

Discipline

Agreement for Reporting Third Degree Assault

**AGREEMENT FOR REPORTING THIRD DEGREE ASSAULT
TO LAW ENFORCEMENT AGENCY**

This Agreement for Reporting Third Degree Assault to Law Enforcement Agency (hereinafter "Agreement") is entered into this _____ day of _____, 20 ____, by and between _____, Superintendent of the _____, and _____ Superintendent _____ School District _____, (hereinafter "Law Enforcement Agency"), Law Enforcement Agency/(ies)

pursuant to Mo. Rev. Stat. § 167.117, for the purpose of establishing guidelines for school district principals in reporting incidents that may constitute third degree assault under Missouri law when such incidents occur on school property or on school buses or when such incidents occur during school activities.

Definition of Third Degree Assault

For purposes of this Agreement, a person commits assault in the third degree if that person:

1. Attempts to cause or recklessly causes physical injury to another person; or
2. With gross negligence, causes physical injury to another person by means of a deadly weapon; or
3. Purposely places another person in apprehension of immediate physical injury; or
4. Recklessly engages in conduct which creates a grave risk of death, serious disfigurement or protracted impairment of the function of any part of the body of another person; or
5. Knowingly causes physical contact with another person with knowledge that the other person regards the contact as offensive or provocative.

Factors to Be Considered by Principals

When a principal in this School District believes that an incident of third degree assault has occurred on school property, on a school bus, or during a school activity (regardless of

whether that activity occurs on or off of school property), the principal may consider the following guidelines in determining whether to report the particular incident.

1. The age and maturity of the student involved.
2. Whether the incident involved the use of or threatened use of a weapon or involved sexual misconduct or allegations of sexual misconduct.
3. The nature and severity of the conduct.
4. The nature and severity of injury, if any, inflicted on the other person involved.

In addition to these factors, the principal may consider any other factors which the principal, in the exercise of professional judgment, determines to be appropriate under the circumstances. The guidelines listed above shall in no way inhibit a principal from reporting to law enforcement any conduct which the principal believes may constitute a violation of state or federal law, regardless of whether such conduct actually constitutes such a violation.

Procedure for Making Report to Law Enforcement

If a principal determines, in his/her professional judgment, that an incident shall be reported to law enforcement under this Agreement, the principal should contact the Law Enforcement Agency by telephone or in writing as soon as reasonably practicable after the principal receives a report of the incident and after the principal has, if necessary, investigated the incident to determine whether the incident necessitates a report.

The principal subsequently shall provide the Law Enforcement Agency with any additional documentation that the principal or School District deems necessary. Such information will be provided in accordance with applicable federal and state law.

Superintendent

Authorized Law Enforcement
Official/Agency

School District

Date

Date