

Article 8:        SAFETY

8.1        School District Responsibility to Provide Safe Working Conditions and Follow Applicable and Relevant State and Federal Laws.

8.1.1        The District acknowledges that all students and staff of public primary, elementary, secondary schools have the right to attend campuses which are safe, secure and peaceful. The District hereby commits to acting in compliance with its legal responsibilities pursuant to all health, safety and sanitation requirements imposed by local, state, or federal law or regulations adopted under local, state, or federal law, including but not limited to any and all guidelines or mandates issued by local, state, or federal public health authorities or by Cal/OSHA.

8.1.2        The District shall furnish employment and a place of employment which are safe and healthful for all bargaining unit members. Bargaining Unit members shall collaborate with management in maintaining safety practices in all facilities.

8.1.2.1 The District shall furnish and use safety devices and safeguards, and adopt and use practices, means, methods, operations and processes which are reasonably adequate to render such employment and place of employment safe and healthful.

8.1.2.1.1 The District shall provide each classroom and major work area with first aid kits with emergency supplies, including but not limited to, rubber gloves, flashlight, emergency toileting supplies, and any other items which may be reasonably necessary and unique to a work location.

8.1.2.1.2 Each classroom and major work area shall have communication devices (telephone, and walkie talkie) for use during the workday.

8.1.2.2 The District shall make every effort to protect the life, safety, and health of bargaining unit members and students. Additionally, the District shall take adequate and reasonable security precautions to protect bargaining unit

members and students. Bargaining unit members shall work with the district to help protect the life, safety and health of students.

8.1.2.3 The District shall make every effort to keep all school grounds and facilities free of unwanted rodents, pests, and insects such as ants, roaches, and fleas. The District will follow the Board adopted Integrated Pest Management Policy.

## 8.2 Safe Working Conditions

The District will provide a procedure for reporting alleged unsafe and unhealthy conditions to management. The District will investigate such reports and take appropriate actions to correct these conditions found to be unsafe or unhealthy.

8.2.1 Pursuant to Government Code, the California Emergency Services Act of 2013, and the California Code of Regulations, in the event of a declared natural disaster, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, Bargaining Unit Members may be subject to disaster services activities that are assigned to them by their supervisor if activated by an accredited disaster council.

8.2.2 In the event of a closure of District facilities, including but not limited to natural disaster, quarantine, pandemic, poor air quality, safety threat (e.g. bomb threat, shooting threat, etc.), or government order, bargaining unit members shall receive their daily rate of pay and benefits. If make-up days are required by law, the District shall instate the make-up day(s) negotiated in the instructional calendar and negotiate any additional make-up days as necessary. Bargaining Unit Members will work the replacement day(s) not to exceed the combined negotiated number of days and professional hours.

8.2.3 Under Education Code 49079, the District shall inform the teacher of each student who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Education Code Section 48900 or in Section 48900.2, 48900.3, 48900.4, or 48900.7 that the student engaged in, or is reasonably suspected to have engaged in, those acts. The District shall provide the

information to the teacher based upon any records that the District maintains in its ordinary course of business, or received from a law enforcement agency, regarding a student described in this section.

### 8.3 Enforcement of Safe Working Conditions

All bargaining unit members are expected to use safe work practices and, if reasonably safe to do so, correct any unsafe conditions which may occur. If a bargaining unit member is unable to correct an unsafe condition, they shall report the unsafe condition to their immediate supervisor or designee in a timely manner.

8.3.1 Upon notification, the District shall address the reported unsafe or hazardous working conditions, and if deemed unsafe or hazardous, will remediate the conditions.

### 8.4 District Safety Committee

8.4.1 The District and the Association agree to include bargaining unit members as representatives on the District Safety Committee.

8.4.1.1 The Association President or designee may appoint up to four (4) bargaining unit members to serve as representatives on the District Safety Committee, to include one (1) representative from elementary school, one (1) representative from middle school, one (1) representative from high school, and one (1) representative from a charter school.

