**WORKPLACE VIOLENCE PREVENTION PLAN**

**Delano Union School District**

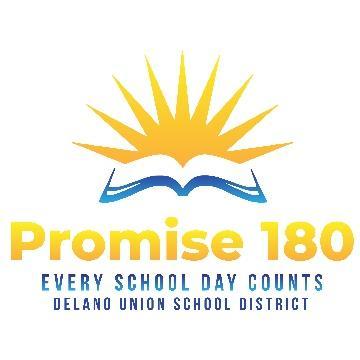


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# PROGRAM OBJECTIVES AND POLICY STATEMENT

Delano Union School District (“DUSD”) is committed to ensuring the safety and well-being of its employees, to providing an environment free of violence or threats of violence and to safeguarding all students, employees and all other guests entering District property.

DUSD prohibits and will not tolerate any form of workplace violence by any employee or third party, including employees, vendors, visitors, parents, students, or others, either on any DISTRICT property or at any DUSD-sponsored events.

This Workplace Violence Prevention Plan (“WVPP” or “Plan”) is intended to supplement the DUSD Comprehensive School Safety Plan developed pursuant to Education Code § 32281 and general Injury and Illness Prevention Program (“IIPP”) required by 8 CCR § 3203. This Plan is in effect at all times in all work areas and is intended to be specific to the hazards and corrective measures for each work area and operation.

The WVPP shall be available to employees, authorized employee representatives and Cal/OSHA at all times.

DUSD shall provide all safeguards required by law and regulation, including provision of personal protective equipment and training at no cost to the employee, at a reasonable time and place for the employee, and during the employee's paid time.

The primary objective of the WVPP is to prevent and/or eliminate workplace violence as follows:

* Establish and maintain an effective WVPP.
* Provide a safe working environment.
* Establish policies, training and communications to improve workplace violence prevention.
* Provide written records of workplace violence incidents and investigations, in accordance with the Plan.

DUSD hereby authorizes and ensures the establishment, implementation, and maintenance of this Plan and the documents/forms within this Plan. DUSD is committed to a culture of safety and violence prevention. These policies and procedures will bring positive changes to the workflow, business operations, and overall health and safety of DUSD’s employees.

Signed

# DEFINITIONS

## **REQUIRED DEFINITIONS**

1. **Emergency**: unanticipated circumstances that can be life threatening or pose a risk of significant injuries to employees or other persons.
2. **Engineering controls**: an aspect of the built space or a device that removes a hazard from the workplace or creates a barrier between the employee and the hazard.
3. **Log**: the violent incident log required by this Plan.
4. **Plan or WVPP**: this Workplace Violence Prevention Plan.
5. **Threat of violence**: Any verbal or written statement, including, but not limited to, texts, electronic messages, social media messages, or other online posts, or any behavioral or physical conduct, that conveys an intent, or that is reasonably perceived to convey an intent, to cause physical harm or to place someone in fear of physical harm, and that serves no legitimate purpose.
6. **Workplace violence**: any act of violence or threat of violence that occurs in a place of employment, including, but not limited to, the following: (i) the threat or use of physical force against an employee that results in, or has a high likelihood of resulting in, injury, psychological trauma, or stress, regardless of whether the employee sustains an injury; (ii) an incident involving a threat or use of a firearm or other dangerous weapon, including the use of common objects as weapons, regardless of whether the employee sustains an injury; and (iii) the following four workplace violence types:
7. **Type 1 violence**: workplace violence committed by a person who has no legitimate business at the worksite, including violent acts by anyone who enters the workplace or approaches employees with the intent to commit a crime.
8. **Type 2 violence**: workplace violence directed at employees by parents, clients, patients, students, or visitors.
9. **Type 3 violence**: workplace violence against an employee by a present or former employee, administrator, or supervisor.
10. **Type 4 violence**: workplace violence committed in the workplace by a person who does not work there but has or is known to have had a personal relationship with an employee.

Workplace violence does not include lawful acts of self-defense or defense of others.

1. **Work practice controls**: Procedures and rules which are used to effectively reduce workplace violence hazards.

