

The Governing Board desires to provide a safe, orderly working 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 them with necessary assistance and support when emergency situations occur.

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. 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.*

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her 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 his/her duties.

The Superintendent or designee shall ensure that employees *are receive training* in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, *procedures for responding to an active shooter situation*, and crisis resolution.

The Superintendent or designee also shall ~~ensure that employees are informed~~ *inform teachers*, in accordance with law, 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 ~~may shall~~ not carry or possess pepper spray on school property or at school activities, *except when authorized by* ~~ON a case by case basis, however,~~ the Superintendent or designee *for self-defense purposes. When may allowed,* an employee ~~to may only~~ possess pepper spray *in accordance with administrative regulations that meets the requirements of* and Penal Code ~~12403.7 22810~~ *when justified by unusual dangerous circumstances*. Any employee who is negligent or careless in the possession or handling of pepper sprays shall be subject to appropriate disciplinary measures.

Reporting of Injurious Objects

The Board requires ~~school~~ employees to take immediate action upon being made aware that any person is in possession of ~~an~~ *a weapon or 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

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.

EMPLOYEE SECURITY

Legal Reference:

EDUCATION CODE

- 32210-32212 Willful disturbance, public schools or meetings
- 32225-32226 Communication devices
- 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 Suspension or expulsion
- 49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
- 49330-49335 Injurious objects

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 Assault and battery, **including especially:**
- 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 member
- 245.5 Assault with deadly weapon; **against** school employee including board member
- 290 Registration of sex offenders
- 601 Trespass by person making credible threat
- ~~626.10~~ ~~Exceptions to bringing weapons on school grounds~~
- 626-626.11 School crimes
- 646.9 Stalking
- ~~12403.7~~ ~~Weapons approved for self defense~~
- 22810 Purchase, possession, and use of tear gas**

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

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
 California Department of Education, Safe Schools and Violence Prevention Office:
<http://www.cde.ca.gov/ls/ss>

Adopted

Date: 5-23-85

Revised: 4-22-96, 5-13-08, 5-13-08, 11-10-15

Revised: _____