

**Policy 4158: Employee Security**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2001 | **Last Revised Date:**  
06/01/2021 | **Last Reviewed Date:** 06/01/2021

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 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 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.

State	Description
Civ. Code 51.7	<u>Freedom from violence or intimidation</u>
Code of Civil Procedure 527.8	<u>Workplace violence safety</u>
Ed. Code 32210-32212	<u>Willful disturbance; public schools or meetings</u>
Ed. Code 32225-32226	<u>Communications devices in classrooms</u>
Ed. Code 35208	<u>Liability insurance</u>
Ed. Code 35213	<u>Reimbursement for loss or damage of personal property</u>
Ed. Code 44014	<u>Report of assault by pupil against school employee</u>
Ed. Code 44807	<u>Teachers' duty concerning conduct of students</u>
Ed. Code 48201	<u>Transfer student's record for acts that resulted in suspension or expulsion</u>
Ed. Code 48900-48926	<u>Suspension and expulsion</u>
Ed. Code 49079	<u>Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion</u>
Ed. Code 49330-49335	<u>Injurious objects</u>
Gov. Code 12926	<u>Definitions</u>
Gov. Code 3543.2	<u>Scope of representation</u>
Gov. Code 995-996.4	<u>Defense of public employees</u>
Lab. Code 230-230.2	<u>Leaves for victims of domestic violence, sexual assault or specified felonies</u>
Pen. Code 18150	<u>Gun violence restraining orders</u>
Pen. Code 18170	<u>Gun violence restraining order issued after notice and hearing</u>
Pen. Code 22810	<u>Purchase, possession, and use of tear gas</u>
Pen. Code 240-246.3	<u>Assault and battery</u>
Pen. Code 241.3	<u>Assault against school bus drivers</u>
Pen. Code 241.6	<u>Assault on school employee including board member</u>
Pen. Code 243.3	<u>Battery against school bus drivers</u>
Pen. Code 243.6	<u>Battery against school employee including board members</u>
Pen. Code 245.5	<u>Assault with deadly weapon against school employee including board member</u>

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

### Management Resources

Court Decision  
Website  
Website  
Website

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

### 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

### Code

0450  
0450  
1313  
3320  
3320  
3515  
3515  
3515.2  
3515.2  
3515.3  
3515.3  
3515.31  
3515.4  
3515.4  
3515.7  
3530  
3530  
4112.9  
4112.9-E(1)  
4118  
4118  
4119.21  
4119.21-E(1)  
4131  
4140  
4156.3  
4157  
4157  
4161.2  
4212.9  
4212.9-E(1)  
4218  
4218  
4219.21  
4219.21-E(1)  
4231  
4240  
4256.3  
4257  
4257  
4261.2  
4312.9  
4312.9-E(1)  
4319.21  
4319.21-E(1)  
4331

### Description

Comprehensive Safety Plan  
Comprehensive Safety Plan  
Civility  
Claims And Actions Against The District  
Claims And Actions Against The District  
Campus Security  
Campus Security  
Disruptions  
Disruptions  
District Police/Security Department  
District Police/Security Department  
School Resource Officers  
Recovery For Property Loss Or Damage  
Recovery For Property Loss Or Damage  
Firearms On School Grounds  
Risk Management/Insurance  
Risk Management/Insurance  
Employee Notifications  
Employee Notifications  
Dismissal/Suspension/Disciplinary Action  
Dismissal/Suspension/Disciplinary Action  
Professional Standards  
Professional Standards  
Staff Development  
Bargaining Units  
Employee Property Reimbursement  
Employee Safety  
Employee Safety  
Personal Leaves  
Employee Notifications  
Employee Notifications  
Dismissal/Suspension/Disciplinary Action  
Dismissal/Suspension/Disciplinary Action  
Professional Standards  
Professional Standards  
Staff Development  
Bargaining Units  
Employee Property Reimbursement  
Employee Safety  
Employee Safety  
Personal Leaves  
Employee Notifications  
Employee Notifications  
Professional Standards  
Professional Standards  
Staff Development

4340	<u>Bargaining Units</u>
4356.3	<u>Employee Property Reimbursement</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4361.2	<u>Personal Leaves</u>
5125	<u>Student Records</u>
5125	<u>Student Records</u>
5125.2	<u>Withholding Grades, Diploma Or Transcripts</u>
5131.4	<u>Student Disturbances</u>
5131.4	<u>Student Disturbances</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5131.7	<u>Weapons And Dangerous Instruments</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5144	<u>Discipline</u>
5144	<u>Discipline</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.1	<u>Suspension And Expulsion/Due Process</u>
5144.2	<u>Suspension And Expulsion/Due Process (Students With Disabilities)</u>