

Personnel

EMPLOYEE SECURITY

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 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 AR 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. (Education Code 48904, 48905)

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 the 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. (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.

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

Personnel**EMPLOYEE SECURITY**

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.

Legal Reference:**State**

Civ. Code 51.7

Code of Civil Procedure 527.8

Ed. Code 32210-32212

Ed. Code 32225-32226

Ed. Code 35208

Ed. Code 35213

Ed. Code 44014

Ed. Code 44807

Ed. Code 48201

Ed. Code 48900-48926

Ed. Code 49079

Ed. Code 49330-49335

Gov. Code 12926

Gov. Code 3543.2

Gov. Code 995-996.4

Description

Freedom from violence or intimidation

Workplace violence safety

Willful disturbance; public schools or meetings

Communications devices in classrooms

Liability insurance

Reimbursement for loss or damage of personal property

Report of assault by pupil against school employee

Teachers' duty concerning conduct of students

Transfer student's record for acts that resulted in suspension or expulsion

Suspension and expulsion

Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

Injurious objects

Definitions

Scope of representation

Defense of public employees

Personnel

EMPLOYEE SECURITY

Legal Reference:

State

Lab. Code 230-230.2

Pen. Code 18150

Pen. Code 18170

Pen. Code 22810

Pen. Code 240-246.3

Pen. Code 241.3

Pen. Code 241.6

Pen. Code 243.3

Pen. Code 243.6

Pen. Code 245.5

Pen. Code 290

Pen. Code 601

Pen. Code 626-626.11

Pen. Code 646.9

Pen. Code 71

W&I Code 827

W&I Code 828.1

Description

Leaves for victims of domestic violence, sexual assault or specified felonies

Gun violence restraining orders

Gun violence restraining order issued after notice and hearing

Purchase, possession, and use of tear gas

Assault and battery

Assault against school bus drivers

Assault on school employee including board member

Battery against school bus drivers

Battery against school employee including board members

Assault with deadly weapon against school employee including board member

Registration of sex offenders

Trespass by person making credible threat

Weapons on school grounds and other school crimes

Stalking

Threatening public officers and employees and school officials

Limited exception to juvenile court record

District police or security department; disclosure of juvenile records

Management Resources

Court Decision

Website

Website

Website

Description

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

CSBA District and County Office of Education Legal Services

California Department of Education, Safe Schools

CSBA

WESTMINSTER SCHOOL DISTRICT

Westminster, California

Policy Adopted: February 15, 1996

Revised: November 9, 2023