

**Policy**

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EMPLOYEE PROTECTION

An employee may use reasonable force as is necessary to protect himself/herself from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects upon the person or within the control of a pupil.

Employees shall immediately report cases of assault personally suffered in connection with their employment to their principal or other immediate supervisor and to local law enforcement agencies. Such notification shall be immediately forwarded to the superintendent who shall comply with any reasonable request from the employee for information in the possession of the superintendent relating to the incident or the persons involved, and shall act in appropriate ways as liaison between the employee, the police and the courts.

If criminal or civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request that the board of education furnish legal counsel to defend the employee in any civil action or proceeding brought against the employee, within the limits set by law. The board of education may furnish counsel in any action against teachers for damage except in a case involving alleged corporal punishment.

The board of education shall reimburse an employee for the cost of medical, surgical or hospital services (less the amount of any insurance reimbursement) incurred as the result of any injury sustained in the course of his/her employment.

The board shall not be responsible for any damage to or loss of personal property brought to school and/or utilized in the performance of duties. It shall be the responsibility of the employee to ensure that proper insurance coverage is available to cover any such losses as may occur.

Adopted: March 20, 1991  
Revised: September 17, 2003  
NJSBA Review/Update: August 2017  
Readopted: February 27, 2018

Key Words

Protection, Assault, Criminal, Civil Suit

**Legal References:** N.J.S.A. 18A:6-1 Corporal punishment of pupils (re right of employees to use reasonable physical force under certain conditions)  
N.J.S.A. 18A:16-6 Indemnity of officers and employees against civil actions  
N.J.S.A. 18A:16-6.1 Indemnity of officers and employees in certain criminal actions  
N.J.S.A. 18A:18A-46 No action for damages  
N.J.S.A. 34:19-1 et seq. Conscientious Employee Protection Act

**Possible**

**Cross References:** \*1312 Community complaints and inquiries  
\*2224 Nondiscrimination/affirmative action  
\*3516 Safety  
\*4111.1/4211.1 Nondiscrimination/affirmative action  
\*4112.4/4212.4 Employee health  
\*41547/4247 Employee safety  
\*5131 Conduct and discipline  
\*5142 Pupil safety

\*Indicates policy is included in the Critical Policy Reference Manual.