

## **All Personnel**

BP 4158(a)

4258

## **EMPLOYEE SECURITY**

4358

The Board of Trustees 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 them with necessary assistance and support when emergency situations occur.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3515 - Campus Security)*

*(cf. 5131.4 - Student Disturbances)*

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.

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. (Education Code 48904, 48905)

*(cf. 3320 - Claims and Actions Against the District)*

*(cf. 3515.4 - Recovery for Property Loss or Damage)*

*(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)*

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)*

The Superintendent or designee shall ensure that employees 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.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee also shall inform teachers, in accordance with law, 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.

*(cf. 5141 - Health Care and Emergencies)*

## **EMPLOYEE SECURITY (continued)**

### **Use of Pepper Spray**

Employees may 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.

*(cf. 4118 - Suspension/Disciplinary Action)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

### **Reporting of Injurious Objects**

The Board requires employees to take immediate action upon being made aware that any person is in possession of 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 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

*(cf. 3515.7 - Firearms on School Grounds)*

*(cf. 5131.7 - Weapons and Dangerous Instruments)*

*(cf. 5144 - Discipline)*

*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

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.

#### *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*

## **EMPLOYEE SECURITY (continued)**

*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*  
**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:*  
*241.3 Assault against school bus drivers*  
*241.6 Assault on school employee includes board member*  
*243.3 Battery against school bus drivers*  
*243.6 Battery against school employee includes board member*  
*245.5 Assault with deadly weapon; school employee includes board member*  
*290 Registration of sex offenders*  
*601 Trespass by person making credible threat*  
*626-626.11 School crimes*  
*646.9 Stalking*  
*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/lss/>*