

# DRAFT

Piedmont Unified School District  
Board Policy

BP 4158  
Personnel

## Employee Security

The Board of Education desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.4 - Campus Disturbances)

The Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom. Any employee against whom violence or any threat of violence has been directed in the workplace shall notify their Superintendent or designee site supervisor immediately. 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.

~~When violence is directed against an employee by any individual and the employee so notifies the district, the district shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the district of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if an attempt occurs on school grounds.~~

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

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

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

## **Use of Pepper Spray**

Employees may 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 an employee to possess pepper spray that meets the requirements of Penal Code 12403.7 when justified by unusual dangerous circumstances. 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 take immediate action upon being made aware that any person is in possession of an unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
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 employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Legal Reference:

EDUCATION CODE

32210-32212 Willful disturbance, public schools or meetings

32225-32226 Communication devices

35204 Contract with attorney in private practice or use of administrative advisor

35205 Contract for legal services

35208 Liability insurance

35213 Reimbursement for loss, destruction or damage of school property

44014 Report of assault by pupil against school employee  
44807 Duty concerning conduct of students  
48201 Transfer of Student Records  
48900-48926 Grounds for suspension or expulsion  
48902 Notification of law enforcement authorities if student violates assault or controlled substance provision  
48904 Parental liability  
48905 Injury or damage to person or property of school district employee; request for legal action  
49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion  
49330-49335 Injurious objects  
~~49331 Removal of injurious object from possession of pupil by designated employee~~

#### CIVIL CODE

51.7 Freedom from violence or intimidation

#### CODE OF CIVIL PROCEDURE

527.8 Workplace violence safety act

#### GOVERNMENT CODE

995-996.4 Defense of public employees

3543.2 Scope of representation

#### PENAL CODE

71 Threatening public officers and employees and school officials  
~~240-246.3 Definition of assault~~ Assault and battery, including:  
241.2 Assault on school or park property against any person  
241.3 Assault against school bus drivers  
241.6 Assault on school employee includes board member  
242 Definition of battery  
243 Battery; definition of "injury" and "serious bodily injury"  
243.2 Battery on school or park property against any person  
243.3 Battery against school bus drivers  
243.6 Battery against school employee includes board member  
245.5 Assault with deadly weapon; school employee includes board member  
290 Registration of sex offenders  
601 Trespass by person making credible threat  
626-626.11 School Crimes  
626.9 Gun-Free School Zone Act of 1995  
626.10 Exceptions to bringing weapons on school grounds  
646.9 Stalking  
12403.7 Weapons approved for self defense

## WELFARE AND INSTITUTIONS CODE

827 Juvenile court proceedings; reports; confidentiality

828.1 District police or security department, disclosure of juvenile records

## COURT DECISIONS

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

## WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools and Violence Prevention Office:

<http://www.cde.ca.gov/ls/ss>

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

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