

Policy 4258: 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	<u>Registration of sex offenders</u>
Pen. Code 601	<u>Trespass by person making credible threat</u>
Pen. Code 626-626.11	<u>Weapons on school grounds and other school crimes</u>

Pen. Code 646.9
Pen. Code 71
W&I Code 827
W&I Code 828.1

Management Resources

Court Decision
Website
Website
Website

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
4156.3
4157
4157
4161.2
4212.9
4212.9-E(1)
4218
4218
4219.21
4219.21-E(1)
4231
4256.3
4257
4257
4261.2
4312.9
4312.9-E(1)
4319.21
4319.21-E(1)
4331
4356.3
4357
4357
4361.2
5125

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

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
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
Employee Property Reimbursement
Employee Safety
Employee Safety
Personal Leaves
Employee Notifications
Employee Notifications
Professional Standards
Professional Standards
Staff Development
Employee Property Reimbursement
Employee Safety
Employee Safety
Personal Leaves
Student Records

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>