# RESPONSIBLE PERSONS

The Director of Safety and Security has the authority and responsibility for implementing and maintaining this Plan for DUSD. **In the absence of the Superintendent or the Director of Safety and Security, the person with authority and responsibility for implementation of this Plan is the immediate supervisor of affected employee[s**].

The Assistant Superintendent of Human Resources will be accountable for implementation and maintenance of this program. School Site Principals, Vice Principals, supervisors and lead workers are responsible for implementing and maintaining the Plan in their areas of responsibility and will provide day-to-day program support, guidance and training to the individual employees on DUSD WVPP.

A copy of the WVPP is available from each Principal, Vice Principal, and Resource Teacher.

|  |  |  |  |
| --- | --- | --- | --- |
| ROLE | NAME | PRIMARY RESPONSIBILITY | CONTACT INFORMATION |
| Director of Safety & Security | Joseph Hunter | Safety & Security | (661)446-2127 |
| Superintendent | Rosalina Rivera | Superintendent | (661)721-5000 ext. 00102 |
| Assistant Superintendent of Human Resources | Ricardo Chavez | Human Resource | (661)721-5000 ext. 00131 |
| Assistant Superintendent of Business | Sandra Rivera | Business | (661)721-5000 ext. 00125 |
| Assistant Superintendent of Educational Services | Rosa Montes | Educational Services | (661)721-5000 ext. 00104 |
| Assistant Superintendent of Programs | April Gregerson | Programs | (661)721-5000 ext 00188 |

## EMPLOYEE ACTIVE INVOLVEMENT - GENERAL

DUSD shall obtain the active involvement of employees and their union/bargaining units in developing, implementing, reviewing and revising the Plan, including, but not limited to, through their participation in identifying, evaluating, and correcting workplace violence hazards, in designing and implementing training, and in reporting and investigating workplace violence incidents.

## OPTIONS TO OBTAIN EMPLOYEE INVOLVEMENT

### Designated Role

The Director of Safety & Security shall obtain the active involvement of employees and their union/bargaining units in developing and implementing the WVP Plan, including their participation in identifying, evaluating, and correcting workplace violence hazards; designing and implementing training; reporting and investigating workplace violence incidents, and in reviewing the Plan. The Director of Safety & Security may carry out their responsibilities by the methods listed below:

### Committee or Task Force

DUSD shall maintain a Safety Committee/Workplace Violence/Safety Task Force (**Education Code § 32281).**

This committee shall be under the direction of the Director of Safety & Security, or designee. The committee should operate with close contact and communication with the Superintendent, Superintendent’s Cabinet, directors, program coordinators, department managers, site administration and supervisors.

This committee shall obtain the active involvement of employees and their union/bargaining units in developing and implementing the Plan, including their participation in identifying, evaluating, and correcting workplace violence hazards; designing and implementing training; reporting and investigating workplace violence incidents, and in reviewing the Plan. The Committee may carry out its responsibilities by the methods listed below:

## **METHODS TO OBTAIN EMPLOYEE INVOLVEMENT**

1. Providing the WVPP Plan to employees and their union/bargaining units at no cost before the Plan is implemented and soliciting feedback from employees.
2. Interviewing employees regarding the proposed Plan and/or violence at DUSD.
3. The Director of Safety & Security/Designee of the Task Force will attend staff meetings of different departments throughout DUSD to obtain employee input.
4. Conduct committee meetings/employee meetings.
5. Maintaining electronic forms where employees can provide suggestions, feedback or concerns regarding the proposed Plan and/or violence at DUSD.
6. Distributing a survey regarding the proposed Plan and workplace violence at DUSD.
7. Preparing written records of workplace violence issues discussed at committee meetings/employee meetings, making copies of the records available to all affected employees and maintaining the records on file.
8. Communicating safety and health issues to each facility/site/department, coordinating training, developing incentive programs or other special safety programs.
9. Providing the approved version of the Plan to employees at no cost and soliciting feedback from employees.
10. OTHER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# COORDINATION

DUSD shall coordinate implementation of the Plan with all other employers whose employees (“third-party employers and/or employees”) provided services to the DUSD on DUSD property. This is to ensure that all personnel at the worksite understand their respective roles, as provided in the Plan, that all employees are provided the training required by the Plan, and that workplace violence incidents involving any employee are reported, investigated, and recorded in the Violence Incident Log (Attachment D). At a multiemployer worksite, DUSD shall ensure that if its employees experience workplace violence incident that DUSD shall record the information in its Violent Incident Log (Attachment D) and shall also provide a copy of the relevant Violent Incident Log to the controlling employer.

