

**OAKLAND EDUCATION ASSOCIATION  
OAKLAND UNIFIED SCHOOL DISTRICT**

**ASSOCIATION PROPOSAL**

Article 17 - Safety

April 13, 2023

The Oakland Education Association (“OEA” or “Association”) submits the following proposal to the Oakland Unified School District (“District” or “OUSD”), in order to make progress towards achieving truly joyful, safe, and racially just schools where everyone thrives and equity is centered in all decision-making:

**Things related to Safety in Common Good Proposal for this contract:**

**Community Support Services:**

OUSD will support the physical, social, socio-economic, and mental health of students, families, and staff by:

- Increasing the school site bilingual mental health provider-to-student ratio to 1.0 FTE for every 250 enrolled students and a minimum of 1 per site. 1.5 FTE for every 250 enrolled students at schools designated high need beginning in August 2024.

**Reparations for Black Students:**

Provide additional staffing (OEA unit members) to Black Thriving Community Schools

- Psychologists/Therapists
- Additional FTE Arts educator
- Community Schools Coordinator

**Safety**

- a. Public health
  - i. Continue to maintain and change HEPA and MERV filters to clean indoor air for Covid, flu, and cold.
  - ii. Maintain adequate and appropriate-sized masks, non-toxic wipes, and sanitizer supply for virus outbreaks.
  - iii. Maintaining a district infectious disease response task force that aligns with ACDPH guidelines and includes OEA representation, to continue building preparedness and capacity to respond to future contagions
- b. Each site will have a designated site safety coordinator

**Physical Safety**

- a. Annual anti-bullying (including cyber) training for staff.
- b. Culturally relevant student support programs for students and school communities impacted by bullying at all school sites by August of 2024.
- c. Each site shall complete a comprehensive school site safety readiness assessment and create a school site safety action plan with Site Steering Committee oversight
- d. Safety action plans are thoroughly communicated at the commencement of each academic year to each school community member digitally and made available on school websites.
- e. OUSD agrees to adhere to all student safety related aspects of the George Floyd Resolution.
- f. Communication to families, neighbors, and staff will be updated on major safety concerns within 24-48 hours.
- g. OUSD will develop and communicate clear criteria for lockdown and Disaster Preparedness.
- h. Clear emergency school site evacuation plans, disaster preparedness plans, and lockdown plans must be developed and communicated to all students, families, and staff at the beginning of the year.
- i. In all new landscaping projects, the District will use drought-tolerant and fire-resistant trees on campuses.
- j. OUSD will work with neighboring landowners of campuses to ensure fire hazards are removed, and restore fire-resistant habitat where possible/ feasible by August of 2024.
- k. Trees on campuses are inspected annually during fall semester and removed by spring semester when deemed hazardous.
- l. Mandatory emergency drills each semester in the first month for all secondary sites. OUSD will follow Ed Code for monthly mandatory emergency drills in primary schools.
- m. All teachers are educated to prepare classrooms for earthquake safety.
- n. Staff training on active shooter preparedness to be held within the first two months of the school year.
- o. Each site will be provided an emergency supply of N95 masks to distribute during extreme smoke events.
- p. OUSD will supply and update emergency classroom and trauma supply kits annually in all learning spaces.
- q. OUSD will prioritize necessary repairs, alterations, and technology upgrades for the purpose of active shooter preparedness, based on the recommendations of OUSD-OEA joint safety Committee.

### **Restorative School Culture**

- a. OUSD will reinvest in preventative restorative justice by reinstating the staffing levels at the start of the 2018-2019 school year and with new restorative justice staff given the option to join OEA.

### **Environmental Justice**

- a. All student learning areas will be independently climate controlled, ventilated, and weatherized
- b. using safe and green technologies no later than the start of the 2026 school year and a plan developed and updated annually on a dashboard by the beginning of the 2023 /24 school year.
- c. OUSD will develop and place before Oakland voters a bond measure to finance climate control and climate change adaptation for extreme weather in classroom learning spaces.
- d. OUSD will conduct annual indoor water and air quality assessments at each site:
  - i. inspect for mold, asbestos, and other hazards beginning in the fall semester of 2024.
  - ii. inspect for lead and other contaminants.
  - iii. make assessments accessible on a dashboard
- e. Water filter station to student/ staff ratio: 1 filter per 250 students and staff will be implemented
  - i. by August 1st of 2023 at all schools. Filter stations will be maintained within 48 hours of reported malfunction. OUSD will provide vessels for student water consumption.
- f. OUSD will provide safe, shaded, high quality developmentally appropriate outdoor common areas for all students.
- g. Complete toxic soil abatement near play areas by August 1st of 2024
- h. Replace all turf with something that does not contribute to overheating of student areas and is environmentally friendly
- i. Expand native green spaces and native tree planting at schools
- j. Expand school community gardens in containers and using safe urban gardening practices to feed students and families in partnership. In partnership, OUSD and OEA (families, and students) will decide on temporary school closures due to facilities/ utility failure (waste disposal, water, electricity) and/ or extreme weather, poor air quality, and smoke beginning in the fall semester of 2024.

## **PROPOSED CHANGES TO EXISTING LANGUAGE**

### **17.3 Disruptive Actions by Students**

Unit members may send to the appropriate administrator those students whose actions are disruptive to their classroom instructional program. Should the student refuse to comply, the administrator shall be so notified and appropriate action shall be taken to remove the student from the immediate environment. In response to student behavior under this section, Unit members retain the right to exercise a two-day student suspension under Education Code section 48910. Prior to the student being returned to the unit member's class, the administrator shall communicate with (provide feedback to) the unit member to discuss the student's conduct.

### **17.4 Assault, Attack or Threat Against a Unit Member by Students**

17.4.1 The unit member shall report the incident immediately to the administrator in charge or designee, who shall ~~immediately report the incident to the police and~~ notify the student's parent, guardian or other responsible adult immediately. In addition, the unit member retains the right to notify the police directly.

17.4.2 The unit member shall prepare a written statement concerning the incident and present it to the site administrator who will then add their remarks, if any, to the statement, ~~and then forward it immediately to the Oakland Police Department.~~ Restorative justice, class and/or program transfer, and safety plan development shall be explored as alternatives to notifying law enforcement at members' discretion.

17.4.3 A unit member who is the victim of an assault, attack or threat, verbal or physical, and who so requests, shall be immediately granted the remainder of the day of the assault, attack or threat released from duty. These release days shall not be charged against any of the unit member's accrued or accumulated leaves specified in Article 11 - Leaves.

17.4.4 Students involved in a physical assault, attack or verbal threat, against a unit member, shall not be returned to the unit member's class(es), without unit member consent until a meeting between the unit member, restorative justice coordinator, and an administrator is held; and the harm is repaired in a way that wholly restores the community. ~~When a student is referred to the District's Disciplinary Hearing Process (DHP) the student shall not be returned to the classes of the bargaining unit member from which the student was removed until the DHP is completed.~~

17.4.5 If it is finally determined that a student **causes harm through** assault, attack or threat, verbal or physical, against a unit member, that student shall not be returned to the unit member's class(es) or caseload for the remainder of the instructional Year unless member consents to following restorative process or development of robust safety plan.

17.4.6 The Employer shall comply with and implement all provisions of Education Code section 49079 regarding prior student conduct to unit members.