Employee Security

Adopted: 10/01/2024 **| Last Revised:** n/a **| Last Reviewed**: 10/01/2024

The Board of Education 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 necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Board Rule 3515.2 - Disruptions. Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. 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.

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 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.

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom.

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.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity.

Employees shall exercise their best judgment as to the potential danger involved and 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

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

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including:

1. A transfer, reassignment, or modified schedule

2. A changed work telephone or work station

3. An installed lock

4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace

5. Referral to a victim assistance organization

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.

Legal References:

STATE
CIVIL CODE
51.7 Freedom from violence or intimidation
CODE OF CIVIL PROCEDURE
527.8 Workplace violence safety
EDUCATION CODE
32210-32212 Willful disturbance; public schools or meetings
32225-32226 Communications devices in classrooms
35208 Liability insurance
35213 Reimbursement for loss or damage of personal property
44014 Report of assault by pupil against school employee
44807 Teachers' duty concerning conduct of students
48201 Transfer student's record for acts that resulted in suspension or expulsion

48900-48926 Suspension and expulsion
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
49330-49335 Injurious objects
GOVERNMENT CODE
12926 Definitions
3543.2 Scope of representation
995-996.4 Defense of public employees
LABOR CODE
230-230.2 Leaves for victims of domestic violence, sexual assault or specified felonies
PENAL CODE
18150 Gun violence restraining orders
18170 Gun violence restraining order issued after notice and hearing
22810 Purchase, possession, and use of tear gas
240-246.3 Assault and battery
241.3 Assault against school bus drivers
241.6 Assault on school employee including board member
243.3 Battery against school bus drivers
243.6 Battery against school employee including board members
245.5 Assault with deadly weapon against school employee including board member
290 Registration of sex offenders
601 Trespass by person making credible threat
626-626.11 Weapons on school grounds and other school crimes
646.9 Stalking
71 Threatening public officers and employees and school officials
WELFARE & INSTITUTIONS CODE
827 Limited exception to juvenile court record
828.1 District police or security department; disclosure of juvenile records

MANAGEMENT RESOURCES

COURT DECISION
City of San Jose v. William Garbett (2010) 190 Cal. App. 4th 526
WEBSITES
CSBA District and County Office of Education Legal Services https://legalservices.csba.org/
California Department of Education, Safe Schools http://www.cde.ca.gov/ls/ss
CSBA http://www.csba.org/

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