**South Carolina General Assembly**

118th Session, 2009-2010

**S. 1042**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Knotts, Reese, Williams, O'Dell, Cromer, Grooms, Ford, Campbell, McGill, Bright, Verdin, Elliott, Mulvaney, Bryant, S. Martin, Ryberg, Nicholson, Matthews and Rankin

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Introduced in the Senate on January 13, 2010

Currently residing in the Senate Committee on **Education**

Summary: Teachers

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/13/2010 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2010\01-13-10.docx)‑4

1/13/2010 Senate Referred to Committee on **Education** [SJ](file:///h:\SJ%20Archive\2010\01-13-10.docx)‑4

**VERSIONS OF THIS BILL**

[1/13/2010](file:///p:\pprever\2009-10\1042_20100113.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑25‑60 SO AS TO PROVIDE THAT A TEACHER WHO DISCIPLINES A CHILD ON SCHOOL DISTRICT PROPERTY BY MEANS OF CORPORAL PUNISHMENT WHILE ACTING WITHIN THE SCOPE OF HIS EMPLOYMENT IS IMMUNE FROM ALL CIVIL AND CRIMINAL LIABILITY THAT MAY ARISE FROM THE INCIDENT, AND TO FURTHER EXTEND IMMUNITY FROM LIABILITY TO THE PRINCIPAL, SCHOOL, SCHOOL ADMINISTRATORS, SCHOOL DISTRICT, AND SCHOOL DISTRICT ADMINISTRATORS FOR WHICH THE TEACHER IS EMPLOYED.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 25, Title 59 of the 1976 Code is amended by adding:

“Section 59‑25‑60. (A) A teacher who disciplines a student on school district property by means of corporal punishment while acting within the scope of his employment is immune from all civil and criminal liability that may arise from the incident. The same immunity is extended to the principal, school, school administrators, school district, and school district administrators for which the teacher is employed.

(B) For purposes of this section:

(1) ‘Corporal punishment’ means physical punishment inflicted by an adult in authority within the guidelines established by the school district on a student enrolled in a public school of a school district of this State.

(2) ‘Principal’ means the administrative head of a public school of this State.

(3) ‘Teacher’ includes both a teacher as defined in Section 59‑1‑130 and a teacher aide as defined in Section 59‑1‑140.

(4) ‘School district’ means a legal entity as defined in Section 59‑1‑160.”

SECTION 2. This act takes effect upon approval by the Governor.

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