

JUDICIAL CODE (42 PA.C.S.) - AMEND SCHOOL OFFICERS IMMUNITY
Act of Nov. 22, 2000, P.L. 690, No. 93
Session of 2000
No. 2000-93

Cl. 42

HB 1416

AN ACT

Amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity of school officers or employees relating to emergency care, first aid and rescue.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 8337.1. Civil immunity of school officers or employees relating to emergency care, first aid and rescue.

(a) General rule.--An officer or employee of a school who in good faith believes that a student needs emergency care, first aid or rescue and who provides such emergency care, first aid or rescue to the student or who removes the student receiving such emergency care, first aid or rescue to a hospital or other place of medical care shall be immune from civil liability as a result of any acts or omissions by the officer or employee, except any acts or omissions intentionally designed to seriously harm or any grossly negligent acts or omissions which result in serious bodily harm to the student receiving emergency care.

(b) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Good faith." Includes, but is not limited to, a reasonable nonmedical opinion that the immediacy of the situation is such that the rendering of care should not be postponed.

"Officer or employee of a school." A school director, principal, superintendent, teacher, guidance counselor, support staff member or other educational or medical employee employed in a day or residential school which provides preschool, kindergarten, elementary or secondary education in this Commonwealth at either a public or nonpublic school.

Section 2. This act shall take effect in 60 days.

APPROVED--The 22nd day of November, A. D. 2000.

THOMAS J. RIDGE