

Teacher's Rights & Responsibilities

Suspension by Teacher (Ed. Code § 48910)

A teacher may suspend a pupil from his/her class or class period, for any act specified in Ed. Code § 48900, for the day of the suspension and the day following. The suspension must be immediately reported to the principal and the student sent to the principal for further action. The teacher must also request a parent/teacher conference as soon as possible. The pupil shall not be returned to the class from which the pupil was suspended without the concurrence of the teacher and principal.

Notification of Law Enforcement

(Ed. Code § 44014)

Whenever any school employee is attacked, assaulted, or physically threatened by a pupil, it is the duty of the employee and the supervisor who has knowledge of the incident to promptly report the matter to law enforcement authorities. Failure to make such a report is an infraction punishable by a fine. Any school employee who attempts to impede the making of a required report is guilty of an infraction punishable by a fine. No board member or school district employee may impose any sanctions against a person for making this report.

Suggestions

- Develop a systematic way to review and update the site safety plan and to ensure that new staff receives a copy. If necessary, put the revision and distribution requirements in the local contract.
- Maintain first aid and crisis response boxes and in-service the site staff on their location and use in an emergency.
- If there is a problem, work first with your District Administration. Most districts have safety committees whose job is to remedy concerns. If those avenues don't produce results, assert the teachers' contractual rights to a safe and healthy workplace. If necessary, file a grievance and work through your local Association.
- If problems persist or affect a large number of teachers at a school site or within the district, contact your local CTA staff consultant and work with your local Association leaders to plan a strategy to deal with these safety issues. Don't agonize, organize.

Web Sites

- NEA - www.nea.org/schoolsafety/index.html
- Healthy School Environment- www.epa.gov/schools
- Indoor Air Quality- www.epa.gov/iaq/schools
- CA Dept. of Health Services- www.cal-iaq.org

Telephone Numbers for Local Agencies

Association Office (President, Safety Contact)

Public Health Office

Children Protective Services (CPS)

Cal-OSHA

Police/Sheriff Department

District Emergency

The *CTA Traumatic Event Assistance and Management Cadre* is responsible for assisting CTA chapters and members when an event occurs in a school community of such magnitude as to have the potential to create severe trauma in a substantial number of members. Affected teachers should contact their local Association leaders and/or their CTA Chapter Services Consultant for assistance.



Teacher's Guide to School Safety

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School District Responsibilities

While teachers have a general duty to maintain custody and control over their students, school districts have the legal responsibility to establish and enforce the discipline policy that circumscribes teachers' supervisory efforts. This means that Board members and administrators are responsible for general school administration, including enforcement of the school district's discipline policy. (5 Cal. Code Reg. § 5551)

Drills (Ed. Code § 32001)

Fire, earthquake and lockdown drills should be practiced regularly. State law requires monthly fire drills at elementary schools, four per year at intermediate schools and one each semester at high schools.

School Safety Plan (Ed. Code § 32280-32289)

Comprehensive School Safety Plan

In order to prevent campus crime and violence and promote safe educational conditions, each school district shall adopt a comprehensive "School Safety Plan."

The Plan shall be drafted by the school site council or by a school safety committee made up of at least the principal or designee, teacher's union representative, classified employee union representative, and parent, in consultation with a representative from law enforcement.

The Plan must be reviewed and updated by March 1 each year by the school site council or safety committee and each school must report on the status of its school safety plan in its school accountability report card.

Facilities

Bathrooms (Ed. Code § 35292.5)

Every restroom shall at all times be maintained and cleaned regularly, fully operational and stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

Communications (Ed. Code §17077.10)

It is a goal of the Legislature to eventually enhance pupil safety by equipping all elementary and secondary school classrooms with a telephone hook connected to a public switched network.

Injury & Illness Prevention Program

(Labor Code § 6401.7)

A school district shall establish, implement, and maintain an effective injury prevention program. The program shall be written and include at least the following:

- Regular work site inspection
- Safety Training
- Methods for identifying and correcting unsafe conditions in a timely manner

Prohibitions Against Violence & Disruption

Notification of Violent Students

(Ed. Code § 49079)

A school district shall inform the teacher of each pupil who has engaged in, or is reasonably suspected to have engaged in, any of the acts (described in E.C. §48900) that are grounds for suspension and/or expulsion. The district shall provide the information based upon records it maintains, or receives from a law enforcement agency, regarding a pupil. The information provided shall be from the previous three school years and it shall be received in confidence.

School Disruptions (Ed. Code § 44811)

Any parent, guardian or other person whose conduct in a place where a school employee is required to be in the course of his or her duties, materially disrupts class work or extracurricular activities or involves substantial disorder, is guilty of a misdemeanor. This section does not apply to any otherwise lawful employee concerted activity.

Classroom Interruptions (Ed. Code § 32212)

It is the intent of the Legislature that each school district board formally address the problem of classroom interruptions and adopt a policy to control those interruptions.

School Site Security

- No outsider shall enter or remain on school grounds during school hours without having registered with the principal or front office. (Pen. Code § 627.2)
- Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor and shall be subject to a fine of not more than \$500. (Ed. Code § 32210)
- Any person other than a student, parent or guardian, or employee of the school district shall promptly depart from the school premises during school hours when requested to do so by the school principal or designee. Such person shall not return for seven (7) days. The request to leave shall be made exclusively on the basis that it appears reasonable to conclude that the continued presence of the person would disrupt or interfere with classes or other school activities. (Pen Code § 626.7; Ed. Code § 32211)
- Every minor over 16 or adult who is not a pupil of the school who enters any school ground and willfully interferes with any class or school activity with the intent to disrupt, obstruct, or to inflict damage to property or bodily injury to any person, is guilty of a misdemeanor. (Ed. Code §44810)