DUSD may coordinate the implementation of the Plan with other employers by the following methods:

## **METHODS TO COORDINATE THE PLAN**

1. Prepare a list of third-party employers/vendors in DUSD.
2. Designate the Director of Safety & Security/Designee of the Task Force as the point of contact for third-party employers in DUSD.
3. Provide all third-party employers a copy of the relevant worksite Plan and obtain copies of each third-party employer’s Plan.
4. Provide third-party employers DUSD’s training materials.
5. Determine the appropriate training for third-party employees by their respective job duties, as provided in this Plan and determine which employer will provide the training.
6. The Director of Safety & Security/Designee of the Task Force shall meet with the Chief Safety Officer of third-party employers when third party employees are assigned to work at DUSD’s facilities, departments, and the sites to discuss the Plan and the Plan of the third-party employer. These meetings shall occur annually/periodically.
7. Ensure all third-party employees receive and review the Plan when they begin working in DUSD’s facilities, departments, operations, and/or sites.
8. Require all third-party employees to report all reportable incidents (as defined in this Plan) to the appropriate supervisor, manager or other designated person, and participate in any investigations, as required by this Plan, DUSD IIPP and/or other DUSD policy.
9. Coordinate procedures with third-party employers for reporting, investigating and documenting workplace violence incidents.
10. Provide third-party employers with reports of workplace violence concerns and incidents and records of workplace violence investigations to ensure a coordinated response. Understanding any employee privacy information will be redacted.
11. Meet with third-party employers quarterly to discuss the Plan, any revisions to the Plan, any recent workplace violence incidents and relevant training.
12. Review contracts with third-party employers regarding the responsibilities of each party; regarding which entity is responsible for training third-party employees and for reporting, investigating and documenting workplace violence incidents involving third-party employees.
13. Document which third party employers have assumed responsibility for training and for reporting, investigating and documenting workplace violence incidents involving third party employees.

# COMMUNICATION

DUSD recognizes that to maintain a safe, healthy and secure workplace, it must have open, two-way communication between all employees, including teachers, administrators and resource teachers, and other employers on all workplace safety, health and security issues. DUSD’s communication procedures are designed to encourage and facilitate a continuous flow of information between management, employees regarding any suggestions, concerns or information relating to health, safety or security issues, without fear of reprisal and in a form that is readily understandable by all affected employees.

DUSD will ensure that all workplace violence policies and procedures within this Plan are clearly communicated to and understood by all employees, including any revisions to the plan, in accordance with the “Plan Review” section of this Plan.

All employees may communicate suggestions, concerns or information regarding workplace violence either directly to their supervisor or manager or in accordance with the “Reports of Workplace Violence” and/or “Law Enforcement” sections of this Plan.

No employee will be subject to any discipline, retaliation or reprisal for reporting or communicating regarding workplace violence or any injury resulting from workplace violence.

DUSD communication procedures may include the following items:

## **REQUIRED COMMUNICATIONS WITH EMPLOYEES REGARDING WORKPLACE VIOLENCE MATTERS**

In addition to any other communications required by this Plan, DUSD shall communicate with employees regarding:

1. How an employee can report a violent incident, threat, or other workplace violence concern to the DUSD or law enforcement without fear of reprisal. Please see the “Reports of Workplace Violence” section of this Plan.
2. How employee concerns will be investigated in a timely manner and how employees will be informed of the results of the investigation and any corrective actions to be taken, in accordance with the “Hazard Identification, Evaluation and Correction,” and “Investigation and Post Incident Response” sections of this Plan.

