific suggestions for improvement, including improving the relevant legal provisions, strengthening the judicial interpretation and the release of guiding cases, in order to promote the improvement and development of the legal system.

At the same time, this study will provide strong theoretical support and practical guidance for improving the relevant legal system and protecting students' rights and interests by deeply analyzing the negligence liability problems in the United States (Lan & Li, 2019). We will treat each research link with a rigorous and objective attitude to ensure the accuracy and reliability of the research results. At the same time, we also expect to make a positive contribution to promoting the healthy development of school physical education activities and building a harmonious campus.

Review Of Pe Injury Accidents In Schools

Aiming at the research status and development trend of tort liability, this paper aims to analyze the research results at home and abroad and lay a solid foundation for future research.

The study of tort liability in school PE injury accident is relatively mature. They not only made an indepth analysis of negligence liability from a legal perspective, but also combined the knowledge of medicine, pedagogy and other fields to form an interdisciplinary research pattern. Foreign scholars have made a systematic study on the constitutive requirements, identification standard and compensation mechanism of negligence liability, and made an empirical analysis through specific cases. These research results provide us with rich theoretical and practical experience, which will help us to better understand and learn from their research methods and ideas (Mitten & Opie, 2012).

Specifically, in the study of the constitutive elements of negligent liability, focus on the analysis of schools, teachers and students in the behavior and their consequences of the accident, and clarify the boundary of the responsibility of all parties in the accident. In terms of identification standards, foreign studies combine legal principles and practical experience, and put forward a series of operational standards, which provides a basis for the court to determine the responsibility. In terms of compensation mechanism, foreign studies focus on the scope, method and procedure of compensation, so as to provide reasonable compensation guarantee for the victims.

However, we should also realize that the study of negligence tort liability for school PE injury accident is not an overnight process. It requires us to continuously pay attention to the dynamic changes of accidents, and constantly adjust and improve the research methods and ideas (Wu & Zheng, 2023).

At the same time, we also need to strengthen the communication and cooperation with the practice departments to ensure that the research results can truly serve the practice. Only then can we contribute more to the study of negligent tort liability in American school PE injuries.

In short, the study of negligent tort liability in American school PE injury accidents has important theoretical and practical significance. Through in-depth analysis of domestic and foreign research results and development trends, we can provide reference for future research, and make positive contributions to the improvement of relevant legal systems and the prevention of school sports injury accidents.

Theoretical Basis Of Tort Liability For Negligence

Concept definition of negligent tort liability

As a key element in the civil legal system, the theoretical basis and concept definition of negligence liability have great significance for clarifying the attribution of liability and protecting the rights and interests of all parties. When analyzing the core connotation of negligence liability, we must pay attention to its legal definition and constitutive elements, so as to reveal its legal logic and practical application. Liability for negligence mainly refers to the civil liability of damage to the rights and interests of others caused by violation of the duty of care or failure to fulfill the reasonable duty of care according to law. This definition highlights the importance of the duty of care and the legal liability that may arise when its it.

In the school PE injury accidents, the application of negligent tort liability is particularly prominent. School physical education injury accidents are characterized by diversity and complexity, and may involve multiple liability subjects such as schools, teachers, students and third parties (Picucci et al, 2021). Therefore, when dealing with this kind of accident, it is necessary to integrate the theory and practical experience of negligence liability to accurately judge the attribution of liability of all parties. For example, schools should assume the responsibility for the maintenance and management of sports facilities, teachers should ensure that they fulfill reasonable guidance and guardianship obligations in sports activities (Dirsa et al, 2022), and students should also abide by the rules and disciplines of sports activities to avoid damage caused by misconduct.

