

All Personnel

BP 4158

4258

EMPLOYEE PROTECTION (PERSONAL SAFETY)

4358

An employee may use reasonable force 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 student. (Education Code 44807, 49331-49333)

Employees shall promptly report instances of attack, assault or threat against them by any student 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. The Superintendent or designee shall act as liaison between the employee, the police, and the courts. (Education Code 44014)

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

(cf. 3514 - Safety)

Legal Reference:

EDUCATION CODE

- 35203 Duty of District attorney to defend in certain cases*
- 35204 Contract with attorney private practice, use of administrative advisor*
- 35205 Contract for specialized legal services*
- 35206 Contract for additional services from county counsel or District attorney*
- 35208 Liability insurance*
- 35213 Reimbursement for loss, Destruction or damage of school property*
- 44014 Report of assault by pupils against school employees*
- 44807 Duty concerning conduct of pupils; limitations on criminal prosecution*
- 48902 Notification of law enforcement authorities if student commits assault with deadly weapon*
- 48904 Parental liability*
- 48905 Right to seek legal redress*
- 49331 Removal of injurious object from possession of pupil by designated employee*

GOVERNMENT CODE

- 995-996.6 Defense of public employees*

PENAL CODE

- 71 Threatening public officers and employees and school officials*
- 241.2 Assault committed on school property against any person*
- 241.3 Assault committed against school bus drivers*
- 243.2 Battery committed on school property against any person*
- 243.3 Battery committed against school bus drivers*

CIVIL CODE

- 51.7 Civil rights*

Policy
adopted: May 2, 1990

MURRIETA VALLEY USD
Murrieta, California