



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/05/04, by Jim Watson

SYNOPSIS AS INTRODUCED:

105 ILCS 5/21-1
745 ILCS 49/10

from Ch. 122, par. 21-1

Amends the School Code and the Good Samaritan Act. Beginning July 1, 2005, provides that initial issuance of a teaching certificate is contingent upon certification in first aid and CPR. Provides that the State Board of Education shall accept first aid and CPR certificates from the American Red Cross, the American Heart Association, or any other nationally recognized certifying organization approved by the Department of Public Health. Provides that an individual or entity providing training in the use of first aid or CPR is not liable for civil damages as a result of any act or omission involving the act of performing first aid or CPR, except for willful or wanton misconduct. Provides that a trained teacher who performs first aid or CPR is not liable for civil damages as a result of any act or omission involving the act of performing first aid or CPR or from a failure to respond, except for willful or wanton misconduct. Provides that a school district or non-public school that employs teachers that are trained in first aid or CPR is not liable for civil damages as a result of any act or omission involving the act of performing first aid or CPR or from failure of a trained teacher to respond, except for willful or wanton misconduct.

LRB093 15060 NHT 46721 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning first aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 21-1 as follows:

6 (105 ILCS 5/21-1) (from Ch. 122, par. 21-1)

7 Sec. 21-1. Qualification of teachers. No one may be
8 certified to teach or supervise in the public schools of this
9 State who is not of good character, of good health, a citizen
10 of the United States or legally present and authorized for
11 employment, and at least 19 years of age. An applicant for a
12 certificate who is not a citizen of the United States must sign
13 and file with the State Board of Education a letter of intent
14 indicating that either (i) within 10 years after the date that
15 the letter is filed or (ii) at the earliest opportunity after
16 the person becomes eligible to apply for U.S. citizenship, the
17 person will apply for U.S. citizenship.

18 Citizenship is not required for the issuance of a temporary
19 part-time certificate to participants in approved training
20 programs for exchange students as described in Section 21-10.2.
21 A certificate issued under this plan shall expire on June 30
22 following the date of issue. One renewal for one year is
23 authorized if the holder remains as an official participant in
24 an approved exchange program.

25 In determining good character under this Section, any
26 felony conviction of the applicant may be taken into
27 consideration, but such a conviction shall not operate as a bar
28 to registration.

29 No person otherwise qualified shall be denied the right to
30 be certified, to receive training for the purpose of becoming a
31 teacher or to engage in practice teaching in any school because
32 of a physical disability including but not limited to visual

1 and hearing disabilities; nor shall any school district refuse
2 to employ a teacher on such grounds, provided that the person
3 is able to carry out the duties of the position for which he
4 applies.

5 No person may be granted or continue to hold a teaching
6 certificate who has knowingly altered or misrepresented his or
7 her teaching qualifications in order to acquire the
8 certificate. Any other certificate held by such person may be
9 suspended or revoked by the State Teacher Certification Board,
10 depending upon the severity of the alteration or
11 misrepresentation.

12 No one may teach or supervise in the public schools nor
13 receive for teaching or supervising any part of any public
14 school fund, who does not hold a certificate of qualification
15 granted by the State Board of Education or by the State Teacher
16 Certification Board and a regional superintendent of schools as
17 hereinafter provided, or by the board of education of a city
18 having a population exceeding 500,000 inhabitants except as
19 provided in Section 34-6 and in Section 10-22.34 or Section
20 10-22.34b. Beginning July 1, 2005, initial issuance of a
21 teaching certificate is contingent upon the applicant
22 demonstrating that he or she holds current certification in
23 first aid and CPR, according to the standards of the American
24 Red Cross, American Heart Association, or other nationally
25 recognized certifying organization. The State Board of
26 Education shall accept first aid and CPR certificates from the
27 American Red Cross, the American Heart Association, or any
28 other nationally recognized certifying organization approved
29 by the Department of Public Health, in accordance with
30 Department rules. However, the provisions of this Article do
31 not apply to a member of the armed forces who is employed as a
32 teacher of subjects in the Reserve Officer's Training Corps of
33 any school. Sections 21-2 through 21-24 do not apply to cities
34 having a population exceeding 500,000 inhabitants, until July
35 1, 1988.

36 Notwithstanding any other provision of this Act, the board

1 of education of any school district may grant to a teacher of
2 the district a leave of absence with full pay for a period of
3 not more than one year to permit such teacher to teach in a
4 foreign state under the provisions of the Exchange Teacher
5 Program established under Public Law 584, 79th Congress, and
6 Public Law 402, 80th Congress, as amended. The school board
7 granting such leave of absence may employ with or without pay a
8 national of the foreign state wherein the teacher on leave of
9 absence will teach, if the national is qualified to teach in
10 that foreign state, and if that national will teach in a grade
11 level similar to the one which was taught in such foreign
12 state. The State Board of Education shall promulgate and
13 enforce such reasonable rules as may be necessary to effectuate
14 this paragraph.

15 (Source: P.A. 93-572, eff. 1-1-04.)

16 Section 10. The Good Samaritan Act is amended by changing
17 Section 10 as follows:

18 (745 ILCS 49/10)

19 Sec. 10. First aid and cardiopulmonary ~~Cardiopulmonary~~
20 resuscitation; exemption from civil liability ~~for emergency~~
21 ~~care.~~

22 (a) Any person currently certified in basic
23 cardiopulmonary resuscitation (CPR) who complies with
24 generally recognized standards, and who in good faith, not for
25 compensation, provides emergency cardiopulmonary resuscitation
26 to a person who is an apparent victim of acute cardiopulmonary
27 insufficiency shall not, as the result of his or her acts or
28 omissions in providing resuscitation, be liable for civil
29 damages, unless the acts or omissions constitute willful and
30 wanton misconduct.

31 (b) An individual or entity providing training in the use
32 of first aid or CPR is not liable for civil damages as a result
33 of any act or omission involving the act of performing first
34 aid or CPR, except for willful or wanton misconduct.

1 (c) A trained teacher who performs first aid or CPR is not
2 liable for civil damages as a result of any act or omission
3 involving the act of performing first aid or CPR or from a
4 failure to respond, except for willful or wanton misconduct.

5 (d) A school district or non-public school that employs
6 teachers that are trained in first aid or CPR is not liable for
7 civil damages as a result of any act or omission involving the
8 act of performing first aid or CPR or from failure of a trained
9 teacher to respond, except for willful or wanton misconduct.

10 (Source: P.A. 89-607, eff. 1-1-97; 90-742, eff. 8-13-98.)