

ASSAULT AND BATTERY

INVOLVING TECHNOLOGY CENTER EMPLOYEES

Any technology center employee upon whom an assault, battery, assault and battery, aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a technology center employee shall immediately notify the campus director and superintendent. If the technology center employee seeks emergency medical treatment as a result of the incident, the employee may make the report after obtaining such treatment or through a designee. All such reports must state the name of the person who committed the offense, the person upon whom the offense was committed, the nature, context and extent of the offense, the date(s) and time(s) of the offense and any other information necessary to a full report and investigation of the matter. The report may be made orally or in writing. The campus director or superintendent or his/her designee will deliver a copy of this policy to the technology center employee upon receipt of the report. The campus director or superintendent will investigate the incident and take appropriate action based upon the results of that investigation. The technology center employee must cooperate in the investigation. The campus director or superintendent will notify the State Department of Education in writing of all such incidents for the previous year on July 1 of each year or the first business day thereafter if July 1 falls on a weekend or legal holiday. The report must include a description of the incident and the final disposition of the incident.

The technology center will also refer appropriate incidents to law enforcement for investigation and prosecution. The technology center's decision to report or not to report a particular incident to law enforcement does not preclude the technology center employee from making a report to law enforcement. To the extent permitted by law, the technology center will share information and cooperate with law enforcement in the conduct of its investigation and in any subsequent prosecution.

No technology center employee will be subject to any civil liability for any statement, report or action taken in reporting or assisting in reporting a battery or assault and battery committed upon the technology center employee while in the performance of any duties unless such report or assistance was made in bad faith or with malicious purpose.

The technology center will post in a prominent place at each technology center site the following notice: "Felony charges may be filed against any person(s) committing an aggravated assault or battery upon any technology center employee."

For purposes of this policy, a "technology center employee" means an instructor or any duly appointed person employed by the technology center or employees of a firm contracting with the technology center for any purpose, including any personnel not directly related to the instruction process, and members of the board of education during board meetings.

For purposes of this policy, the terms "assault," "battery" and "aggravated assault and battery" are defined as follows: An "assault" means any willful and unlawful attempt or offer with force or violence to do a corporal

hurt to another. A “battery” is any willful and unlawful use of force or violence upon the person of another. An “assault and battery” becomes “aggravated” when committed under any of the following circumstances: (1) when great bodily injury is inflicted upon the person assaulted; or (2) when committed by a person of robust health or strength upon one who is aged, decrepit or incapacitated, as defined by law.