

BP 4158 (a)

BP 4258 (a)

BP 4358 (a)

Personnel

EMPLOYEE SECURITY

The Governing Board of ~~Trustees~~ desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

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.

The Superintendent or designee also 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)

Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms and classrooms, communications 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 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

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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. The employee shall exercise their best judgment as to the potential danger involved, 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.

State

CCP. 527.8: Workplace violence safety

Civ. Code 51.7: Freedom from violence or intimidation

Ed. Code 32210-32212: Willful disturbance, public schools or meetings

Ed. Code 32225-32226: Communications devices in classrooms

Ed. Code 35208: Liability insurance

Ed. Code 35213: Reimbursement for loss or damage of personal property

Ed. Code 44014: Report of assault by pupil against school employee

Ed. Code 44807: Teachers' duty concerning conduct of students

Ed. Code 48201: Transfer of student records

Ed. Code 48900-48926: Suspension and expulsion

Ed. Code 49079: Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

Ed. Code 49330-49335: Injurious objects

Gov. Code 3543.2: Scope of representation

Gov. Code 995-996.4: Defense of public employees

Pen. Code 22810: Purchase, possession, and use of tear gas

Pen. Code 240-246.3: Assault and battery

Pen. Code 241.3: Assault against school bus drivers

Pen. Code 241.6: Assault on school employee including board member

Pen. Code 243.3: Battery against school bus drivers

Pen. Code 243.6: Battery against school employee including board members

Pen. Code 245.5: Assault with deadly weapon against school employee including board member

Pen. Code 290: Registration of sex offenders

Pen. Code 601: Trespass by person making credible threat

Pen. Code 626-626.11: School crimes

Pen. Code 646.9: Stalking

Pen. Code 71: Threatening public officers and employees and school officials

W&I Code 827: Juvenile court proceedings; reports; confidentiality

W&I Code 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

Website: California Department of Education, Safe Schools

Website:CSBA

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Policy Adopted: 11/10/21

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California