

**POWAY UNIFIED SCHOOL DISTRICT  
ADMINISTRATIVE PROCEDURE**

**Originator:** Area Superintendent

**Issue No:** 3

**Date:** 12/17/01

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**Reference:** EC 44014; Penal Code 240,  
242, 245, 245.4

**ARTICLE: 5.0      STUDENT PERSONNEL**  
**5.17      PHYSICAL ASSAULT/BATTERY/  
             THREATS ON DISTRICT  
             EMPLOYEES**

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**SECTION 5.17.1 Procedure for Physical Assault/Battery/Threats on District Employees**

Whenever any District employee is attacked, assaulted, or threatened by any student, the incident must be reported promptly to the school principal or designee. The employee or the employee's supervisor must then report the incident to the appropriate law enforcement agency.

**Definition of Terms**

1. **Assault (Penal Code 240)**

An assault is an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another (a misdemeanor).

2. **Battery (Penal Code 242)**

A battery is any willful and unlawful use of force or violence upon the person of another (misdemeanor).

3. **Assault with a Deadly Weapon (Penal Code 245, 245.4)**

Any person who commits an assault upon another person with a deadly weapon or instrument, or by any means of force likely to produce great bodily injury commits a felony.

**Procedure**

When a student attacks, assaults, or threatens any school employee, the employee shall notify his/her supervisor and the supervisor shall notify the school principal or designee who shall:

1. Telephone the police or sheriff and make a report.
2. Obtain written report by employee, student, and any witnesses.
3. Immediately notify student's parents and hold a parent conference.
4. Notify the Director of Student Discipline and Support and the area superintendent in Learning Support Services.
5. Take appropriate disciplinary action which may include transfer, suspension, expulsion, or other measures.