

ASSAULT

WHAT SHOULD YOU DO IF YOU ARE ASSAULTED AT SCHOOL?

1. Take care of yourself. Call/send for help and support
2. Report the incident to the building administrator and the CFT Building Representative immediately.
3. Either write down or dictate to someone else the series of events. Give a copy to the administrator and the CFT building rep.
4. Ask the administrator to call the resource officer assigned to that school. Report the incident to the officer and if you choose, file charges.
5. Ask for an assault leave form. Each school should have some on file. You are entitled to full pay status during any absence due to disability resulting from an assault.
6. Request a copy of the report which the principal sends to the Superintendent.
7. Have BR fill out and send CFT/ACPSOP Assault Report to the CFT Office.

WHAT MUST THE PRINCIPAL DO?

1. She/he must immediately suspend the student and make a recommendation for expulsion.
2. She/he must submit a written report of the assault to the Superintendent and furnish a copy to the teacher upon request.
3. Fully investigate the incident and report all findings and action taken to the Office of Student Discipline.

ASSISTANCE/AND RIGHTS AVAILABLE TO THE ASSAULTED TEACHER

1. Your CFT building representative will help you with the reporting process.
2. Any days absence may be counted against assault leave, NOT sick leave, IF you fill out the proper for,
3. You have the right to file criminal charges against the student.
4. You will receive compensation for absence due to court proceedings.
5. The Board is responsible for making sure you do not lose compensation or accumulated leave.
6. The Board is responsible for advising you of procedures for filing criminal charges.
7. Use Worker's Compensation or your negotiated health benefits to cover any injury or medical attention needed.
8. You have the right to be present at any expulsion hearing or appeal hearing on the expulsion. The administration must notify the teacher of the time, date, and place of the hearing(s).

WHAT IS THE CFT BUILDING REP'S RESPONSIBILITY?

1. Become familiar with the Collective Bargaining Agreement provisions relating to the assault. § 230, pg. 42, § 400, pg. 59, 60.
2. Check at the beginning of the school year to see that assault leave forms are available in the school office
3. Report any assault to the CFT office so that you may receive assistance as needed.
4. Stay with and offer help and support to the assaulted teacher.
5. Assist in the recording and reporting of the assault.
6. Keep a copy of the report. Send a copy to the CFT office.
7. Follow-up with the teacher and the administrator to see that all the correct procedures have been followed.

YOU HAVE THE “FULL SUPPORT OF THE ADMINISTRATION IN MAINTAINING CLASSROOM DISCIPLINE.”

“When a pupil’s actions are chronically disruptive,” the board has an obligation to “make some other placement of the pupil.”

YOU HAVE A RIGHT EXPECT YOUR PRINCIPAL TO REPORT CRIMINAL CONDUCT BY STUDENT’S TO THE POLICE.

Report all serious incidents to CFT, so we can monitor district follow-up and legal action. All mandatory expulsion offenses are also criminal offenses.

IF YOU ARE ASSAULTED.....

- Report the alleged assault to CFT.
- Any student who assaults a teacher must be immediately suspended and the principal must recommend expulsion.
- Teachers who are assaulted have the right to file criminal charges and should do so.
- Teachers who are assaulted have the right to be present at any expulsion hearing or appeal hearing on the expulsion. The administration must notify the teacher of the time, date, and place of the hearing(s).
- Teachers who are assaulted will suffer no loss of pay or accumulated leave if they must take off work resulting from the assault. Absence is covered by assault leave or court appearance leave.
- Use Worker’s Compensation on your negotiated health benefits to cover any injury or medical attention needed.

These rights apply to all members of the teacher bargaining unit, including daily rate substitutes. The above is a summary of your rights. Read the complete contract provisions regarding school discipline.

STUDENTS ACCUSED OF MISCONDUCT HAVE DUE PROCESS RIGHTS. TEACHERS HAVE THE RIGHT TO ENFORCE DISTRICT WIDE AND LOCAL SCHOOL DISCIPLINE CODES. THE RIGHTS OF ALL PARTIES MUST BE RESPECTED.

PARENTS AND PUBLIC WANT SAFE AND ORDERLY SCHOOLS

A recent national poll by the Public Agenda Foundation shows parents and citizens want safe and orderly schools, first and foremost. 73% say persistent troublemakers should be taken out of class so teachers can concentrate on kids who want to learn. A 1994 poll commissioned by CFT & AFT found the same locally. Peter Hart Research Associates found strong support among parents and the public, including African-Americans, for CPS discipline codes. Two-thirds of citizens say school discipline in Cincinnati is not strict enough.

Increasing disorder not only prevents learning and endangers faculty and staff, it leads to further erosion of public support. CFT strongly supports fair, unbiased discipline policies. But we cannot and will not allow new referral forms or collection of race and gender data to erode school discipline.

KNOW YOUR RIGHTS

CFT has negotiated rights for teachers to help you maintain classroom discipline so you can teach and students can learn! The *Bronson* Settlement does not repeal those rights. In fact, Judge Walter Rice has ruled that the Collective Bargaining contract supersedes *Bronson*, if there is any conflict. Make sure you know and use these contract provisions. CFT Bargaining Teams have won these rights with strong support from our members, but YOU must enforce them.

YOU HAVE THE RIGHT TO REMOVE A DISRUPTIVE STUDENT FROM YOUR CLASS

Schools may establish referral procedures, but may not deny your right to have disruptive students removed. You have the right to mark "hold" on the referral. If you do, the administrator may not send the student back until you have conferred with the administrator regarding the infraction, circumstances, etc. You should grieve any violations.

YOU HAVE THE RIGHT TO EXPECT ENFORCEMENT OF CPS DISCIPLINE CODES IN YOUR SCHOOL

Our contract requires CPS administration to enforce the District-Wide Code of Behavior. If your principal does not enforce the policy, you can and should file a grievance.

YOU HAVE THE RIGHT TO PARTICIPATE IN ESTABLISHING YOUR LOCAL SCHOOL DISCIPLINE PLAN

Every school must have a discipline plan to supplement the district-wide code. The plan must be consistent with the contract and must be developed by the ILT annually (the ILT may use a sub-committee to develop the plan.) **The plan must be approved by a 2/3 vote of the faculty.** You can file a grievance if the local school plan is not enforced.