

SENATE BILL No. 767

October 20, 2011, Introduced by Senators JONES, SCHUITMAKER, PROOS, BOOHER, NOFS, MARLEAU, ROCCA, PAPPAGEORGE, ANDERSON, JANSEN, EMMONS, HOOD and MEEKHOF and referred to the Committee on Judiciary.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
by amending section 1531d (MCL 380.1531d), as added by 2003 PA 18.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1531d. (1) Beginning July 1, 2004, the superintendent of
2 public instruction shall not issue an initial teaching certificate
3 to a person unless the person presents evidence satisfactory to the
4 superintendent of public instruction that the person meets 1 of the
5 following:

6 (a) Has successfully completed a course approved by the
7 department in first aid and cardiopulmonary resuscitation,
8 including a test demonstration on a mannequin, and has successfully
9 completed instruction approved by the department in foreign body
10 airway obstruction management, and holds valid certification in

1 these topics issued by the American ~~red cross~~, **RED CROSS**, American
2 heart association, or a comparable organization or institution
3 approved by the department.

4 (b) Has physical limitations that make it impracticable for
5 the person to complete the instruction and obtain the required
6 certification under subdivision (a).

7 (2) A person who meets the requirements described in
8 subsection (1)(a) and who performs first aid, cardiopulmonary
9 resuscitation, or foreign body airway obstruction management on
10 another person in the course of his or her employment as a teacher
11 is not liable in a civil action for damages resulting from an act
12 or omission occurring in that performance except an act or omission
13 constituting gross negligence or willful and wanton misconduct.

14 (3) **A SCHOOL EMPLOYEE WHO RENDERS EMERGENCY SERVICES TO**
15 **ANOTHER INDIVIDUAL USING AN AUTOMATED EXTERNAL DEFIBRILLATOR IN THE**
16 **COURSE OF HIS OR HER EMPLOYMENT OR AT AN EXTRACURRICULAR SCHOOL**
17 **ACTIVITY IS NOT LIABLE IN A CIVIL ACTION FOR DAMAGES RESULTING FROM**
18 **AN ACT OR OMISSION OCCURRING IN THAT PERFORMANCE EXCEPT AN ACT OR**
19 **OMISSION THAT CONSTITUTES GROSS NEGLIGENCE OR WILLFUL AND WANTON**
20 **MISCONDUCT.**

21 (4) ~~(3)~~—This section does not create a duty to act on the part
22 of a person who holds ~~the~~ **A** certification described in subsection
23 (1)(a) **OR A SCHOOL EMPLOYEE UNDER SUBSECTION (3).**