8.4.1.2 Association representatives to the District Safety Committee shall receive release time or their extended day rate of pay for committee work.

8.4.2 The District Safety Committee shall provide information to bargaining unit members on Education Code, Board Policy, and any local/state/federal regulations that govern the creation and implementation of district and comprehensive school safety plans (CSSP), to include an Injury and Illness Prevention Program (Cal/OSHA IIPP), district Emergency Operations Plan (EOP), and Workplace Violence Prevention Plan (WVPP).

8.4.2.1 It is the responsibility of this committee to do the following:

1. Provide guidance to school sites on the development and update of

Comprehensive School Safety Plan (CCSP);

2. Review and recommend updates to the District's Injury and Illness

Prevention Program (IIPP);

3. Review and recommend updates to the District's Emergency Operation

Plan (EOP);

4. Review and recommend updates the District's Workplace Violence

Prevention Plan (WVPP);

5. Uphold the expectations and compliance within each specific plan and

provide guidance on implementation.

6. Receive quarterly reports on any data collection and actions taken.

7. Gather and analyze data related to student misconduct, positive behavior interventions, and discipline issues;

8. Assist schools and worksites in developing site safety plans and school site discipline policies;

9. Monitor and evaluate the effectiveness of school and worksite safety plans and school discipline policies;

8.4.3 This committee shall determine their meeting schedule and shall meet at least six (6) times per year with the first meeting held within the first four (4) weeks of each school year.

#### 8.5 School Safety Planning Committees

8.5.1 The District and school sites will comply with Education code ARTICLE 5 School Safety Plans [32280-32289.5]. The School Site Council (SSC) must write and develop the Comprehensive School Safety Plan (CSSP) or may delegate this responsibility to a safety committee (EC Section 32281(b)(2)).

8.6 All Staff must be trained on the CSSP EC Section 32280.

8.6.1 Updated school safety plans should be reviewed and practiced regularly by all certificated and classified staff and students, as appropriate.

1       **8.7**       The site Safety Planning Committee (School Site Council or delegated safety committee) shall  
2 include the following, pursuant to EC 65000:

3       8.7.1     At an elementary school, the school site council shall consist of both of the following  
4 groups:

5               A. The principal of the school or their designee; classroom teachers employed at the  
6 school, selected by classroom teachers employed at the school; and school  
7 personnel employed at the school who are not teachers, selected by school  
8 personnel employed at the school who are not teachers. The classroom teachers  
9 selected pursuant to this subparagraph shall constitute a majority of the persons  
10 selected pursuant to this subparagraph.

11              B. Parents of pupils attending the school, or other members of the school community,  
12 selected by parents of pupils attending the school. The number of persons selected  
13 pursuant to this subparagraph shall equal the number of persons selected pursuant  
14 to subparagraph (A).

15       8.7.1.1 At a secondary school, the school site council shall consist of both of the  
16 following groups:

17              A. The principal of the school or their designee; classroom teachers  
18 employed at the school, selected by classroom teachers employed at  
19 the school; and school personnel employed at the school who are not  
20 teachers, selected by school personnel employed at the school who  
21 are not teachers. The classroom teachers selected pursuant to this  
22 subparagraph shall constitute a majority of the persons selected  
23 pursuant to this subparagraph.

24              B. Parents of pupils attending the school, or other members of the school  
25 community, selected by parents of pupils attending the school; and  
26 pupils attending the school, selected by pupils who are attending the  
27 school. The number of persons selected pursuant to **this** subparagraph

1 shall equal the number of persons selected pursuant to subparagraph

2 (A).

3 8.7.1.2 An employee of a school who is also a parent or guardian of a pupil who  
4 attends a school other than the school of the parent's or guardian's  
5 employment is not disqualified by this employment from serving as a parent  
6 representative on the school site council established for the school that his or  
7 her child or ward attends.

