

2022 -- S 2525

LC004843

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY--
CAUSES OF ACTION

Introduced By: Senators F Lombardi, Ciccone, Lombardo, Gallo, and McCaffrey

Date Introduced: March 01, 2022

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 9-1-31 of the General Laws in Chapter 9-1 entitled "Causes of
2 Action" is hereby amended to read as follows:

3 ~~9-1-31. Public school teachers, supervisors, and administrators -- Immunity from~~
4 ~~liability -- Compensation for certain injuries -- Duty upon school committees and board of~~
5 ~~regents. Public school teachers, supervisors, employees whose position directly involves work~~
6 ~~with students, and administrators -- Immunity from liability -- Compensation for certain~~
7 ~~injuries -- Duty upon school committees and board of regents.~~

8 (a) Each school committee and the board of regents shall protect and save harmless
9 ~~(+)~~ any public school teacher, ~~(-)~~ any supervisor, administrator, or licensed professional
10 employee, ~~(-)~~ any employee whose position requires a certificate from the department of education
11 or board of regents for elementary and secondary education, ~~(+)~~ any employee whose position
12 directly involves work with students, and ~~(-)~~ any employee of the board of regents from financial
13 loss and expense, including legal fees and costs, if any, arising out of any claim, demand, or suit
14 for actions resulting in accidental bodily injury to or death of any person, or in accidental damage
15 to or destruction of property, within or without the school building, or any other acts, including but
16 not limited to infringement of any person's civil rights, resulting in any injury, which acts are not
17 wanton, reckless, malicious, or grossly negligent, as determined by a court of competent
18 jurisdiction, provided the teacher, supervisor, or administrator, at the time of the acts resulting in

1 the injury, death, damages, or destruction, was acting in the discharge of his or her duties or within
2 the scope of his or her employment or under the direction of the school committee or the board of
3 regents.

4 (b) For the purpose of this section, the term "teacher" shall include any student teacher
5 doing practice teaching under the direction of a teacher employed by a school committee or the
6 board of regents.

7 (c) Each school committee and the board of regents shall protect and save harmless any
8 teacher or any supervisor, [employee whose position directly involves work with students](#), or
9 administrator from financial loss and expense, including payment of expenses reasonably incurred
10 for medical or other service, necessary as a result of an assault upon the teacher, supervisor,
11 [employee whose position directly involves work with students](#), or administrator while the person
12 was acting in the discharge of his or her duties within the scope of his or her employment or under
13 the direction of the school committee or the board of regents, which expenses are not paid by the
14 individual teacher's, supervisor's, [employee's](#) or administrator's workers' compensation.

15 (d) Any teacher, supervisor, [employee whose position directly involves work with students](#),
16 or administrator absent from his or her employment as a result of injury sustained during an assault
17 upon the teacher, supervisor, [employee whose position directly involves work with students](#), or
18 administrator that occurred while the teacher, supervisor, [employee](#), or administrator was
19 discharging his or her duties within the scope of his or her employment or under the direction of
20 the school committee or the board of regents, or for a court appearance in connection with the
21 assault, shall continue to receive his or her full salary, while so absent, except that the amount of
22 any workers' compensation award may be deducted from his or her salary payments during the
23 absence. The time of the absence shall not be charged against the teacher's, supervisor's, [employee's](#)
24 or administrator's sick leave, vacation time, or personal leave days.

25 (e) A person so injured in accordance with ~~subdivision~~ [subsection](#) (d) ~~above~~ [of this section](#)
26 and who receives a disability therefrom, which renders them unable to fully perform their normal
27 duties, shall, if the disability continues for a period of one year, apply to the Rhode Island
28 employees retirement system for appropriate benefits for which that person is entitled.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would provide immunity from liability for school employees whose position
2 involves work with students for accidental injury or damage. The act further provides compensation
3 for certain injuries received by school employees whose position involves work with students.

4 This act would take effect upon passage.

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