

HCS HBs 2913 & 3228 -- IMMUNITY FOR INTERVENING IN CERTAIN INCIDENTS OF VIOLENCE

SPONSOR: Irwin

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 19 to 0. Voted "Do Pass" by the Standing Committee on Rules-Legislative by a vote of 11 to 0.

The following is a summary of the House Committee Substitute for HBs 2913 & 3228.

This bill provides immunity from civil liability for a teacher, and the school districts or charter schools that the teacher works for, if the teacher intervenes in an incident involving violence in order to safeguard himself or herself or a student.

The bill requires the teacher to follow procedures and to intervene in good faith in a manner that the teacher reasonably believes is afforded the defense of justification under Chapter 563, RSMo.

The bill prevents school districts from the implementation of a policy that prevents teachers from protecting themselves or students.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this is a very important concern for staff at schools with violent incidents increasing. Having trained personnel shielded from liability in this litigious society is important so that they can react without pausing to consider litigious consequences. There should be consistency with all students and guidance from Federal laws relating to restraint. This bill is very timely and teachers like to have this type of support from legislators. Because teachers are responsible for helping to provide a safe learning environment any intervention in good faith should not be exposed to additional liabilities.

Testifying in person for the bill were Representative Irwin; Missouri State Teachers Association; Mike Slagle, Raymore-Peculiar Schools; Missouri NEA; Arnie Dienoff; Mike Slagle.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.