## **METHODS FOR COMMUNICATING WITH EMPLOYEES REGARDING WORKPLACE VIOLENCE MATTERS**

1. New employee orientation on workplace security policies, procedures and work practices, including the Plan.
2. The Director of Safety & Security/Designee of the Task Force will attend staff meetings of different departments throughout DUSD to obtain employee input.
3. Conducting periodic committee meetings/employee meetings that address security issues and potential workplace violence hazards. All meetings should be documented, including, but not be limited to, signed attendance rosters, agenda for items discussed and minutes of the meetings.
4. Communicating safety and health issues to each facility, department, operation and sites.
5. Posted or distributed workplace safety and violence prevention information, including regarding any identified workplace violence hazards.
6. Maintaining electronic or **QR code** forms where employees can anonymously provide suggestions, feedback or concerns regarding the Plan and/or violence at DUSD.
7. Distributing a survey regarding the Plan and workplace violence at DUSD.
8. Procedures for employees to inform DUSD about workplace security hazards, workplace violence or threats of violence, including in accordance with the “Reports of Workplace Violence” section of this Plan.
9. Making the Plan available to all employees upon request at no cost.
10. Training and re-training programs, as provided in the Plan.
11. Updating employees on the status of investigations and corrective actions through email and at meetings, including the progress of investigations, the results of investigations, and any corrective actions taken.
12. Effective communication between employees and supervisors and managers about workplace violence concerns, including in accordance with the “Reports of Workplace Violence” and “Hazard Identification, Evaluation and Corrections” sections of this Plan. Any communication between employees and supervisors will be in the employee’s first language.
13. Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# REPORTS OF WORKPLACE VIOLENCE

DUSD requires all employees to report workplace violence (including threats of violence), as described below. DUSD requires completion of a Violent Incident Report Form (Attachment A) when workplace violence occurs, except as described below. The affected employee or the person receiving the report may complete the Violent Incident Report Form.

In addition, employees may communicate suggestions, concerns or information regarding workplace violence either directly to their supervisor or manager or in accordance with this section and the “Communications” section of this Plan.

No DUSD/third-party employee will be subject to any discipline, retaliation or reprisal for reporting a concern regarding workplace violence, workplace violence or any injury resulting from workplace violence to DUSD or law enforcement. Any employee, including any supervisor or manager, who retaliates against an employee for reporting a concern regarding workplace violence, work place violence or any injury resulting from workplace violence is subject to discipline, up to and including termination. Depending on the nature of the incident and the content of any report made to law enforcement or DUSD, DUSD may provide an employee with counseling or training, as warranted, regarding appropriate circumstances to make a report of workplace violence.

Nothing in this policy shall prevent an employee from accessing the employee’s cellular telephone or other communication devices to seek emergency assistance, assess the safety of an emergency situation, or communicate with a person to verify their safety.

Incidents of workplace violence must be reported. Reports may be completed and submitted as follows:

## **WORKPLACE VIOLENCE MAY BE REPORTED TO THE FOLLOWING**

1. To the employee’s immediate supervisor or manager.
2. To DUSD security.
3. To the Director of Safety & Security/Designee of the Task Force.
4. Using an electronic form or QR code where employees can anonymously report workplace violence, threats or concerns.
5. To law enforcement, as appropriate.

Any person receiving a report of workplace violence shall forward it to the Director of Safety & Security/Designee of the Task Force.

The Director of Safety & Security/Designee of the Task Force shall accept and respond to reports of workplace violence, as described in this Plan. In addition to reviewing the Violent Incident Report Form as described above, the Director of Safety & Security/Designee of the Task Force is responsible for recording information relating to each occurrence of workplace violence on the Violent Incident Log (Attachment D).

If workplace violence results in an injury requiring the completion of other documents, such as a California Department of Industrial Relations Form 5020 (Employer’s Report of Occupational Injury or Illness), the Cal/OSHA Form 301 Injury and Illness Incident Report, and/or California Department of Industrial Relations, Division of Workers’ Compensation Form DWC-1 (Workers’ Compensation Claim Form), then no Violent Incident Report Form is required.All forms are processed and stored in accordance with the applicable laws and regulations relating to those forms. **Even if no Violent Incident Report Form is completed**, **the information required by this Plan must still be recorded in the Violent Incident Log.**

Employees may also report incidents of workplace violence to law enforcement, as appropriate.

