

Policy 4158/4258/4358: Employee Security

Status: DRAFT

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The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing ~~them with~~ necessary assistance and support when emergency situations occur.

~~(cf.~~

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

~~0450 - Comprehensive Safety Plan)~~

~~(cf. 3515 - Campus Security)~~

~~(cf. 5131.4 - Student Disturbances)~~

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. ~~The~~ As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

~~(cf. 3320 - Claims and Actions Against the District)~~

~~(cf. 3515.4 - Recovery for Property Loss or Damage)~~

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct. The Superintendent or designee shall ensure that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall ~~employees are trained provide staff development~~ in crisis prevention and intervention techniques in order to protect themselves and students. Staff development, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

~~The~~

In accordance with law, the Superintendent or designee also shall ~~ensure that employees are informed, in accordance with law, inform teachers, administrators, and/or counselors~~ of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

~~{cf. 5141—Health Care and Emergencies}~~

Use of Pepper Spray

Employees ~~may~~shall not carry or possess pepper spray on school property or at school activities. ~~On a case-by-case basis, however,~~ the Superintendent or designee ~~may allow for self-defense purposes. When allowed,~~ an employee ~~to~~may only possess pepper spray ~~that meets the requirements of in accordance with administrative regulations and Penal Code 12403.7 when justified by unusual dangerous circumstances~~22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

~~{cf. 4118—Suspension/Disciplinary Action}~~

~~{cf. 4218—Dismissal/Suspension/Disciplinary Action}~~

Reporting of Injurious Objects

~~The Board requires employees to~~

Employees shall take immediate action upon being made aware that any person is in possession of ~~a~~an weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. ~~The employee~~Employees shall ~~use his/her own~~exercise their best judgment as to the potential danger involved and, ~~based upon this analysis,~~

- ~~1. 1.~~ Confiscate the object and deliver it to the principal immediately
- ~~2. 2.~~ Immediately notify the principal, who shall take appropriate action
- ~~3. 3.~~ Immediately call 911 and the principal

~~{cf. 5131.7—Weapons and Dangerous Instruments}~~

~~{cf. 5144—Discipline}~~

~~{cf. 5144.1—Suspension and Expulsion/Due Process}~~

~~{cf. 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities)}~~

When informing the principal about the possession or seizure of a weapon or dangerous device, ~~the~~an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<u>State References</u>	<u>Description</u>
<u>CCP. 527.8</u>	<u>Workplace violence safety -</u> https://simbli.eboardsolutions.com/SU/zzBhO3hWGUr7lplusYiDNCP8A==
<u>Civ. Code 51.7</u>	<u>Freedom from violence or intimidation -</u> https://simbli.eboardsolutions.com/SU/biK5w5xHjaslshApluscWXhrJ7ZQ==
<u>Ed. Code 32210-32212</u>	<u>Willful disturbance, public schools or meetings</u>
<u>Ed. Code 32225-32226</u>	<u>Communications devices in classrooms</u>
<u>Ed. Code 35208</u>	<u>Liability insurance</u>
<u>Ed. Code 35213</u>	<u>Reimbursement for loss or damage of personal property</u>
<u>Ed. Code 44014</u>	<u>Report of assault by pupil against school employee</u>
<u>Ed. Code 44807</u>	<u>Teachers' duty concerning conduct of students</u>
<u>Ed. Code 48201</u>	<u>Transfer of student records</u>
<u>Ed. Code 48900-48926</u>	<u>Suspension and expulsion</u>
<u>Ed. Code 49079</u>	<u>Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion</u>
<u>Ed. Code 49330-49335</u>	<u>Injurious objects</u>
<u>Gov. Code 3543.2</u>	<u>Scope of representation</u>
<u>Gov. Code 995-996.4</u>	<u>Defense of public employees</u>
<u>Pen. Code 22810</u>	<u>Purchase, possession, and use of tear gas</u>
<u>Pen. Code 240-246.3</u>	<u>Assault and battery</u>
<u>Pen. Code 241.3</u>	<u>Assault against school bus drivers</u>
<u>Pen. Code 241.6</u>	<u>Assault on school employee including board member</u>
<u>Pen. Code 243.3</u>	<u>Battery against school bus drivers</u>
<u>Pen. Code 243.6</u>	<u>Battery against school employee including board members</u>
<u>Pen. Code 245.5</u>	<u>Assault with deadly weapon against school employee including board member</u>
<u>Pen. Code 290</u>	<u>Registration of sex offenders</u>
<u>Pen. Code 601</u>	<u>Trespass by person making credible threat</u>
<u>Pen. Code 626-626.11</u>	<u>School crimes</u>
<u>Pen. Code 646.9</u>	<u>Stalking</u>
<u>Pen. Code 71</u>	<u>Threatening public officers and employees and school officials</u>
<u>W&I Code 827</u>	<u>Juvenile court proceedings; reports; confidentiality</u>
<u>W&I Code 828.1</u>	<u>District police or security department, disclosure of juvenile records</u>
<u>Management Resources References</u>	<u>Description</u>
<u>Court Decision</u>	<u>City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526</u>
<u>Website</u>	<u>California Department of Education, Safe Schools -</u> https://simbli.eboardsolutions.com/SU/AxdFslshFpyQ1QP0821fOy9pg==
<u>Website</u>	<u>CSBA -</u> https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==