8 8.7.1.3 The school site council may delegate this responsibility to a school safety  
9 planning committee made up of the following members:

10 A. The principal or principal's designee

11 B. At least One teacher who is a representative of the recognized certificated  
12 employee organization.

13 C. At least One parent whose child attends the school.

14 D. At least One classified employee who is a representative of the recognized  
15 classified employee organization.

16 E. Other members, if desired.

17 8.7.1.4 The school site council/safety committee shall consult with a representative  
18 from a law enforcement agency, a fire department, and other first responder  
19 entities in the writing and development of the comprehensive school safety  
20 plan. The comprehensive school safety plan and any updates to the plan shall  
21 be shared with the law enforcement agency, the fire department, and the  
22 other first responder entities.

23 8.7.2 Prior to adopting the site Safety Plan, the Safety Planning Committee at each school or  
24 worksite shall hold a public hearing at the school site. The committee shall solicit the  
25 views of parents, teachers, school administrators, school security personnel, and junior  
26 and high school students. The site Safety Plan shall be reviewed and updated by March  
27 1 each year. (Ed Code 32288 and 32286).

8.7.3 In addition to creating a safety plan as described above, the site Safety Planning Committee shall also:

1. Monitor and analyze the effectiveness of the site safety plan and the school discipline and intervention plans and policies;
2. Receive input from and inform the entire staff regarding the site safety, discipline, and intervention plans and policies;
3. Develop a plan that will establish a safe classroom and school-wide environment for all students and employees at the school or worksite.

8.7.4 Students, parents, and employees shall receive written notice of the school discipline policy at the beginning of each school year (5 CCR Section 5553).

#### 8.8 Classroom Suspension By Teacher (Ed Code 48910)

8.8.1 A unit member may temporarily suspend a student from their classroom for any acts enumerated in Education Code 48900 for the day of the suspension and the subsequent day.

8.8.2 A unit member may exercise the use of a classroom suspension under Ed Code 48910 without providing alternative means of correction prior to the suspension.

8.8.3 The unit member shall immediately report the suspension to the principal or designee and send the student to the administrator or designee for appropriate action.

8.8.3.1 The student shall not be placed in another regular class during the period of suspension. If the student is assigned to more than one class per day, the suspension shall apply only to other regular classes scheduled at the same time as the class from which the student was suspended.

8.8.3.2 The student shall not be returned to the class from which they were suspended, during the period of the suspension, without the concurrence of the teacher of the class and the principal.

8.8.4 As soon as possible, the teacher shall ask the parent or guardian of the student to attend a parent-teacher conference regarding the suspension. A school counselor or

1 school psychologist may attend the conference. A school principal shall attend the  
2 conference if the teacher or parent or guardian requests their presence.

3 8.8.5 A teacher may also refer a student, for any acts enumerated in Education Code 48900,  
4 to the principal or the designee for consideration of a suspension from school.

5 8.9 Out of School Suspension By Administrator

6 8.9.1 The District shall comply with all provisions of law, codes, and policies governing the  
7 suspension and expulsion of students.

8 8.9.2 The District shall train and equip all bargaining unit members on providing alternative  
9 means of correction, including but not limited to:

- 10 1. A conference with the parent, teacher, and students;
- 11 2. Referral to a school counselor, psychologist, or other support service personnel;
- 12 3. Study teams or other intervention-related teams that assesses behavior and  
13 develop plans to address behavior;
- 14 4. Processes for a referral to a psychosocial or psychoeducational assessment for  
15 the purposes of creating an IEP;
- 16 5. Enrollment in a program for teaching prosocial behavior or anger management;
- 17 6. A positive behavior intervention support (PBIS) approach with tiered  
18 interventions; or
- 19 7. Any alternatives described in Ed Code 48900.6.

20 8.9.3 In the event a unit member recommends a student for suspension to their principal or  
21 designee for violations of subdivisions (a) to (e) of Ed Code 48900 and the site principal  
22 decides not to suspend the student, the unit member may request a meeting with the  
23 principal to discuss their reason for not suspending the student and their plan to ensure  
24 corrective behaviors for the safety of others at the school site.

