

ALL PERSONNELEmployee Security and Protection

An employee may use reasonable force as is 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 upon the person or within control of a pupil.

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

Duty to report instances of attack, assault or threat by a pupil

Employees shall immediately report instances of attack, assault or threat against them by any pupil to their principal or other immediate supervisor, and also to the appropriate local law enforcement agency. The report shall be forwarded immediately to the Superintendent or designee, 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 in appropriate ways as liaison between the employee, the police, and the courts.

It is the duty of any employee who is attacked, assaulted or menaced by any pupil, and of the employee's supervisor, to report the incident to local law enforcement officials even if it has been reported to Office of Education superiors. Failure by the employee and the principal/supervisor to make such a report is a misdemeanor, and it is also a misdemeanor for any person to inhibit or impede the filing of the report.

Persons in Possession of Injurious Objects on School Grounds or at School-sponsored Activities

Employees shall take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure. School employees who

notify law enforcement regarding students or adults who are in possession of injurious objects while on school grounds or under the jurisdiction of school personnel are immune from prosecution. (Education Code 49334)

Assurances

If criminal or civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request the Office of Education to furnish legal counsel to defend the employee in any civil action or proceeding brought against the employee, within the limits set by law.

The Office of Education shall reimburse an employee for the cost of medical, surgical or hospital services (less the amount of any insurance reimbursement) incurred as the result of any injury sustained in the course of his/her employment.

An employee whose person or property is injured or damaged by willful misconduct of a student may request the Office of Education to pursue legal action against the student or the student's parent/guardian.

Confidential Student Information

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 that requires professional medical treatment. This information shall be based upon written office records or records received from a law enforcement agency.

Teachers shall receive the above information in confidence and disseminate it no further. Teachers may be subject to discipline for divulging such information to persons who are not entitled to it.

The Superintendent or designee shall maintain the above information in a separate confidential file for each student. This file shall be kept at the school which the student attends. The principal or designee shall notify the teacher in writing when such a student is assigned to this/her class/program and ask the teacher to review the student's file in the school office. This notification shall not name or otherwise identify the student.

The principal or designee shall keep a record of the above notification. Teachers who will be notified are those who are likely to come into contact with the student, including the student's homeroom or classroom teachers, special education teachers, coaches and counselors.

The teacher shall initial the student's file when reviewing it in the school office. A teacher's failure to review the file may be construed as a waiver of the district's liability.

When informed that a student has been found by a court of competent jurisdiction to have illegally used, sold or possessed a controlled substance or committed a crime specified in Welfare and Institutions Code 828.1, the Superintendent or designee may so inform any teacher, counselor or administrator whom he/she believes needs this information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from needless vulnerability. The Superintendent or designee shall consult with the principal of the school which the student attends in order to identify staff that should be so informed.

The Superintendent or designee shall ensure that staff members understand that they are receiving such information in confidence and must disseminate it no further.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35204 Contract with attorney in private practice or use of administrative advisor

35205 Contract for legal services

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 students

48201 Transfer of student records

48900-48926 Suspension or expulsion Grounds for suspension or expulsion

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

49330-49335 Injurious objects

CIVIL CODE

51.7 Freedom from violence or intimidation

CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety act

GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

PENAL CODE

71 Threatening public officers and employees and school officials

240 Definition of assault

241.2 Assault on school or park property against any person

241.3 Assault against school bus drivers

241.6 Assault on school employee includes board member

242 Definition of battery

243 Battery; definition of "injury" and "serious bodily injury"

243.2 Battery on school or park property against any person

243.3 Battery against school bus drivers

243.6 Battery against school employee includes board member

Personnel

Superintendent's Policy 4158/4258/4358 (d)

245.5 Assault with deadly weapon; school employee includes board member
290 Registration of sex offenders
601 Trespass by person making credible threat
626.9 Gun-Free School Zone Act of 1995
626.10 Exceptions to bringing weapons on school grounds
646.9 Stalking
12403.7 Weapons approved for self defense
WELFARE AND INSTITUTIONS CODE
827 Juvenile court proceedings; reports; confidentiality
828.1 District police or security department, disclosure of juvenile records

Policy
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