



Administrative Regulations

South San Antonio Independent School District

D – Personnel	DEC
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Physical Assault on School Personnel - 2023	

GENERAL

An assault is defined in Texas Penal Code §21.01 as “intentionally, knowingly, or recklessly causing bodily injury to another or intentionally or knowingly threatening another with imminent bodily injury ... or intentionally or knowingly causing physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.” An aggravated assault is defined in Texas Penal Code §21.02 as “causing serious bodily injury to another or using or exhibiting a deadly weapon during the commission of an assault.”

1. Any employee who believes that he/she has been physically assaulted shall submit his/her complaint in writing to the principal or supervisor for non-campus-based personnel.
 - a. The complaint should be submitted immediately after the assault occurs, but no later than 24 hours following the incident.
 - b. The complaint must describe in detail how the incident occurred, the name (s) of individual (s) involved, the name (s) of anyone who might have witnessed the incident, and the injury suffered from the incident.
 - c. The First Report of Injury is to be filed by the Worker’s Compensation designee for the campus/department.
2. If the incident involved misconduct is by a student, appropriate personnel shall also submit a referral detailing the student’s misconduct to the principal or designee. If a student is the one who is alleged to have committed the assault, the principal shall follow procedures regarding investigation of serious incidents.
3. The principal shall contact the police, either by calling the police or by contacting the officer assigned to the campus. The officer will make a report to the police or file charges against the person alleged to have assaulted him/her.
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5. The principal shall ensure that the school nurse examines all the people involved, whether adult or student, to offer medical aid and to document the injuries sustained. The nurse shall follow District procedures in reporting the injury.
6. If the employee receives other medical attention for any injury (i.e., personal doctor, clinic, etc.) he/she shall also submit a copy of the medical report to the Benefits Specialist. Shall also submit a copy of the medical report to the Human Resources Benefits Coordinator.
7. The principal shall schedule a meeting with the employee within one school day after the principal receives the complaint. During this meeting, the principal shall review the complaint with the employee and ascertain whether any additional information is necessary to aid in the investigation. The principal shall ask the employee to sign a medical release form allowing the District to communicate with the medical staff that treated the employee for the injury and any other medical staff that might have treated the employee about a similar or related condition.
8. Filing an assault report does not eliminate the need for the employee to file a Worker's Compensation Injury Report. [See Administrative Regulations Reporting Worker's Compensation]
9. The principal shall conduct a thorough formal investigation, including gathering written witness statements for anyone who can offer information.
10. Should the investigation reveal evidence that support more serious disciplinary action against a student, the principal shall follow those procedures regarding placement in a DAEP, etc.
11. The principal shall summarize his/her investigative efforts in a memo and submit the memo and copies of all data to the Human Resources Department.
12. The Human Resources Department will analyze the data gathered, report the information and recommendations to decide on whether assault leave will be approved. If approved, HR will notify the principal, employee, and the payroll office. If assault leave is granted, the days of leave will not be deducted from the employee's accrued personal leave. An assault leave may not extend than two years beyond the date of the assault. If the assault leave is not granted, the days of absence will be deducted from the employee's accrued personal leave or against the pay if the accrued days are insufficient.