

## **Personnel -- Certified/Non-Certified**

### **Employee Protection**

#### **Use of reasonable physical force upon a student**

A teacher or other person entrusted with the care and supervision of a minor for school purposes may use reasonable physical force upon such minor when and to the extent he reasonably believes such to be necessary to (A) protect himself or others from immediate physical injury, (B) obtain possession of a dangerous instrument or controlled substance upon or within the control of such minor, (C) protect property from physical damage or (D) restrain such minor or remove such minor to another area, to maintain order.

#### **Assaults or threats of physical violence upon school employees**

Employees shall immediately report cases of assault suffered by them in connection with their employment to their Principal or other immediate superior, and to local law enforcement agencies. Such notification shall be forwarded immediately to the Superintendent who shall comply with any reasonable request from the employee for information in the possession of the Superintendent relating to the incident or the persons involved, and shall act as liaison between the employee, the police and the courts.

No school administrator shall interfere with the right of a teacher or other school employee to file a complaint with the local police authority in cases of threats of physical violence or actual physical violence against such teacher or employee.

As required by law, the Board of Education will file a report annually with the State Board of Education indicating the number of threats and physical assaults made by students upon teachers, administrators and other school personnel, and the number of physical assaults involving dangerous weapons made by students upon other students.

#### **Indemnification of employees assaulted in the line of duty**

Consistent with the requirements of Connecticut General Statutes § 10-236a, the Board shall protect and save harmless any employee or Board member from financial loss and expense, including payment of expenses reasonably incurred for medical or other service necessary resulting from an assault upon such employee while such person was acting in the discharge of his/her duties within the scope of his/her employment or under the direction of the Board (which expenses are not paid by the employee's insurance, worker's compensation or other source not involving an expenditure by such employee). Any employee absent from employment as a result of injury sustained during such an assault or for a court appearance in connection with such assault shall continue to receive his/her full salary while so absent (minus any worker's compensation payments) and the time of such absence shall not be charged against such employee's sick leave, vacation time or personal leave.

## **Personnel -- Certified/Non-Certified**

### **Employee Protection (continued)**

#### **Indemnification of employees**

The Board will indemnify employees and Board members from financial loss and expense, including legal fees and costs, arising out of claims of the employee's negligence or malicious, wanton or willful acts in a manner consistent with Connecticut General Statutes § 10-235.

#### **"Good Samaritan Law," Connecticut General Statutes 52-557b**

A teacher or other school personnel, on the school grounds or in the school building or at a school function, who has completed both a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, and a course given by the medical advisor of the school or by a licensed physician in the administration of medication by injection, who renders emergency care by administration of medication by injection to a person in need thereof, shall not be liable to the person assisted for civil damages for any injuries which result from acts or omissions by the person in rendering the emergency care of administration of medication by injection, which may constitute ordinary negligence. The immunity provided in this subsection does not apply to acts or omissions constituting gross, willful or wanton negligence.

The provisions of this law shall not be construed to require any teacher or other school personnel to render emergency first aid or administer medication by injection.

Any person who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the National Ski Patrol, the Department of Public Health or any director of health, as certified by the agency or director of health offering the course, or has been trained in the use of a cartridge injector by a licensed physician, physician assistant, advanced practice registered nurse or registered nurse, and who, voluntarily and gratuitously and other than in the ordinary course of such person's employment or practice, renders emergency assistance by using a cartridge injector on another person in need thereof, or any person who is an identified staff member of a before or after school program, day camp or day care facility, as provided in Connecticut General Statutes Section 19a-900, and who renders emergency assistance by using a cartridge injector on another person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in using a cartridge injector, which may constitute ordinary negligence. The immunity provided does not apply to acts or omissions constituting gross, willful or wanton negligence.

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Legal Reference: Connecticut General Statutes

10-233g Boards to report school violence. Reports of principals to police authority.

10-235 Indemnification of teachers, board and commission members and employees in damage suits; expenses of litigation.

10-236 Liability insurance.

10-236a Indemnification of educational personnel assaulted in the line of duty.

52-557b Immunity from liability for emergency medical assistance, first aid or medication by injection. School personnel not required to administer or render.

53a-18 Use of reasonable physical force or deadly physical force generally.

53a-19 Use of physical force in defense of person.

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NEW MILFORD PUBLIC SCHOOLS  
New Milford, Connecticut