In addition, preventive and relief measures are equally important in reducing the risk of negligence and protecting the rights and interests of all parties (Bublick, 2021). In terms of prevention, we can start with strengthening the performance of the duty of care, improving the sports facilities and management system, and improving the safety awareness of teachers and students, so as to reduce the occurrence probability of negligent infringement. In terms of relief, we need to establish a sound liability insurance system and compensation mechanism to provide timely and effective assistance and compensation for the victims. At the same time, strengthening legal publicity and education is also an essential link, through the popularization of legal knowledge, improve the public legal awareness, to help to create a safer and more harmonious social environment.

To sum up, negligence liability, as an important part of the civil liability system (Epstein & Sharkey, 2020), plays a pivotal role in maintaining social order and safeguarding the rights and interests of all parties. We need to fully understand its theoretical basis and conceptual definition, deeply analyze its application in different fields, and take effective preventive and relief measures to reduce the risk of negligence. By constantly improving the negligence liability system, we can provide a strong guarantee for the construction of a safer, more harmonious and more fair social environment (Xue, 2021).

Component elements of negligent tort liability

As an important part in the field of law, the theory of negligence liability plays an indispensable role in discussing the responsibility definition of schools, teachers and other subjects in organizing sports

activities (DeMitchell et al, 2021). Under this theoretical basis, the three core elements that constitute the liability for negligence, namely, the breach of the duty of care, the existence of the fact of damage and the judgment of causation, constitute the key basis for us to analyze and judge the liability for negligence.

First, a breach of duty of care is the primary element in determining liability for negligence. When organizing sports activities, schools, teachers and other subjects should assume a reasonable duty of care, including but not limited to the formulation and strict implementation of safety norms for sports activities, necessary safety education for students, and ensuring the safety of activity venues and facilities (Vaigankar, 2022). The performance of these obligations of care will directly affect the safety situation of students when participating in sports activities. If the relevant subject fails to fully fulfill these obligations of care, resulting in potential safety risks or even damage, it should be deemed as a violation of the duty of care, and thus may bear the corresponding tort liability for negligence (Xie, 2023).

Secondly, the existence of the injury fact is another necessary condition to constitute the tort liability for negligence. The damage facts here refer to the actual damage suffered by the student in the process of participating in physical activities, which may be manifested in the forms of physical injury, mental damage, property damage and so on. The existence of the fact of damage is an important basis for judging negligence liability, because only when the damage actually occurs, the rights and interests of the victim are substantially infringed, which requires the protection and relief by law.

Moreover, the determination of causation is equally crucial as a bridge connecting the breach of the duty of care and the fact of injury. In the process of determining negligent liability, we must prove that there is a direct causal relationship between the fact of damage and the violation of the duty of care, that is, the damage is directly caused by the violation of the duty of care. The existence of this causal relationship is the key to ensure the objectivity and impartiality of the determination of negligent liability.

In short, the theory of negligence liability plays an important role in exploring the responsibility definition of schools, teachers and other subjects in organizing sports activities (Epstein, 2011). Through in-depth understanding and analysis of the three core elements of violation of the duty of care, the existence of damage facts and causality, we can more accurately determine the tort liability for negligence, so as to protect the rights and interests of the victims and safeguard social fairness and justice. In the future research and practice, we also need to continuously explore and improve the judgment criteria and methods of negligence liability to adapt to the changing social environment and legal needs.

Principle of negligent tort liability determination

The theoretical basis of negligence liability plays a pivotal role in legal practice, and is an important basis for judging whether the actor should bear legal liability after causing damage (Mitten et al, 2023). Its core identification principles include the principle of subjective fault, objective fault principle and fairness principle, which together constitute a complete framework for the identification of negligence liability (La Fetra, 2003).

When discussing the principle of subjective fault, we must deeply understand and accurately grasp the core element of whether the actor is subjectively at fault. This requires us to make a detailed analysis of the psychological state of the actor when analyzing the case, including its cognitive state, behavioral motivation, and whether they have due attention and caution. Through the comprehensive consideration of these aspects, we can more accurately judge whether the actor should be liable for negligence due to his subjective fault.

