

April 12, 2001

H 1242. PROTECT TEACHERS FROM LAWSUITS. TO ENACT THE MODEL EDUCATION QUALITY AND TEACHER PROTECTION ACT. Adds new GS 115C-42.1, the "Teacher Protection Act," providing that an education entity or its employees shall not be subject to liability (1) for any action regarding the control, grading, suspension, expulsion, or discipline of students while they are on the property of the educational entity or its employees, but this immunity does not apply if the entity or employee violated an express law, rule, regulation or clearly articulated policy of the state or the entity (the plaintiff must prove such a violation by clear and convincing evidence); or (2) for making a report consistent with federal law to appropriate law enforcement authorities or school officials if the person making the report has reasonable grounds to suspect that a student is (a) under the influence of alcoholic beverages or a controlled substance not lawfully prescribed for the person, (b) in possession of a firearm, alcoholic beverage, or controlled substance not lawfully prescribed for the person, or (c) involved in the illegal sale or distribution of firearms, alcoholic beverages, or a controlled substance.

Provides for a fine of up to \$2,000 to be imposed on a person age 18 or older who acts with specific intent in making a false accusation of criminal activity against an employee of an educational entity to law enforcement or to school district officials or personnel. Provides that a person between the ages of 7 and 17 who engages in such conduct may, at the discretion of the court, be subject to expulsion, suspension, community service, or any other sanction as the court deems appropriate.

Intro. by Blust.

Ref. to Education	GS 115C
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