Emergency Situations

During any emergency situation, any DUSD personnel observing the situation should:

1. Get to safety.
2. Call 911 when safe to do so. Employees must use the following additional access information to call 911:

Non-Emergency Situations

Contact numbers for District Director of Security, local law enforcement and emergency services agencies may be available in every facility, department, operation, site and are also provided below. During any non-emergency situation, employees involved in a workplace violence incident must report it, as described above. The Director of Safety & Security/Designee of the Task Force may then report the incident to law enforcement, if warranted.

|  |  |  |  |
| --- | --- | --- | --- |
| CONTACT | NUMBER | EMAIL | PHYSICAL LOCATION/OTHER CONTACT INFORMATION |
| DIRECTOR OF SAFETY | 661-679-9695 | jhunter@duesd.org | District Office |
| POLICE DEPARTMENT | 661-721-3377 |  | 2330 High Street |
| SHERIFF’S OFFICE | 661-721-3800 |  | 244 Lexington St. |
| OTHER | 911 |  |  |

Any employees who report workplace violence and believe they are being subjected to discipline, retaliation or reprisal should report it to their site/department supervisor, Human Resources Department or the Director of Safety & Security/Designee of the Task Force.

# RESPONSE TO WORKPLACE VIOLENCE

In addition to the other provisions of this Plan, DUSD shall respond to actual or potential workplace violence, including emergencies, by the methods described below:

No DUSD or third-party employee will be subject to any discipline, retaliation or reprisal for reporting workplace violence or any injury resulting from workplace violence to DUSD or law enforcement.

Employees may always obtain help from the individuals identified in the “Responsible Persons” and “Reports Workplace Violence” sections of this Plan

## **REQUIRED RESPONSES TO ACTUAL OR POTENTIAL WORKPLACE VIOLENCE EMERGENCIES**

1. Making this Plan available to all employees.
2. Informing employees how to obtain help from district security/staff assigned to respond to workplace violence emergencies and the Director of Safety & Security/Designee of the Task Force and law enforcement. Employees may contact law enforcement by dialing 911. The contact information for local law enforcement is: \_\_(661)721 - 3377.
3. Effective means to alert employees of the presence, location and nature of workplace violence emergencies by the following:
4. Bell System
5. Lights
6. Intercom alerts
7. Text message / email alerts
8. Announcement as follows: \_This is not a drill we are on a -\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
9. Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
10. Developing and informing employees of evacuation and sheltering plans that are appropriate and feasible for the employees’ worksite and when to implement those plans including the following:

a. Placing maps of evacuation routes in each classroom, facility, and building.

b. Placing locations of emergency exits in each classroom, facility, and building.

c. Instructing employees when and where to shelter-in-place (ALICE training).

## **ACTUAL OR POTENTIAL WORKPLACE VIOLENCE EMERGENCIES**

1. Post Community Wide Standard Response protocols.
2. Keep “WVPP” as a standing item on Leadership and Staff Meeting Agendas. All meetings should be documented, including, but not limited to, signed attendance rosters, agenda for items discussed, the name and title of the personnel conducting the meeting, and minutes of the meetings.
3. A district survey will be conducted periodically regarding the Plan and workplace violence at DUSD.
4. Communicating procedures for employees to inform DUSD about workplace security hazards, workplace violence or threats of violence, including in accordance with the “Communications” and “Reports of Workplace Violence” section of this Plan.
5. Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# COMPLIANCE

DUSD is committed to ensuring that all safety and health policies and procedures involving workplace security, including this Plan, are clearly communicated and understood by all employees.

All employees are responsible for using safe work practices, for following all directives, policies and procedures, including this Plan, and for assisting in maintaining a safe and secure work environment. Failure to follow this Plan, DUSD IIPP, DUSD Comprehensive School Site Safety Plan, or any other applicable DUSD directives, policies or procedures is grounds for discipline, up to and including termination. Administrators and supervisors will enforce this Plan fairly and uniformly.