25 8.9.3.1 The principal shall schedule the meeting no later than two school days after the  
26 request is made to meet.

27 8.10 Assault and Battery

1 8.10.1 Definitions:

2 Assault – an unlawful attempt, with a present ability, to commit a violent injury on  
3 another person (Cal. Penal Code §240).

4 Battery – any willful and unlawful use of force or violence against another person (Cal.  
5 Penal Code §242).

6 8.10.2 Unit members shall immediately report cases of assault, or battery suffered by them or  
7 when physically threatened in connection with their employment to their principal or  
8 other immediate supervisor. Both the bargaining unit member and the immediate  
9 supervisor shall immediately report the incident to the police. Such notification shall be  
10 forwarded to the Superintendent or designee.

11 8.10.2.1 The District shall not impose any sanctions against a unit member for reporting  
12 the incident to the police.

13 8.10.3 Any unit member who has suffered an injury as a result of a battery or as a result of an  
14 assault which seriously threatened the physical or mental well-being of the unit member  
15 shall be eligible to apply for industrial accident leave as set forth in Article 11, Section  
16 11.8 herein, provided such assault or battery arose out of and in the course of the unit  
17 member's employment. In addition, the immediate supervisor shall provide the unit  
18 member the necessary assistance in completing any claim for worker's compensation as  
19 a result of such assault or battery. If the bargaining unit member requests, they shall be  
20 allowed to leave for the remainder of the school day without the use of personal leave  
21 time.

22 8.10.4 When absence or disability arises out of or from assault, or battery, or a traumatic event  
23 inflicted on a unit member or witnessed by a unit member in the course of a unit  
24 member's employment, unit members shall suffer no loss in wages, benefits or leaves  
25 for the following five (5) school days. This section shall also apply to a unit member who  
26 personally witnessed a traumatic event, as defined by mutual agreement between the  
27 Association President or designee and the District Superintendent or designee.

|    |      |
|----|------|
| 1  |      |
| 2  |      |
| 3  |      |
| 4  |      |
| 5  |      |
| 6  |      |
| 7  |      |
| 8  | 8.11 |
| 9  |      |
| 10 |      |
| 11 |      |
| 12 |      |
| 13 |      |
| 14 | 8.12 |
| 15 |      |
| 16 |      |
| 17 | 8.13 |
| 18 |      |
| 19 | 8.14 |
| 20 |      |
| 21 |      |
| 22 | 8.15 |
| 23 |      |
| 24 |      |
| 25 | 8.16 |

8.10.5 Reported cases of assault or battery shall become a matter of District record as soon as possible and shall be dealt with under the terms of the Education Code.

8.10.6 The district shall provide a list of resources offered to members who experience assault, battery or who are witness to a traumatic event which occurs during the course and scope of employment, including legal, mental health and other assistance. The District will fund an Employee Assistance Program through a provider determined by the District.

Unit members may call 911 in extreme cases, such as imminent threat of death or grievous bodily harm. In such a case, the unit member calling 911 shall inform the principal or designee or other immediate supervisor as soon as possible. The District and the Association recognize that anyone who believes that they are the victim of a crime has the right to call 911 on their own behalf. The District shall not impose any sanctions against a unit member for reporting a crime to the police.

Unit members and other employees shall be provided with proper safety equipment when working with students with severe medical or behavioral needs as outlined by the student's IEP team.

The District will take all reasonable steps necessary to provide each school site with dedicated safety/supervisory personnel.

The District shall provide professional development on a voluntary basis to unit members wishing training on how to de-escalate assaultive students, break up fights between students, and to use conflict intervention skills.

A unit member will not be expected or required to provide emergency treatment in situations involving weapons if the unit member has a reasonable belief the scene/area is not safe or secure.

Unit members shall not be required to confiscate weapons.

1 8.17 The district will make necessary efforts to ensure school employees and classrooms shall be free  
2 of disruption and substantial disorder from parents, guardians, or outsiders consistent with Ed  
3 Code 44811.

