

HOUSE BILL No. 2063

By Representative Decker

1-24

AN ACT concerning schools; requiring boards of education to adopt policies on pupil discipline and behavior; providing immunity from civil and criminal liability for certain actions of teachers, boards of education and school administrators.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section:

(1) "Board of education" means the board of education of a unified school district or the governing authority of an accredited nonpublic school.

(2) "School" means a public school or an accredited nonpublic school.

(3) "Public school" means a school operated by a unified school district organized under the laws of this state.

(4) "Accredited nonpublic school" means a nonpublic school participating in the quality performance accreditation system.

(5) "School employees" means teachers, administrators and support staff employed by a school.

(b) The board of education of each school shall develop, adopt and broadly disseminate a written policy on pupil discipline and behavior. Copies of the policy shall be given to all school employees, parents and pupils. The state board of education shall provide boards of education with assistance in the preparation of policies on pupil discipline and behavior. Policies shall be prepared in such form, parameters and manner as the state board shall require and shall be filed with the state board at a time to be determined and specified by the state board.

(c) Teachers hereby are given the authority and responsibility to use such appropriate means of discipline as are prescribed by the board of education in its written policy on pupil discipline and behavior. So long as a teacher follows approved policy in the exercise of the teacher's responsibility to maintain discipline in the teacher's classroom, such teacher shall be immune from civil or criminal liability.

(d) It shall be the responsibility of boards of education and the administrators employed by them to implement and control the written policy on pupil discipline and behavior and to provide legal support to each teacher exercising the teacher's authority and responsibility to main-

1 tain order and discipline in the teacher's classroom as long as the teacher
2 follows the board of education's policy. Such support for the teacher shall
3 include, but not be limited to, providing appropriate legal representation
4 to defend the teacher against charges, seeking the issuance of a warrant
5 or warrants for any person or persons threatening or assaulting a teacher,
6 and the timely assistance and cooperation with the appropriate authorities
7 in the prosecution of any person or persons threatening or assaulting a
8 teacher. Boards of education and school administrators providing such
9 support shall be immune from civil and criminal liability for actions au-
10 thORIZED or required by this section.

11 Sec. 2. This act shall take effect and be in force from and after its
12 publication in the statute book.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43