

All Personnel

Employee Security

An employee may use reasonable force when necessary to protect himself/herself from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects on or within the control of a student. (Education Code 44807, 49331)

Employees shall promptly report any student attack, assault or threat against them to their principal or other immediate supervisor. The employee and the principal or other immediate supervisor both shall promptly report such instances to the appropriate local law enforcement agency. (Education Code 44014)

The report also shall be forwarded immediately to the Superintendent or designee, who may act as liaison between the employee, the police, and the courts.

An employee whose person or property is injured or damaged by willful misconduct of a student may ask the district to pursue legal action against the student or the student's parent/guardian. (Education Code 48905)

Information for Teachers

The Superintendent or designee shall inform the teacher of every student who has caused or tried to cause another person serious bodily injury or any physical injury which requires professional medical treatment. This information shall be based upon written district records or records received from a law enforcement agency. Teachers shall receive the information in confidence and shall not disseminate it further. (Education Code 49079)

Legal Reference: (See next page)

Employee Security (continued)

Legal Reference:

EDUCATION CODE

- 35203 Duty of district attorney to defend in certain cases
- 35204 Contract with attorney in private practice or use of administrative advisor
- 35205 Contract for legal services
- 35206 Additional legal services by county counsel or district attorney
- 35208 Liability insurance
- 35213 Reimbursement for loss, destruction or damage of school property
- 44014 Report of assault by pupil against school employee
- 44807 Duty concerning conduct of pupils
- 48902 Notification of law enforcement authorities if student violates assault or controlled substance provision
- 48904 Parental liability
- 49079 Notification to teacher; student who has caused or attempted to cause serious bodily injury
- 48905 Injury or damage to person or property of school district employee; request for legal action
- 49331 Removal of injurious object from possession of pupil by designated employee

GOVERNMENT CODE

- 995-996.4 Defense of public employees

PENAL CODE

- 71 Threatening public officers and employees and school officials
- 241.2 Assault on school or park property against any person
- 241.3 Assault against school bus drivers
- 241.6 Assault on school employee
- 243 Battery; punishment
- 243.2 Battery on school or park property against any person
- 243.3 Battery against school bus drivers
- 243.6 Battery against school employee

CIVIL CODE

- 51.7 Freedom from violence or intimidation