

CWS2141W

USING THE APPLICABILITY FLOW CHART

Scenario 2:

Gregory Brown is the principal at Elm Tree Elementary School. Yesterday, he received a cell phone from a 5th grade teacher who had taken it away from 10 year old Peter Gunn. The school rule is that cell phones must be kept in backpacks until school is out. Peter was found playing a game on his during class. The teacher followed protocol and took it to the school office. The parent is then required to pick it up.

Peter came to the principal's office after school demanding his phone. When Mr. Brown refused to give it to him, telling him that his parent would have to get it, Peter became incensed. He attempted to get into Mr. Brown's desk and started hitting Mr. Brown. Mr. Brown managed to get Peter on the ground and sat on him until the security guard arrived. Both Mr. Brown and Peter had scratches on their arms and faces.

Peter's mother arrived shortly after the incident and said she was going to the magistrate to file charges against Mr. Brown.

As a group and using the Applicability flow chart answer the following questions:

1. School employee?
2. Scope of Employment?
3. Were the actions reasonable and necessary?
4. Actions in Good Faith?
5. Is there evidence of Willful Misconduct or Gross Negligence?