

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

In addition, employees shall promptly report any attack, assault or threat made against them on school grounds by any other individual. The employee and supervisor shall follow the same procedures as specified above.

(cf. 3515.2 - Disruptions)

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)

An employee whose person or property is injured or damaged by willful misconduct of any other individual may ask the district to pursue legal action against the individual.

(cf. 3515.4 - Recovery for Property Loss or Damage)

Notice Regarding Student Crimes and Offenses

The Superintendent or designee shall inform the teacher of every student in his/her class who has engaged in, or is reasonably suspected of, any act during the previous three years which could constitute grounds for suspension or expulsion, with the exception of the possession or use of tobacco products. This information shall be based upon written district records or records received from a law enforcement agency. (Education Code 49079)

When informed by the court that a student has committed any felony, or misdemeanor involving curfew, gambling, alcohol, drugs, tobacco

products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism or graffiti, the Superintendent or designee shall so inform the school principal. The principal shall keep this information in a separate confidential file and give it to the counselors who directly supervise or report on the student's behavior or progress. If the offense involves alcohol, drugs, weapons, assault or battery, larceny, vandalism or graffiti, the principal shall also inform the student's teacher(s). The principal shall also inform any teacher or administrator he/she thinks may need the information so as

to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)

Any court-initiated information that a teacher, counselor or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing the above information to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the teacher a written notification requesting him/her to review a student's file in the school office. This notification shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the district has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file may be construed as a waiver of the district's liability.

(cf. 3514 - Environmental Safety)

(cf. 5125 - Student Records)

(cf. 5131.7 - Weapons and Dangerous Instruments)

Regulation FRESNO UNIFIED SCHOOL DISTRICT

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