

ARTICLE 12 - MEMBER SAFETY

The District and Association agree that it is in the best interest of all parties to provide safe and secure campuses for students, staff and community. The District and Association are jointly committed to maintaining a safe, harassment-free workplace for students and staff. The District and Association encourage positive communication and discourage actions that impede a positive educational environment. All employees shall reasonably be alert to unsafe practices, equipment and conditions.

- 12.1 A Member shall not be required to work under unsafe or hazardous conditions or to perform tasks which endanger the employee's health, safety, or well-being.
 - 12.1.1 A Member shall be responsible to report, in writing (including by email) (except in emergencies), to the employee's immediate supervisor, any unsafe, hazardous, unhealthy, or potentially dangerous working conditions. In the case of an emergency, the Member shall still report in writing (including by email) the unsafe conditions as soon as possible. The District shall take reasonable steps to investigate within two (2) working days and, where necessary, correct the hazard or unsafe condition within a reasonable amount of time. If necessary and available, an alternative workspace shall be provided until repairs are completed.
 - 12.1.2 The District will make every effort to provide the space determined to be necessary to adequately and safely provide services to students.
 - 12.1.3 The District shall strive towards every classroom having properly conditioned air, working telephone, internet access and occupant load sign. Members working extra duty assignments where extra communication devices are needed to ensure student and Member safety will be provided such devices.
 - 12.1.4 Itinerant Members may check out keys that will be available for the rooms being used by them for the day from the main office. It is the responsibility of the Member to return the key at the end of the day or prior to leaving for the day.
- 12.2 The District has confidence in the professional ethics and competence of its certificated Members. The District is committed to investigating complaints or charges, and to protect the legitimate interests of all parties involved.

- 12.2.1. To the extent permitted by law, a Member may use reasonable force as is necessary to protect the employee from attack, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects upon the person or within control of a pupil.
- 12.2.2 Members shall not be required to intercede in altercations at school related public events under circumstances that would be likely to cause serious risk of bodily harm. However, Members are required to seek immediate assistance in such circumstances and notify administration or designee as soon as possible.
 - 12.2.2.1 Communication devices that include cell phone or other electronic means of communication during District events will be available to administration or designee or any member who is supervising in an official capacity during school or District events.
- 12.2.3 A member may suspend, for the day of the suspension and the following day, any pupil from their class for any acts enumerated in the Education Code 48900.
 - 12.2.3.1 The Member shall immediately report the suspension to the principal and provide a reason for the suspension.
 - 12.2.3.2 As soon as possible, the Member shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension and inform the administrator when the meeting is scheduled. If practicable, a school counselor or psychologist may attend the conference. At the request of the Member the school administrator shall attend the conference.
- 12.2.4 The administrator or designee and Member shall immediately report once knowledgeable to the local law enforcement agency incidents of physical assault on Members by students or non-students.
 - 12.2.4.1 Members shall immediately verbally report cases of assault suffered by them in connection with their employment to their administrator or designee.

12.2.4.2 A meeting between the Member and the administrator will be held at the request of the Member to discuss options for the return or transfer of the student from the Member's class.

12.3 The District shall inform Members about students with any known history of violence or other reportable history to the extent required in Education Code Section 49079.

12.3.1 All site administrators or designees shall notify a Member, upon receipt of cum folder or knowledge of, in writing (including by e-mail), that the site administrator or designee has information regarding any student with a known history of violence who will be enrolled in the Member's class. If the reportable history is not known at the time of enrollment, the site administrator shall advise the Member when it is learned. Members shall handle each situation in accordance with Education Code Section 49079. Members will retain as confidential any information provided under this provision, except to the extent required to assure the safety of other staff members. A "history of violence" shall include, but not be limited to, offenses required to be reported under Section 49079, including but not limited to any pupil who has been determined to have caused serious physical injury to another person; unlawfully possessed, sold or furnished any firearm, knife, explosive, or other dangerous object; committed or attempted to commit robbery or extortion; committed or attempted to commit assault or battery upon a school employee; or committed or attempted to commit a sexual assault or battery as defined in Education Code sections 48900 (except subdivision (h)), 48900.2, 48900.4, and 48900.7.

12.4 The following process shall be followed in addressing individuals who disrupt or threaten to disrupt school operations:

12.4.1 A member may, when appropriate, notify administrator or designee as soon as practicable.

12.4.2 Administrator or designee evaluates the situation and, if appropriate, directs the individual to leave the District property.

12.4.3 If necessary, the Member or administrator or designee notifies law enforcement.

- 12.5 The following process shall be followed in addressing individuals who use obscenities or speaks in a demanding, loud and/or demeaning manner; the intent being to de-escalate the situation at the earliest stage;
- 12.5.1 Member, administrator or designee reminds the offending person to communicate in a civil manner.
 - 12.5.2 Member, administrator or designee will follow-up with Member, administrator or designee should an individual leave the meeting prior to completion of said meeting. If decisions are made that impact the Member, the Member will be consulted prior to a final decision being made.
 - 12.5.3 If necessary, Member, administrator or designee directs the offending person to leave the premises.
 - 12.5.4 In the event administration was not involved in the previous step, the Member will notify the administrator or designee as soon as practicable.
 - 12.5.5 The site or district office administrator will follow the District Civility Policy.
- 12.6 The following shall take place in situations involving violence or theft against the Member or their property:
- 12.6.1 Member notifies administrator or designee as soon as practicable.
 - 12.6.2 If appropriate, Member and/or administrator or designee reports the incident to law enforcement.
 - 12.6.3 A Member whose person or property is stolen, injured, or damaged by willful misconduct of a student may ask the District to pursue legal action against the student or the student's parent or guardian.