



Book	Policy Manual
Section	200 Pupils
Title	Aggravated Assault
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Legal	1. 24 P.S. 510 2. 24 P.S. 511 4. Pol. 218.1 5. 22 PA Code 10.23 6. 20 U.S.C. 1400 et seq 7. Pol. 103.1 8. Pol. 113.1 9. Pol. 113.2 10. Pol. 805.1 11. 23 Pa. C.S.A. 6303 12. Pol. 218.8 13. 24 P.S. 1317.2 14. 22 PA Code 12.2 15. 24 P.S. 1302.1-A 17. 22 PA Code 10.2 18. 22 PA Code 10.22 19. 22 PA Code 10.25 20. 24 P.S. 1303-A 21. Pol. 805 22. 22 PA Code 12.3 34 CFR Part 300 Pol. 000
Adopted	August 12, 2013
Last Revised	May 16, 2016

Authority

The Board establishes that a student commits the offense of aggravated assault under this

policy if the student:[\[1\]](#)[\[2\]](#)[\[22\]](#)

1. Intentionally or recklessly strikes, hits, pushes or shoves, or otherwise physically contacts the person of a school employee in a hostile or offensive manner.
2. Attempts by physical menace or threat to put any school employee in fear of imminent bodily injury.
3. Attempts to cause or intentionally or recklessly causes bodily injury to another with a weapon, as defined in Board policy.[\[4\]](#)
4. Intentionally or recklessly causes serious bodily injury to another.
5. Repeatedly uses force or violence, or the threat thereof, against others under circumstances which create a substantial risk of serious bodily injury.

In the case of a student with a disability, including a student for whom an evaluation is pending, the district shall take all steps required to comply with state and federal laws and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)

Definitions

For purposes of this policy, the term **school employee** means a person actually employed by the school district, as well as a coach, game official, security guard, police officer, parent/guardian volunteer or other similar person, while engaged in service for, or under arrangement with, the school district.

The term **serious bodily injury** means bodily injury which creates a substantial risk of death, or which causes significant disfigurement to, or loss or impairment of, any bodily member or organ.[\[11\]](#)

Guidelines

An alleged offense under this policy shall result in a mandatory formal hearing before the Board or a committee of the Board or hearing examiner. The Superintendent may exclude the student from school pending the hearing. Further disciplinary action will be determined by the Board.[\[12\]](#)

The standard penalty for an offense under this policy may include permanent expulsion from school, in accordance with Board Policy.[\[12\]](#)

The Superintendent may recommend lesser discipline on a case-by-case basis.[\[13\]](#)

If a student is expelled for aggravated assault, the Board may require, prior to readmission, that the student provide competent and credible evidence that the student does not pose a risk of harm to others.[\[12\]](#)

Staff members and students shall be made aware of their responsibility for informing the building principal regarding any information or knowledge relevant to aggravated assault.[\[14\]](#)

The Superintendent or designee may report incidents involving aggravated assault on school

property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies. [\[15\]](#)[\[20\]](#)[\[17\]](#)[\[18\]](#)[\[10\]](#)

The Superintendent or designee shall notify the parent/guardian of any student directly involved in an incident involving aggravated assault as a victim or suspect immediately, as soon as practicable. The Superintendent or designee shall inform the parent/guardian whether or not the local police department that has jurisdiction over the school property has been or may be notified of the incident. The Superintendent or designee shall document attempts made to reach the parent/guardian. [\[17\]](#)[\[19\]](#)[\[10\]](#)

In accordance with state law, the Superintendent shall annually, by July 31, report all incidents of aggravated assault to the Office for Safe Schools on the required form. [\[20\]](#)[\[10\]](#)

Delegation of Responsibility

The Superintendent or designee shall report suspected violations of this policy to local police and shall implement school/police protocols. Such action shall be in compliance with state law and regulations and with the procedures set forth in the memorandum of understanding with local law enforcement officials and the district's emergency preparedness plan. [\[15\]](#)[\[21\]](#)[\[10\]](#)

Last Modified by Lisa M Brown on June 2, 2016