The objective fault principle determines the negligence liability from another Angle, which focuses on whether the actor has objectively violated the duty of care. This principle requires that when judging whether the actor is liable, we must examine whether he acts in accordance with the standard of behavior generally recognized by the society and whether he has fulfilled a reasonable duty of care. Through the objective analysis of the actor's behavior, we can avoid subjective assumptions and prejudice, and ensure the accuracy and impartiality of responsibility identification.

METHODOLOGY

Investigation and research method

The survey aims to collect data and information on negligence liability in sports injury accidents, so as to deeply analyze the cause, attribution of liability and preventive measures. Through this investigation, we expect to understand the current situation, reveal the universality and severity of the negligence tort liability in school sports injury accidents, and provide a basis for the formulation of targeted policies.

The sample size of the study was 105 people, and the background information of the subjects was selected in the design of the questionnaire, the views of the subjects on the negligence liability of school PE injury accidents in the United States, the legal practice analysis and typical case analysis. The questionnaire used an objective multiple-choice method to ensure that comprehensive and indepth information was collected. At the same time, we will make a statistical analysis of the questionnaire results to reveal the current situation and characteristics of negligence tort liability in sports injury accidents. See Annex 1 for details of the contents of the questionnaire.

Statistical Methods

In this study, the results of the questionnaire were analyzed, and the analysis mainly used description statistics, correlation and regression analysis. Based on the data analysis, further analysis of the accident cause and negligence, and propose effective preventive measures to reduce the accident rate. At the same time, according to the analysis results of the survey data, the school sports safety management work is improved and optimized to improve the safety level.

RESULTS AND ANALYSIS

Statistical Analysis of Background Information Of Samples

The statistical analysis of the first question (A1) is as follows: Where is your current area?

The statistical results of the regional distribution of the 105 samples investigated in this study indicate 25.7% eastern, Midwest 20.0%, southern 28.6%, and western 25.7%.

Table 1: Statistical Results Of Regional Distribution Of The 100 Samples

				Valid	Cumulative
Regional 1	Distribution	Frequency	Percent	Percent	Percent
Valid	East of USA	27	20.3	25.7	25.7
	Middle West	21	15.8	20.0	45.7
	American South	30	22.6	28.6	74.3
	Western of USA	27	20.3	25.7	100.0
	Total	105	78.9	100.0	
Missing	System	28	21.1		
Total		133	100.0		

The statistical analysis of the second problem (A2) is presented as follows: What is your current occupation?

Table 2 shows that in the 105 samples surveyed, the occupation distribution was 34.3 percent of students, educators (teachers, coaches, etc.) for 28.6 percent, legal workers (lawyers, judges, etc.) for 22.9 percent, and parents for 14.3 percent.

Table 2: Career Frequency Distribution

	Reaction For Problem	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Student	36	27.1	34.3	34.3
	Educators	30	22.6	28.6	62.9
	Legal worker	24	18	22.9	85.7
	Parent	15	11.3	14.3	100
	Total	105	78.9	100	
Missing	System	28	21.1		
Total		133	100		

Statistical Analysis Of Negligent Tort Liability Description In American School Sports Injury Accidents

The statistical results of the third question (B1) are as follows: How much responsibility do you think schools, coaches or teachers should be borne in the United States?

In Table 3, the frequency distribution of opinions in sports injury accidents shows that full responsibility is 18.1%, main responsibility 43.8%, partial responsibility 29.5%, and no liability 8.6%.

Table 3: Frequency Distribution Of Opinions In Sports Injury Accidents

	Reaction For Problem	Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Full Libility	19	14.3	18.1	18.1
	Ultimate Liability	46	34.6	43.8	61.9
	Part Of The Responsibility	31	23.3	29.5	91.4
	Irresponsibility	9	6.8	8.6	100
	Total	105	78.9	100	
Missing	System	28	21.1		
Total		133	100		

Fourth question (B2): Do you think these legal provisions are just and reasonable in dealing with school sports injury accidents?

