

EMPLOYEE SAFETY

Threatening a School Employee

1. Continued willful disobedience, habitual profanity or vulgarity, open persistent defiance of the authority of the school personnel or continued abuse of school personnel, assault or battery upon school or any threat of force or violence directed toward school personnel, at any time or place, shall constitute good cause for suspension or expulsion from school; however, no pupil shall be suspended or expelled unless the conduct for which he is to be disciplined is related to school attendance.
2. Every person who, with the intent to cause, attempts to cause, or causes any officer or employee of any public or private educational institution or any public officer or employee to do, or refrain from doing, any act in the performance of his duties, by means of a threat, directly communicated to such person, to inflict an unlawful injury upon any person or property, and it reasonably appears to the recipient of the threat that such threat could be carried out, is guilty of a public offense.
3. Whenever any school district employee is attacked, assaulted, or menaced by a pupil, it is the duty of the employee and his supervisor, if he has knowledge of the incident, promptly to report the matter to the law enforcement authorities. Failure to make such a report is a misdemeanor punishable by a fine. Any employee of any school district, a county supervisor of schools, or one of his staff, or a board member who attempts directly or indirectly to dissuade a person under duty to make the above report is guilty of a misdemeanor and may be assessed a fine.
4. School Administrator's Responsibility in Case of Assault by Pupil Against School Employees.
 - a. A complete written report is to be mailed without delay to the appropriate law enforcement agency. A copy of the form should be retained in school and district office files.
 - b. The principal should make every reasonable attempt to notify the pupil's parents of all pertinent factors.

Legal Reference: (see next page)

EMPLOYEE SAFETY (continued)

Legal Reference:

EDUCATION CODE

32030-32034 Eye safety

32225-32226 Communications devices in classrooms

32280-32289 School safety plans

44984 Required rules for industrial accident and illness leave of absence

GOVERNMENT CODE

3543.2 Scope of bargaining

LABOR CODE

3300 Definitions

6305 Occupational safety and health standards; special order

6310 Retaliation for filing complaint prohibited

6400-6413.5 Responsibilities and duties of employers and employees, especially:

6401.7 Injury and illness prevention program

CODE OF REGULATIONS, TITLE 8

3203 Injury and illness prevention program

3400 Medical services and first aid

5095-5100 Control of noise exposure

CODE OF FEDERAL REGULATIONS, TITLE 29

1910.95 Noise standards