

parochial school is immune from civil liability for] WHETHER OR NOT AN INDIVIDUAL RECEIVES COMPENSATION FOR THE INDIVIDUAL'S SERVICES, AN EMPLOYEE OF A COUNTY HEALTH DEPARTMENT FUNCTIONING AS A SCHOOL NURSE OR SCHOOL HEALTH AIDE, OR A MEMBER OF THE ADMINISTRATIVE, EDUCATIONAL, OR SUPPORT STAFF OF, OR AN INDIVIDUAL WHO SERVES UNDER A CONTRACT FOR SERVICES TO, ANY PUBLIC, PRIVATE OR PAROCHIAL SCHOOL IS IMMUNE FROM LIABILITY FOR:

(1) Making a report required by law, if [he] THE INDIVIDUAL acts on reasonable grounds;

(2) Participating in a judicial proceeding that results from [his] THE INDIVIDUAL'S report; and

(3) (i) Making a report to the appropriate school official or to a parent if [he] THE INDIVIDUAL has reasonable grounds to suspect that a student is [under]:

1. UNDER the influence of alcoholic beverages or a controlled dangerous substance [or that a student is in];

2. IN possession of alcoholic beverages or a controlled dangerous substance; OR

3. INVOLVED IN THE ILLEGAL SALE OR DISTRIBUTION OF ALCOHOLIC BEVERAGES OR A CONTROLLED DANGEROUS SUBSTANCE.

(ii) This paragraph is effective only to the extent that its provisions do not conflict with federal or State confidentiality laws and regulations.

(b) A county superintendent or any employee of a county school system who presents or enters findings of fact, recommendations, or reports or who participates in an employee dismissal, disciplinary, administrative, or judicial proceeding relating to a school system employee that results from these actions is immune from any civil liability if his action is:

(1) In the performance of his duties;

(2) In the scope of his employment; and

(3) Without malice.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.