

BOARD COUNTER PROPOSAL #1

Article IX – Safety and Health

September 18, 2019

SECTION A - Safety: SAME

SECTION B – Workers' Compensation: SAME

SECTION C – Assault, Battery, Threat, and Disability

1. In order an effort to decrease minimize the potential incidents the incidences of assault and/or battery in the educational setting, teachers will be notified by the principal, or the principal's designee, when a student with a known history of committing assault and/or battery violent behavior is placed in his/her class.
2. If requested, an SRP teacher shall be provided with training and other assistance to improve skills in classroom management, violence prevention, conflict resolution and any other related areas per Florida Statute 1003.32.
- 1.3. Any assault, battery, or threat against a teacher shall be promptly reported, by the involved teacher, to the worksite supervisor. In case of any assault and/or battery upon, or threat against, a teacher in the course of his/her employment, the Board shall provide make available legal counsel to advise the teacher of his/her rights and obligations with respect to such threat, assault and/or battery as set forth in 1003.32. Florida Statutes and to the extent that a conflict of interest would not otherwise prevent the Board's counsel from advising the teacher, and shall promptly render assistance necessary to the teacher in connection with handling of the incident by law enforcement and judicial authorities. In addition, any threat of personal injury or property damage made by a student toward a teacher shall be assessed through the District's Violence Intervention Procedures for Elementary or Secondary Schools to determine the credibility of such threat. As part of the threat assessment procedures, if a teacher is the targeted victim or witness, he/she would be interviewed and input obtained regarding context of the threat. Upon completion of the threat assessment process, one of the Threat Assessment Team members will share the resolution of the threat assessment and "need-to-know" components of the safety plan. In addition, the student shall be removed from the teacher's class and shall not have direct contact with the teachers during school hours or on school property until the threat assessment is concluded. and the teacher is notified of the assessment results. The teacher will then verbally state understanding and acceptance of the assessment and that all contributing factors and safety issues leading to the decision have been addressed. If the threat is made by a person not under the jurisdiction of the school board, the teacher will not be required to meet with that person until the matter has been investigated and documented by the principal and the teacher has been notified of the results of that investigation. The teacher has the right to have an administrator present at any future meetings with the person making the threat.
4. Any student found to have committed assault or battery against a teacher will be subjected to disciplinary action as provided in the Code of Student Conduct. The Board and the Union understand that, in certain situations, the IDEA, 20 U.S.C. § 1401, et seq., Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, 42 U.S.C. § 1983, and any and all related federal, state and local laws and regulations will control the rights and remedies available against students with disabilities.
- 2.5. Death or Disability Compensation for death or disability shall be paid in accordance with the provisions of the Workers' Compensation Law.

SECTION D – Personal Property: SAME

SECTION E – Liability: SAME

END OF ARTICLE IX

For the Board

Date

For the Union

Date