In addition to methods provided in other sections of this Plan, DUSD’s system to ensure that employees, including supervisors and managers, comply with this Plan and the rules and work practices that are designed to make the workplace more secure, and do not engage in threats or physical actions which create a security hazard for others in the workplace, include at a minimum, those listed Below:

## **REQUIRED COMPLIANCE PROCEDURES**

1. Making this Plan available to all employees and their authorized employee representatives. When an employee or their authorized bargaining representative requests a copy of this Plan, DUSD shall provide the requester with either a printed or electronic copy of the Plan.
2. Recognizing employees who follow safe and healthful work practices which promote security in the workplace by email/certificate of recognition.
3. Training programs as provided in the Plan, and any necessary re-training, including re-training for any employee whose safety performance is deficient.
4. Disciplining employees for failure to comply with this Plan, DUSD IIPP, DUSD Comprehensive School Site Safety Plan and/or workplace security practices in accordance with DUSD’s discipline policy, handbook or collective bargaining agreement.
5. Periodic inspections of the school site in accordance with the “Hazard Identification, Evaluation and Correction” section of this Plan.

## **COMPLIANCE PROCEDURES**

1. New employee orientation on workplace security policies, procedures and work practices, including the Plan.
2. Providing employees with unobstructed access through a computer, workstation or website, which allow an employee to review, print, and email the current version of this Plan. Unobstructed access means that the employee, as part of their regular work duties, predictably and routinely uses the electronic means to communicate with management or co-employees.
3. Posted or distributed workplace safety information, including regarding any identified workplace violence hazards.
4. Conducting committee meetings/employee meetings. All meetings should be documented, including, but not be limited to, signed attendance rosters, the name and title of the personnel conducting the meeting, an agenda for items discussed and minutes of the meetings.
5. Counseling, including for employees whose performance is deficient in complying with work practices designed to ensure workplace security.
6. Evaluating the performance of all employees in complying with this Plan and DUSD security measures by periodic and unscheduled inspections.
7. Maintaining electronic forms where employees can anonymously provide suggestions, feedback or concerns regarding the Plan and/or violence at DUSD.
8. Distributing a survey regarding the Plan and workplace violence at DUSD.
9. Other:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# TRAINING

DUSD is committed to ensuring that all employees have effective general and job-specific training (continuous) on workplace security practices that address the workplace violence risks that employees may reasonably anticipate encountering in their jobs.

DUSD shall use training material appropriate in content and vocabulary to the educational level, literacy and language of employees.

All training conducted in accordance with this Plan shall permit an opportunity for interactive questions and answers with a person knowledgeable about the Plan. Training may involve presentations, discussions, and/or practical exercises.

All training must be documented by using the Training Log (Attachment B). Individual training records shall be placed in the employee’s personnel file at Human Resource Office. All training records shall be kept on file for a minimum of one (1) year.

## **REQUIRED EMPLOYEE INVOLVEMENT**

DUSD shall obtain the active involvement of employees and their union/bargaining units in designing and implementing all required training under this Plan. DUSD may obtain this involvement by the following methods:

### OPTIONS TO OBTAIN EMPLOYEE INVOLVEMENT

#### Designated Role

The Director of Safety and Security shall obtain the active involvement of employees and their union/bargaining unit in designing and implementing training required under the Plan. The Director of Safety and Security may carry out their responsibilities by the methods listed below:

#### Committee or Task Force

Mrs. Rosalina Rivera, Superintendent, has expanded the District Safety Committee to also serve as a WVPP Task Force pursuant to Education Code § 32281**.** DUSD shall maintain a Safety Committee/Workplace Violence/Safety Task Force.

This committee shall be under the direction of the Director of Safety & Security, or designee. The committee should operate with close contact and communication with the Superintendent, the Superintendent’s Cabinet, program directors or coordinators, administration, department managers, managers and supervisors.