In Table 4, the US law stipulates that the statistical results of the fair and reasonable investigation when dealing with school sports injury accidents are 20 percent very reasonable, 34.3 percent relatively reasonable, 28.6 percent, 11.4% unreasonable, and 5.7 percent very reasonable.

Table 4: Dealing with school sports injury accidents fairly and reasonably

	Reaction For			Valid	Cumulative
	Problem	Frequency	Percent	Percent	Percent
Valid	Very reasonable	21	15.8	20	20
	More reasonable	36	27.1	34.3	54.3
	commonly	30	22.6	28.6	82.9
	Not quite reasonable	12	9	11.4	94.3
	Very unreasonable	6	4.5	5.7	100
	Total	105	78.9	100	
Missing	System	28	21.1		
Total		133	100		

Fifth question (B3): What do you think of the legal provisions of negligence liability for physical injury accidents in the United States?

In the analysis of legal practice, the statistical results of the legal provisions on the negligence liability of personal injury accidents show that the sample thinks that the legal provisions are very perfect 15.2%, relatively perfect 40%, generally 29.5%, not perfect 7.6%, and completely ignorant 7.6% (See Table 5).

Table 5: Opinion on School student liability for negligence in injury accident

	Reaction For	_	_	_Valid	Cumulative
	Problem	Frequency	Percent	Percent	Percent
Valid	Very perfect	16	12	15.2	15.2
	More perfect	42	31.6	40	55.2
	Commonly	31	23.3	29.5	84.8
	Inadequate	8	6	7.6	92.4
	I don't know	8	6	7.6	100
	Total	105	78.9	100	
Missing	System	28	21.1		
Total		133	100		

Statistics Analysis On The Most Effective Prevention And Treatment Measures For School Physical Education Injury Accidents

Sixth Question (C1): What do you think is the most effective prevention and treatment measures for school physical education injury accidents?

The results of the statistical analysis show that the prevention of school PE injury accidents should be solved and improved from four aspects. Firstly,we will strengthen safety education and training for students; Secondly, schools should improve their school sports activity facilities; Thirdly, strengthen the professional guidance and supervision of teachers; Fourthly, Strictly restrict high-risk physical activities_o

Table 6: Results of the most effective prevention and treatment measures

Reaction For Problem	Frequency	Valid Percent
C1.1: We will strengthen safety education and training for	65 (Yes)	61.9 (Yes)
students	40 (No)	38.1 (No)
C1.2: Improve school sports facilities	67 (Yes)	63.8 (Yes)
	38 (No)	36.2 (No)
C1.3: Strengthen the professional guidance and	71 (Yes)	67.6 (Yes)
supervision of teachers	34 (No)	32.4 (No)
C1.4: Strictly restrict high-risk physical activities	65 (Yes)	61.9 (Yes)
	40 (No)	38.1 (No)
Total of Each Items	105 (Sampling)	100.0

Correlation analysis of negligence tort liability and verdict satisfaction in school PE injury accident

In the correlation and regression analyses, the variables predicted and explained were question C2. That is, C2: How are you satisfied with the result of negligence liability for personal injury accident?

In Table 7, the American school sports injury accident negligence tort liability and the correlation analysis results show that the school sports injury accident verdict satisfaction with a school, coach or teacher should be responsible for student injury, school sports injury accident treatment law of the justice, rationality, and In the United States, the three variables of negligence liability for personal injury accident are significantly relevant (p < 0.01).

Table 7: Correlation analysis of negligence tort liability and verdict satisfaction in school PE injury accident

accident					
Items of question	C2	B1	B2	B 3	
C2: Verdict satisfaction in school PE injury accident	r	1			
	р				
B1: Investigation of how much responsibility a school, coach	r	.598**	1		
or teacher for a student injury	р	.000			
B2: Just and reasonable of Legal provisions in dealing with	r	.684**	.608**	1	
school sports injury accidents	р	.000	.000		
B3: Legal provisions of negligence liability for physical		.244*	.158	.117	1
injury accidents in the United States	p	.012	.107	.236	

Note: **. Correlation is significant at the 0.01 level; *. Correlation is significant at the 0.05 level.

