

**ASSAULT, BATTERY, OR ASSAULT AND BATTERY UPON
SCHOOL EMPLOYEE
POLICY**

It is the intention of the Board of Education of Tulsa Technology Center to provide a work environment for employees that is free from unnecessary health and safety risks. In accordance with Oklahoma statutes, and in the furtherance of this intent, the District policy concerning assault, battery or assault and battery on a school employee shall be one of zero tolerance. The District shall seek prosecution, according to applicable criminal statutes, for any such act carried out upon the person of an employee in conjunction with his/her employment, whether or not committed on District property.

Definitions

For purposes of this policy, "assault" shall be defined by Section 641 of Title 21 of the Oklahoma Statutes, "battery" shall be defined by Section 642 of Title 21 of the Oklahoma Statutes, and "aggravated assault and battery" shall be defined by Section 646 of Title 21 of the Oklahoma Statutes.

"Assault" is defined as any willful and unlawful attempt or offer (threat) with force or violence to do a corporal hurt to (injure) another.

"Battery" is defined as any willful and unlawful use of force or violence upon the person of another.

"Battery" and "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.

"Great bodily injury" means bone fracture, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ or mental faculty, or substantial risk of death.

For purposes of this policy, "school employee" shall mean any duly appointed person, employee, or employees of a firm contracting with Tulsa Technology Center, for any purpose, including such personnel not directly related to the teaching process and board members during meetings.

REFERENCE: 21 O.S. § 650.7

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PROCEDURES

- I. An assault, battery, or assault and battery committed on school property shall be immediately reported by the administration to local law enforcement authorities, which includes, but is not limited to, campus security officers. An assault, battery, or assault and battery committed upon any school employee while not on District property should be reported immediately by the employee to appropriate law enforcement authorities.
- II. Any school employee upon whom an assault, battery, assault and battery, or aggravated battery or aggravated assault and battery is committed while in the performance of any duties as a school employee shall notify either the Superintendent, campus administrator, or any other administrator of the District.
- III. If an administrator is first notified, the administrator shall then notify the Superintendent of the assault, battery, assault and battery, aggravated battery or aggravated assault and battery as soon as possible.
- IV. The Superintendent shall notify the State Department of Education annually of all incidents of this nature for the previous year, on July 1 of each year. The report shall include a description of the battery or assault and battery, and the final disposition of each incident.
- V. No school employee shall 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 which is committed upon the school employee while in the performance of any duties unless such report or assistance was made in bad faith or with malicious purpose.
- VI. In accordance with §70-5-146, each employee shall be provided with this written policy upon hire and shall follow these procedures if an assault, battery, or assault and battery is committed upon the employee while in the performance of any school duties.
- VII. A notice, as defined in law, shall be posted in accordance with the law. This notice shall read as follows: **FELONY CHARGES MAY BE FILED AGAINST ANY PERSON(S) COMMITTING AN AGGRAVATED ASSAULT OR BATTERY UPON ANY SCHOOL EMPLOYEE.**