4 8.18 The use of recording and listening devices shall not be permitted in any classroom without the  
5 prior consent of the teacher and the school principal given to promote an educational purpose  
6 (Ed Code 51512). Any student in violation of this shall be subject to school disciplinary action.  
7 Any person, other than a student, in violation of this shall be reported to administration and to  
8 law enforcement authorities.

9 8.19 The District shall comply promptly with all legal requirements to notify law enforcement as  
10 outlined in Ed Code 48902.

11 8.20 Temporary Restraining Orders (Civ. Proc. Code §527.8)

12 8.20.1 Any bargaining unit member who has suffered unlawful violence or a credible threat of  
13 violence from any individual that can reasonably be construed to be carried out at the  
14 workplace or to have been carried out at the workplace, may request that the District  
15 seek a temporary restraining order and an order after hearing at the discretion of the  
16 court. If such a request is made and reasonable proof is presented that such acts or  
17 threats have occurred, the District shall take all steps necessary to seek and obtain the  
18 temporary restraining order as described above and injunction.

19 8.20.2 Effective January 1, 2025, the Association may seek a temporary restraining order and  
20 injunction on behalf of a bargaining unit member or group of bargaining unit members  
21 who suffers the unlawful violence described in 8.20.1. The Association shall notify the  
22 District when seeking such an order.

23 8.20.3 Effective January 1, 2025, a unit member shall be notified by either the District or the  
24 Association, prior to filing a petition for a temporary restraining order by either party, to  
25 provide the unit member the opportunity to decline to be named in the temporary  
26 restraining order. If a unit member declines to be named, the District or the Association

are not prohibited from seeking a temporary restraining order on behalf of other unit members.

#### 8.21 Indoor Air Quality

8.21.1 The Parties agree that ensuring schools are ventilated and have good indoor air quality is critical to protecting and supporting the health and well-being of students and school staff. Indoor and outdoor pollutants inside classrooms impact the health and well-being of students and staff.

8.21.2 The Parties agree that both ventilation and filtration are essential to improve indoor air quality in schools and, as such, the following standards for ventilation and filtration of spaces occupied by students and staff will be met. "Occupied spaces" are defined as each District classroom, auditorium, gymnasium, nurses' office, cafeteria, or other occupied areas in which students are present or bargaining unit members are required to report to work.

8.21.3 The District shall provide safe and healthful indoor air quality by conforming to laws, guidelines, regulations and/or policies issued by federal, state, and local regulatory agencies such as OSHA, Cal/OSHA, the EPA, and GSA, etc.

8.21.4 If a classroom CO2 concentration exceeds 1,100 ppm more than five (5) times in a week as observed by classroom staff or facilities staff and the classroom or other occupied space has a mechanical ventilation system, the ventilation rate shall be inspected and adjusted as appropriate by district personnel.

8.21.5 If existing mechanical and/or natural ventilation with windows cannot maintain CO2 concentrations below 1,100 ppm, the mechanical ventilation system will be improved to meet current California building code requirements. A plan to achieve these improvements that includes a timeline for completing the work will be provided to the Chapter by the District within 30 days. A temporary measure to lower CO2 levels while mechanical ventilation improvements are in process is to use portable fans oriented to exhaust air to the outside through open doors and windows.

|   |        |                                                                                          |
|---|--------|------------------------------------------------------------------------------------------|
| 1 | 8.22   | Asbestos Removal                                                                         |
| 2 | 8.22.1 | The District agrees to continue to comply or immediately comply with all Federal, State, |
| 3 |        | and local requirements regarding asbestos, including, but not limited to, the Federal    |
| 4 |        | asbestos hazard emergency response act (AHERA), which are currently applicable           |
| 5 |        | and/or those which may become applicable or be enacted during the term of this           |
| 6 |        | Agreement.                                                                               |
| 7 |        |                                                                                          |

Chat gpt summary

## Article 8 – Safety (Summary)

### 1. District responsibility for safety

- The District must provide **safe, secure, and healthy working and learning conditions** for staff and students and follow all **local, state, and federal safety laws** (including public health and Cal/OSHA rules).
- Workplaces must include **safety equipment and safeguards**, such as:
  - First aid kits with emergency supplies in classrooms and major work areas
  - Communication devices (phones or walkie-talkies)
- The District must take reasonable **security precautions** and maintain facilities free from **pests and rodents**.

