

ARTICLE X—TEACHER AUTHORITY AND PROTECTION

10.1 The teacher shall observe all rules to maintain student discipline and shall have the right to take whatever action he/she feels necessary to maintain student discipline within the bounds of the Board policies, state statutes, and local school policies. The Board shall give support and/or assistance to any teacher acting in line of duty with respect to maintenance of control of discipline in the classroom or any other school activity.

10.2 Whenever it appears to the classroom teacher that a student and/or students require the attention of special counselors, social workers, law enforcement personnel, physicians or other professional persons, notification shall be submitted in writing to the administration. The administration shall respond in writing as to the disposition of the action taken, subject to the requirements of the Family Educational Rights and Privacy Act (FERPA) and the Health Insurance Portability and Accountability Act (HIPAA).

10.2-1 A system will be developed and implemented so that whenever a teacher notifies the office of a classroom emergency, such as a student fight, severe illness, or major student insubordination, a school official with authority is available at all times to attend to the classroom emergency as soon as possible. Within one month of Board approval, this system shall be included as part of each school's Emergency Plan.

10.3 A teacher may use such force as necessary in protection from attack or to prevent injury to students and/or school personnel.

10.4 The Board and the Association agree that proper classroom decorum is essential to the learning process. Teachers, in the performance of their duties, shall not be expected to tolerate harassment, abusive language, upbraiding, insults or interference by a parent or any other person.

10.4-1 When an offense, persistent misbehavior, or the disruptive effect of misbehavior makes the continued presence of a student(s) in the classroom intolerable, the student(s) may be referred by the teacher to the principal or his/her designee for appropriate disciplinary action. In such case, an account of the problem or incident will be submitted in writing by the teacher to the principal or his/her designee. The principal or his/her designee shall respond to the referral, in writing, as to the disposition of the case.

10.4-2 In cases when the disruptive effect of the student's behavior is so extreme as to preclude the instructional process, the teacher shall indicate on the referral the need to remove the child temporarily from the classroom until such time as the student, teacher and principal or other appropriate authority resolves the situation. **The student will not be returned to that instructor's classroom or supervision for the remainder of the day.**

10.4-3 A teacher has the authority to remove a student from the classroom pursuant to §1003.32, *Florida Statutes*.

10.5 Individual records shall be maintained on student discipline in a separate file and shall be made available by the principal or his/her designee, to any teacher who has responsibility for that student and who requests such information.

10.6 Any case of assault or threat upon a teacher in the proper performance of his/her duties shall be promptly reported to the principal or immediate supervisor. Appropriate administrative action

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shall be taken in accordance with the Code of Student Conduct, Polk County School Board Policy, and Florida Statutes.

10.6-1 In such case, the Superintendent or designee shall secure appropriate legal assistance for the teacher. Teachers who may be involved in such cases shall not lose regular salary for any time lost from their duties when their presence is required before a judicial body. In case of disability, the Board agrees to continue the contractual salary until worker's compensation benefits begins.

10.7 The Board agrees to follow the provisions of the §1012.63, *Florida Statutes*, in regard to illness in the line of duty leave.

10.8 In the event of any complaint or suit filed against a teacher as a result of any action taken by the teacher while acting within the scope of his/her employment in accordance with State Statute and School Board Policy, the Board shall provide legal assistance.

10.9 The Board shall make available its policies concerning student records and provide teachers with electronic access to the Code of Student Conduct no later than the first week that teachers report for duty.

10.10 The teacher shall determine grades of students using the guidelines of Board-Policy. Teachers shall maintain documentation for each student's grades at all times. Changes in student's grades may be made by the principal to correct the grades only when the need for such change can be justified as a result of an error in computation, transposing and/or recording of grades, or incomplete documentation. Teachers shall be notified of such changes.