

PROCEDURE TITLE: <b>Assault Leave Procedure</b>		
ADOPTION/EFFECTIVE DATE: <b>April 17, 2023</b>	MOST RECENTLY AMENDED: <b>July 1, 2024</b>	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: <b>Personnel</b>		

### I. Purpose

The purpose of this procedure is to provide information for entitlement to paid leave time for permanent employees of the Harford County Public Schools (HCPS) for physical injury or disability resulting from an assault occurring within the scope of employment.

### II. Definitions

A. **Assault** means an intentional use of force to cause immediate, offensive, and deliberate physical harm against an employee by another person that causes a physical injury or disability, which occurred while in the scope of their employment with HCPS.

### III. Procedures

- A. The following documentation must be filed with the Risk Management Office within thirty (30) working days of the incident:
1. A completed Employee Accident Report.
  2. Assault Leave Application.
  3. A signed statement from a licensed physician detailing the nature and duration of the physical disability.
- B. The employee must also file for Workers' Compensation at the same time as Assault Leave. MABE, the workers' compensation insurance company, may send the employee for an Independent Medical Examination (IME).
- C. If the employee is approved for Assault Leave, the absence will be charged to Assault Leave. Assault Leave time will not be deducted from any of the employee's accrued leave.
- D. Assault Leave is provided through block grants for a set number of days based on medical documentation. The employee is required to provide the Risk Management Office with medical documentation prior to expiration of the prior block grant, to support their continued leave of absence. The

medical documentation must relate the physical injury and leave of absence required as a result of the assault.

- E. The assault leave will terminate upon one of the following:
1. The employee is not eligible for Workers' Compensation.
  2. The employee's claim for Workers' Compensation is denied by MABE.
  3. The employee fails to provide Risk Management Office medical documentation, prior to expiration of the prior block grant, to support their continued leave of absence.
  4. The employee is released to return to work. If there is a discrepancy between the treating physician and the IME regarding the employee's ability to return to work, the results of the IME will be the final decision.
  5. The employee is released with restrictions to work full-time or part-time by the treating physician or the physician who conducts the IME, and the employee declines to return to work despite the availability of accommodations.
  6. The employee is deemed to no longer be disabled.
  7. The employee is deemed to be at Maximum Medical Improvement (MMI) by the treating physical or the physician that conducts the IME.
- F. A committee made up of four (4) members to include the Office of General Counsel, Director of Staff and Labor Relations, Supervisor of Risk Management, and Supervisor of Benefits will review the submitted documentation to determine if the basic requirements for Assault Leave have been met for grant determination.
- G. Employees have the right to appeal a denial of Assault Leave. Dissatisfied employees may submit a written request for an appeal to the Assistant Superintendent of Human Resources within fifteen (15) calendar days of the date of written notification of denial from the Risk Management Office.

**Approved By:**



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Sean W. Bulson, Ed.D.  
Superintendent of Schools

# PROCEDURE

Procedure Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	04/17/2023				
Amended	06/01/2023				
Amended	07/01/2024				

Responsibility for Procedure Maintenance & References	
LAST EDITOR/DRAFTER NAME: Julie Uehlein	JOB POSITION OF LAST EDITOR/DRAFTER: Supervisor of Risk Management
PERSON RESPONSIBLE: Elizabeth Miller	JOB POSITION OF PERSON RESPONSIBLE: Supervisor of Benefits
DESIGNEE NAME:	DESIGNEE POSITION:
PROCEDURE NUMBER PRIOR TO NOVEMBER 1, 2005:	

## **LEGAL REFERENCES<sup>1</sup>**

References are set forth in the Procedure.

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<sup>1</sup> All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.