

17103997D

SENATE BILL NO. 1537

Offered January 20, 2017

A BILL to amend and reenact §§ 8.01-220.1:2 and 22.1-291.4 of the Code of Virginia, relating to certain school board employees; training program on bullying.

Patron—McPike

Referred to Committee on Education and Health

Be it enacted by the General Assembly of Virginia:

1. That §§ 8.01-220.1:2 and 22.1-291.4 of the Code of Virginia are amended and reenacted as follows:

§ 8.01-220.1:2. Civil immunity for teachers under certain circumstances.

A. Any teacher employed by a local school board in the Commonwealth shall not be liable for any civil damages for any acts or omissions resulting from the supervision, care or discipline of students when such acts or omissions are within such teacher's scope of employment and are taken in good faith in the course of supervision, care or discipline of students, unless such acts or omissions were the result of gross negligence or willful misconduct.

B. No school employee or school volunteer shall be liable for any civil damages arising from the prompt good faith reporting of alleged acts of bullying or crimes against others to the appropriate school official in compliance with §§ § 22.1-279.6 and subsection A of § 22.1-291.4 and specified procedures.

C. This section shall not be construed to limit, withdraw, or overturn any defense or immunity already existing in statutory or common law, to affect any claim occurring prior to the effective date of this law, or to prohibit any person subject to bullying or a criminal act from seeking redress under any other provision of law.

§ 22.1-291.4. Bullying; training.

A. Each school board shall implement, by July 1, 2014, policies and procedures to educate school board employees about bullying, as defined in § 22.1-276.01, and the need to create a bully-free environment.

B. In addition to the requirements set forth in subsection A, each school board shall require each school board employee in the local school division, including student support positions set forth in subdivision O 3 of § 22.1-253.13:2 but excluding all other support services positions, to participate in a three-hour in-person or online training program on identifying, preventing, and responding to incidents of bullying, as defined in § 22.1-276.01. Each such training program shall include information on bullying that is provided by the National Council for Behavioral Health.

2. That the provisions of this act shall become effective on July 1, 2018.

INTRODUCED

SB1537