Results Of Regression Analysis

The total sum of the regression model table 8 shows that the adjusted R square is 0.527, indicating that the variables B1, B2 and B3 can explain the change of 52.7 percent of the verdict satisfaction of the sample. That is, the reason for 52.7 percent of the sample's satisfaction with the verdict is that these three elements fit the model well. In addition, the D-W value is 1.789, close to 2, indicating no autocorrelation.

Table 8: Model Summary^b

N	Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Durbin-Watson
	1	.735ª	.540	.527	.69793	1.789

Note: a. Predictors: (Constant), B3, B2, B1; b. Dependent Variable: C2: How are you satisfied with the result of negligence liability for personal injury accident?

Coefficients Table 9 shows that investigation of how much responsibility a school, coach or teacher for a student injury (B1), Just and reasonable of Legal provisions in dealing with school sports injury accidents (B2), Legal provisions of negligence liability for physical injury accidents in the United States (B3), The p-values of these three variables are less than 0.05, showing significance, and the β -values are 0.321,0.459 and 0.287, respectively, which are greater than 0, indicating that these three variables (B1, B2 and B3) will have a positive impact on the satisfaction of sample penalty results.

Table 9: Coefficients*

		Unstandardized Coefficients		Standardized Coefficients			Collinea Statist	
	Model	В	Std. Error	Beta	t	Sig.	Tolerance	VIF
1	(Constant)	.077	.270		.285	.776		
	B1	.321	.102	.270	3.158	.002	.623	1.606
	B2	.459	.078	.503	5.917	.000	.630	1.587

	В3	.287	.138	.142	2.082	.040	.974	1.026
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Note: a. Dependent Variable: C2

Typical Case Analysis

When discussing the key topic of "negligent tort liability for American school PE injury accident", this chapter selects three typical cases of school PE injury accident as the basis of research practice. Through the detailed analysis of these specific cases, it aims to further clarify the identification standard and legal application of negligence liability, so as to provide practical guidance and reference for relevant fields.

First, we focus on a case involving student sports injury accidents. In this case, a high school student suffered injuries while participating in basketball by an improper coach. In the course of the case, the court focused on the analysis of the coach's behavior, and strictly defined whether he was negligent. Specifically, the court considered whether coaches provided proper athletic instruction and safety precautions and whether they were sufficient to prevent or mitigate risks that students might encounter during the course of the game. In addition, the court examined the administrative responsibilities of schools in such activities, including whether the school adequately trained and supervised coaches and whether the school established and implemented reasonable safety rules and regulations. Through these analysis, the court finally determined whether the coach and the school were liable in tort, and made a judgment accordingly.

Secondly, we analyzed a case involving the safety risks of sports facilities. In this case, a university's track had a safety hazard, and a student was injured during training. In reviewing the case, the court focused on the maintenance and management of the school sports facilities. The court examined in detail whether the school regularly inspected and repaired sports facilities and whether potential safety hazards were eliminated in time. At the same time, the court also evaluated whether the school has fulfilled its safety obligations in accordance with relevant laws and regulations. If the court determines that the school fails to fulfill the necessary guarantee obligations, then the school will be judged as the tort liability party and need to bear the corresponding legal responsibility.

Furthermore, we examine a case of injury accidents involving personal student negligence. In this case, a middle school student was injured in a football match. In handling such cases, courts often carefully analyze a student's conduct in an accident to determine whether his conduct constitutes negligence. Specifically, the courts consider whether a student has complied with the game rules and safety requirements during the game and whether his conduct increases the risk of his own injury. If the court finds that the student's conduct constitutes negligence, the student will be required to assume part or all responsibility. However, this does not mean that the school is completely exempt from liability. The court also needs to review whether the school fulfilled the necessary duty of supervision and guidance and took reasonable measures to prevent and reduce injury accidents caused by personal student negligence.

