

## BOARD COUNTER PROPOSAL #2

November 13, 2019

### ARTICLE IX – SAFETY AND HEALTH

#### SECTION A – Safety: SAME

#### SECTION B – Workers’ Compensation: SAME

#### SECTION C – Assault, Battery, or Threat Against a SRP; Disability or Death of a SRP

- ~~In order an effort to decrease minimize the potential incidents the incidences of assault and/or battery in the educational setting, SRP 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 or on his/her bus, under their authority~~
- ~~If requested, an SRP 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.~~
- ~~Any case of assault, or battery upon or threat against a SRP in the performance of his/her duty shall be promptly reported by the involved SRP to the worksite supervisor. SRP who are involved in such cases shall not lose regular salary and benefits for any time lost from their duties when their presence is required before a judicial body. In case of any assault and/or battery upon, or threat against, an SRP in the course of his/her employment, the Board shall provide make available legal counsel to advise the SRP of his/her rights and obligations in with respect to such assault, battery or threat 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 SRP, and shall promptly render assistance necessary to the SRP in connection with the handling of the incident by law enforcement and judicial authorities. Nothing contained in this section shall prohibit a SRP from contacting the proper legal authorities and filing charges against a student or person who assaulted and/or battered the SRP. No punitive action shall be taken by any administrator against any SRP who exercises his/her legal rights under this section. A representative from the District will offer to assist the SRP in pressing such charges as are appropriate.~~

In addition, any threat of personal injury or property damage made by a student toward a SRP 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 SRP 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 to the involved SRP. When administration has been notified properly In addition, the student shall not have direct contact with the SRP during school hours or on school property until the threat assessment is concluded, and the SRP is notified of the results. The SRP will then verbally state understanding and acceptance of the assessment and that all the contributing factors and safety issues leading to the decision that have been addressed. If the threat is made by a person not under the jurisdiction of the school board, the SRP will not be required to meet with that person until the matter has been investigated and

documented by the worksite supervisor and the SRP has been notified of the results of that investigation. The SRP 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 SRP will be subjected to disciplinary action as provided in the Code of Student Conduct. The Board and 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.
5. Compensation for death or disability shall be paid in accordance with the provisions of the Workers' Compensation Law.

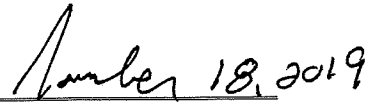
**SECTION D – Personal Property: SAME**

**SECTION E – Liability: SAME**

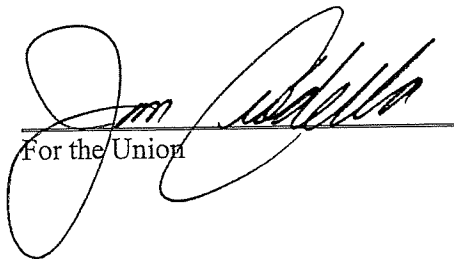
**END OF ARTICLE IX**



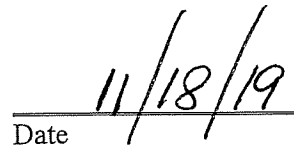
For the Board



Date



For the Union



Date