### 2. Reporting unsafe conditions

- The District will provide a **process for reporting unsafe or unhealthy conditions**.
- Reports must be investigated and corrected if hazards are confirmed.
- Employees must follow safe practices and report hazards they cannot fix.

### 3. Emergencies and school closures

- During declared disasters or emergencies, employees may be assigned **disaster service duties**.
- If schools close due to emergencies (e.g., disasters, pandemics, poor air quality, threats), employees **continue to receive pay and benefits**, with possible make-up days if required by law.

### 4. Student behavior information

- Teachers must be **informed when students have committed or are suspected of serious misconduct** under specified Education Code sections.

### 5. Safety committees

- A **District Safety Committee** includes teacher representatives appointed by the Association.
- The committee helps develop and review major safety plans, including:
  - Comprehensive School Safety Plans (CSSP)
  - Injury and Illness Prevention Program (IIPP)

- Emergency Operations Plan (EOP)
- Workplace Violence Prevention Plan (WVPP)
- The committee meets **at least six times per year** and analyzes safety data.

## 6. School safety planning

- Each school must maintain a **Comprehensive School Safety Plan**, developed by the School Site Council or a safety committee.
- Plans must involve **staff, parents, students (secondary schools), and community members**, and must be reviewed annually.
- All staff must be **trained on safety plans**, and drills/practices should occur regularly.

## 7. Classroom discipline

- Teachers may **suspend a student from their classroom for the remainder of the day and the next day** for certain misconduct.
- The teacher must notify the principal and request a **parent-teacher conference**.
- Administrators must follow legal procedures for suspensions and train staff in **alternative discipline strategies**.

## 8. Assault, threats, and workplace violence

- Assault or battery against staff must be **reported immediately to administration and police**.
- Staff injured from such incidents may:
  - Apply for **industrial accident leave**
  - Receive help filing **workers' compensation**
  - Leave for the rest of the day without using personal leave.
- Employees who witness traumatic events may receive **up to five days without loss of pay or benefits**.

## 9. Safety protections for staff

- Employees may **call 911 in emergencies** and cannot be disciplined for reporting crimes.
- Staff working with students with significant medical or behavioral needs must receive **appropriate safety equipment**.
- The District will attempt to provide **dedicated safety or supervisory personnel** at schools.
- Optional training may be offered for **de-escalation and conflict intervention**.
- Staff are **not required to confiscate weapons or treat emergencies involving weapons if the area is unsafe**.

## 10. Additional safety provisions

- Schools must be protected from **disruptions by parents or outsiders**.
- **Recording devices in classrooms require teacher and principal permission**.
- The District must notify law enforcement when legally required.

## 11. Restraining orders

- The District or the teachers' Association may **seek workplace violence restraining orders** to protect employees facing credible threats.

## 12. Indoor air quality

- The District must maintain **healthy ventilation and filtration** in all occupied spaces.
- If **CO<sub>2</sub> levels exceed 1,100 ppm repeatedly**, ventilation must be inspected and improved if necessary.

### 13. Asbestos compliance

- The District must comply with all **federal, state, and local asbestos regulations**, including the Asbestos Hazard Emergency Response Act.

#### Overall:

Article 8 establishes the District's obligation to maintain **safe workplaces, clear reporting procedures, emergency protections, staff support after violent incidents, strong safety planning, and healthy facility conditions** for both employees and students.

If you want, I can also give you a **super short "key rights for teachers" version (like 8–10 bullet points)** which is often what people pull from this kind of contract section.