Through a thorough analysis of these typical cases, we can find that courts usually consider multiple factors when determining tort liability for negligence in a school PE injury accident. These factors include the specific situation of the accident, the behavior of the relevant personnel, the management responsibility of the school, and the application of the law. In evaluating these factors, the court needs to apply professional legal knowledge and rich practical experience to ensure the fairness and reasonableness of the judgment.

At the same time, these cases also provide us with valuable inspiration and reference. First of all, schools and coaches should attach great importance to the safety of students, strengthen the safety education and training for students, and provide sufficient safety guidance and protective measures.

Secondly, the schools should establish a sound maintenance and management system of the sports facilities, and regularly inspect and repair the sports facilities to ensure the safety and reliability of the facilities. In addition, schools should also strengthen the supervision and management of sports activities to ensure the standardization and safety of activities.

In general, this chapter provides us with an important reference on the identification standard of negligent tort liability and the application of law through in-depth analysis of several representative cases of school sports injury accident cases. These cases will not only help us to better understand the relevant legal provisions and judicial practice, but also provide us with valuable experience and lessons. In the future school sports activities, we should fully draw on the inspiration of these cases, strengthen the guarantee and management of students' safety, to ensure the physical and mental health and safe development of students.

CONCLUSION

The identification of negligence tort liability in school PE injury accident is a complex and important problem. In the in-depth study and legal practice analysis of the negligent tort liability of American school sports injury accidents, the following conclusions can be drawn by deeply analyzing the cause of the accident, clarifying the principles of liability determination, strengthening the preventive measures and reasonably dealing with the compensation problem:

First of all, for the identification of negligence liability for school sports injury accidents, many factors should be considered comprehensively, including whether the school has fulfilled the safety obligation, whether the teachers have professional qualifications, whether the students have received the necessary safety education, and the specific situation of the accident. The balance and judgment of these factors determine the attribution and bearing degree of negligent tort liability.

Secondly, when dealing with school sports injury accidents, American law tends to protect the rights and interests of students and put forward higher safety requirements for schools. At the same time, the law also gives schools a certain right to exemption, such as the government's right to exemption, joint fault exemption, etc., but these exemption rights are not absolute, need to conduct comprehensive analysis and judgment in specific cases.

Moreover, it is worth noting that the prevention and reduction of school PE injury accidents requires the joint efforts of schools, teachers, students and parents. Schools should strengthen safety education and management to improve the safety awareness of teachers and students; teachers should have professional qualifications and teaching ability to ensure the quality and safety of teaching; and students and parents should also actively participate in school safety education and activities to jointly maintain the safety and stability of the school.

To sum up, the identification and treatment of negligent tort liability in American school physical injury accidents involves many aspects, and various factors need to be considered comprehensively. By strengthening legal supervision and practical exploration, the relevant legal system can be continuously improved, to improve the safety and reliability of school sports activities, and to protect the physical and mental health and rights and interests of students.

REFERENCE

McFadden, O. M. (1989). An analysis and comparison of court holdings dealing with tort liability for injuries sustained in public school and higher education programs of physical education, athletics and intramural sports from 1977-1987 (Doctoral dissertation, Virginia Polytechnic Institute and State University).

Leishman, J. (1992). Legal issues in secondary school athletics. BYU JL & Educ., 87.

Lan, Q., & Li, X. (2019). Liability determination of school sports injury accidents: an analysis framework based on evolutionary game. *International journal of environmental research and public health*, 16(18), 3403.

