
**Testimony in Support of House Bill 802
Civil Actions—Civil Immunity—Educator Intervention in Student Violence
(Good Teacher Protection Act)**

**House Judiciary Committee
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1:00 PM**

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The Maryland State Education Association supports House Bill 802, legislation that would protect a member of the administrative, educational, or support staff from civil liability for any personal injury or property damage resulting from their intervention in an altercation between students or some other student disturbance when acting in good faith to protect students from harm.

MSEA represents 75,000 educators and school employees who work in Maryland's public schools, teaching and preparing our 896,837 students for career and jobs of the future. MSEA also represents 39 local affiliates in every county across the state of Maryland, and our parent affiliate is the 3 million-member National Education Association (NEA).

§7-307 of the Education Article provides as follows:

- (a) (1) A principal, teacher, school security guard, or other school system personnel in any public school may take reasonable action necessary to prevent violence on school premises or on a school-sponsored trip, including intervening in a fight or physical struggle that takes place in his or her presence, whether the fight is among students or other individuals...
- (c) In any suit, claim, or criminal charge brought by a parent or other claimant of one of the combatants against the principal, teacher, school security guard, or other school system personnel because of the preventive action or intervention, the county board:
 - (1) Shall provide legal counsel for the principal, teacher, school security guard, or other school system personnel or may provide reimbursement for the reasonable expenses of the legal defense of any criminal charge if the county board considers it appropriate; and
 - (2) Shall save the principal, teacher, school security guard, or other school system personnel harmless from any award or decree against him.

Under existing law, if a teacher is sued for damages and an award is made against them, the county board of education who employs them is held financially responsible. This legislation would instead grant immunity to the individual teacher, so long as they were acting in good faith and there is no gross negligence. As such, the county board would not be made to pay any award of damage. This legislation would be an improvement on what currently exists in law.



We applaud all efforts that support students, teachers, administrators, and school personnel from unsafe or disruptive learning and working conditions. We also support all efforts to ensure that every member of the school community has the training and knowledge necessary to promote safe and productive learning and teaching communities. We believe this legislation is yet another piece of a much-needed puzzle. We look forward to continued efforts aimed at ensuring that every school in Maryland is a safe place to learn and a safe place to work. **MSEA urges a favorable report on House Bill 802.**