

AN ACT relating to qualified immunity.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 161 IS CREATED TO READ AS FOLLOWS:

*(1) Unless the act or omission was the result of gross, reckless, willful, or wanton negligence or intentional misconduct, any school official or person employed in an instructive or administrative position by a local school board shall not be personally liable for damages for any act or omission resulting from the supervision, care, or discipline of students when the act or omission:*

*(a) Is undertaken in good faith;*

*(b) Involves the exercise of discretion and judgment or personal deliberation;*  
*and*

*(c) Is within the scope of the school official or person's employment or authority.*

*(2) Nothing in this section shall be construed to limit, withdraw, or overturn:*

*(a) Any defense, immunity, or responsibility provided to a school official or person employed in an instructive or administrative position by a local school board by statute, administrative regulation, or school board rule;*

*(b) A school official's or person employed in an instructive or administrative position by a local school board's responsibility to supervise, discipline, or care for students by statute, administrative regulation, or school board rule;*  
*or*

*(c) A school official's or person employed in an instructive or administrative position by a local school board's responsibility to report suspected child abuse, neglect, or other danger as required by statute, administrative regulation, or school board rule.*

*(3) The provisions of this section shall not apply to civil actions filed prior to the*

*effective date of this Act.*