- Mitten, M. J., & Opie, H. (2012). "Sports law": implications for the development of international, comparative, and national law and global dispute resolution (pp. 173-222). TMC Asser Press.
- Wu, J., & Zheng, G. (2023). An Analysis of Judicial Decision on Sports Injury Accidents in Schools and a Study on Risk Avoiding Measures. *Journal of Namibian Studies: History Politics Culture*, 33, 4407-4428.
- Picucci, S., Hypes, M. G., & Hypes, J. A. (2021). Negligence in Sport. *The Physical Educator*, 78(4), 430-438.
- Dirsa, A., BP, S. A., Diananseri, C., & Setiawan, I. (2022). Teacher role as professional educator in school environment. *International Journal of Science Education and Cultural Studies*, 1(1), 32-41.
- Bublick, E. M. (2021). Tort Common Law Future: Preventing Harm and Providing Redress to the Uncounted Injured. *Journal of Tort Law*, 14(2), 279-308.
- Epstein, R. A., & Sharkey, C. M. (2020). Cases and materials on torts. Aspen Publishing.
- Xue, X. (2021). The Application of Self-Gratification Risk in Sports Activities from the Perspective of Tort. *International Journal of Frontiers in Sociology*, *3*(5).
- DeMitchell, T. A., King, S., & DeMitchell, T. A. (2021). Educational Malpractice: Is it a Tort Whose Time Has Come? An Exploratory Mixed Methods Study. *U. Fla. JL & Pub. Pol'y*, *32*, 253.
- Vaigankar, N. (2022). Liability for Sports Injuries & Duties of Athletics Personnel. *Legal Spectrum J.*, 2, 1.
- Xie, L., & Dapat, R. O. (2023). PE Risk Management in Colleges and University. *The Educational Review, USA, 7*(4), 511-514.
- Epstein, A. (2011). Teaching Torts with Sports. J. Legal Stud. Educ., 28, 117.
- Mitten, M. J., Davis, T., Duru, N. J., & Osborne, B. (2023). *Sports Law and Regulation: Cases, Materials, and Problems [Connected EBook]*. Aspen Publishing.
- La Fetra, D. J. (2003). Freedom, Responsibility, and Risk: Fundamental Principles Supporting Tort Reform. *Ind. L. Rev.*, *36*, 645.

APPENDIX 1:

American negligence tort liability questionnaire for school PE injury accidents

1. Essential Information

Question 1: Where is your current area?

- [] East of the United States
- -[] Middle West
- [] American South
- -[] Western United States

Question 2: What is your current occupation?

- -[] Student
- [] Educators (teachers, coaches, etc.)
- [] Legal worker (lawyers, judges, etc.)
 - [] Parent or guardian of a child

2. On negligence tort liability in American school PE injury accidents

Question 3: How much responsibility do you think schools, coaches or teachers should bear in sports injuries in the United States?

-[] Full libility

-[] Ultimate liability
-[] Part of the responsibility
-[] Irresponsibility

Question 4: Do you think these legal provisions are just and reasonable in dealing with school sports injury accidents?

- -[] Very reasonable
 - -[] More reasonable
- -[] Commonly
- -[] Not quite reasonable
- -[] Very unreasonable

Question 7: What do you think of the legal provisions of negligence liability for school sports injury accidents in the United States?

- [] Very perfect
- -[] More perfect
- -[] Commonly
- -[]Inadequate
- -[] I don't know

2. Analysis of legal practice: C

Question 8: What do you think is the most effective prevention and treatment measures for school physical education injury accidents?

- [] We will strengthen safety education and training for students
- [] Improve school sports facilities
- [] Strengthen the professional guidance and supervision of teachers
- [] Strictly restrict high-risk physical activities

Question 9: How are you satisfied with the results of the current treatment of negligence liability in personal injury accidents in American schools?

- -[] Very satisfied
- -[] More satisfied
 - -[] Satisfaction
- -[] Unsatisfied
 - -[] Very dissatisfied

Thank you for your participation in this survey, your comments is very important to us. Your responses will be kept strictly confidential and used for this study analysis only.thanks!