

701.02D Assault Leave: In addition, a teacher may use up to forty (40) days of assault leave due to injury resulting from a physical assault on a teacher which occurs on Board premises or which occurs off Board premises in connection with the performance of assigned duties, subject to the following stipulations:

1. The teacher's conduct was within the bounds of general standards of professional behavior.
2. The building administrator or other appropriate administrator was notified as soon as possible of the occurrence.
3. The teacher submits to the Human Resources Department the certificate required in case of sick leave absence, accompanied by the physician's statement required in #4 below.
4. The teacher provides a physician's statement describing the nature and duration of the resulting disability and the necessity of absence from regular employment, with the findings of the physician subject to review by the Board physician.
5. In the event the foregoing conditions are satisfied, none of the first forty (40) days of absence resulting from such occurrence shall be deducted from the teacher's accumulated sick leave or personal leave.
6. Worker's Compensation cannot be received simultaneously with assault or sick leave benefits.
7. Any assault leave request that is in dispute will be determined by a joint committee of three administrators and three Association representatives. The three administrators shall not include the administrator who made the initial decision to deny the request, and the three Association representatives shall not include the requesting teacher. The initial decision may be reversed by a two-thirds vote of the full committee. The joint committee's decision shall be final and binding.
8. In particularly severe or unusual cases, a reasonable extension of assault leave benefits may be agreed to between the parties on a non-precedent setting basis.
9. The joint committee set forth in Paragraph (7) may grant use of assault leave for mental or emotional injury certified by the teacher's physician and arising in connection with a physical assault; however, the joint committee may require review or examination by a physician or other health care professional designated by the board at the board's expense.