This committee shall obtain the active involvement of employees and their union/bargaining units in designing and implementing training required under the Plan. The Committee may carry out its responsibilities by the methods listed below:

### METHODS TO OBTAIN EMPLOYEE INVOLVEMENT

1. Providing training materials to site administration before training is implemented and during the annual Plan review and soliciting feedback from employees.
2. Informing employees, supervisors, and managers of the training required under the Plan and proposed changes to training required under the Plan.
3. Interviewing employees regarding DUSD training.
4. The Director of Safety & Security/Designee of the Task Force will attend staff meetings of different departments throughout DUSD to obtain employee input regarding training.
5. Conducting periodic committee meetings/employee meetings. Should be a standing item on Leadership and Staff Agendas.
6. Maintain electronic forms available where employees can provide suggestions, feedback or concerns regarding training under the Plan.
7. Distribute periodic surveys regarding training under the Plan.
8. OTHER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

## **TYPE OF TRAINING AND TIMING**

### General Workplace Security Training – New Hire and Annually

DUSD shall provide training (1) when this Plan is first established, to all new employees, and to all employees annually; (2) to other employees for whom training has not previously been provided and to all employees, supervisors and managers given new job assignments for which specific workplace security training for that job assignment has not previously been provided, and (3) whenever the DUSD is made aware of new or previously unrecognized hazards, and (4) for supervisors to familiarize themselves with the workplace violence hazards to which employees under their immediate direction and control may be exposed.

Training shall be provided on the following:

1. This Plan, including the definitions and requirements as provided in this Plan; how to obtain a copy of this Plan at no cost; and how to participate in the development and implementation of this Plan, as described in this section and in the section “Responsible Persons – Employee Involvement.”
2. Reporting workplace violence incidents or concerns to DUSD or law enforcement without fear of reprisal, as described in the “Communications,” “Reports of Workplace Violence” and “Response to Workplace Violence,” sections of this Plan.
3. Workplace violence hazards specific to employees’ jobs, the corrective measures DUSD has implemented, how to seek assistance to prevent or respond to violence, and strategies to avoid physical harm such as how to recognize workplace violence hazards, including the risk factors associated with the four types of workplace violence and ways to defuse hostile or threatening situations.
4. The Violent Incident Log and how to obtain copies from DUSD.
5. Records of workplace violence hazard identification, evaluation, and correction and how to obtain copies from DUSD.
6. Training records and how to obtain copies from DUSD.
7. Opportunities DUSD has for interactive questions and answers with a person knowledgeable about this Plan.

### Additional Training – As Needed

Additional training shall be provided when a new or previously unrecognized workplace violence hazard has been identified and when changes are made to this Plan. The additional training may be limited to addressing the new workplace violence hazard or changes to this Plan.

### TOPICS FOR SPECIFIC WORKPLACE SECURITY TRAINING

DUSD provides training to all employees regarding general workplace security practices and issues, including how to recognize alerts, alarms, or other warnings about emergency conditions and how to use identified escape routes or locations for sheltering, employee routes of escape, emergency medical care provided in the event of any violent act upon an employee, post-event trauma counseling for employees desiring such assistance.

In addition, DUSD provides specific training to all employees regarding workplace security hazards unique to their job assignment, to the extent that such information was not already covered in other training.

Type I Violence Training – For  Administrators  Supervisors  Employees

General Crime Awareness, including high crime areas

Locations and Operations of Alarms

Communications Procedures

Working in isolation

Working with money

Working late at night

Working in areas with poor visibility or low lighting

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Type II Violence Training – For  Administrators  Supervisors  Employees

Self-Protection

Location, operation, care and maintenance of alarms and other protection devices

Use of the “Buddy System” or other assistance from co-workers

Customers and/or clients with history of violent behavior

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Type III and IV Violence Training – For  Administrators  Supervisors  Employees

Managing with respect and consideration

Working with individuals with history of violent behavior

High stress times such as impending layoffs

Access to potential or improvised weapons such as scissors, tools, etc.

Domestic violence involving spouse/domestic partner/former spouse/domestic partner at work

Restraining Orders

Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# 

# HAZARD IDENTIFICATION, EVALUATION AND CORRECTION

## **HAZARD IDENTIFICATION AND EVALUATION**

DUSD shall conduct inspections for workplace violence hazards on a periodic basis. Periodic inspections consist of identification, evaluation and correction of workplace security hazards, unsafe conditions and work practices, and employee reports and concerns. Hazards identified during the inspections must be documented.

Periodic inspections shall be conducted at a minimum as follows:

1. This Plan was first established during Spring of 2024
2. When DUSD is made aware of new or previously unrecognized workplace violence hazards.
3. After each workplace violence incident.
4. Whenever there is a report of workplace violence.
5. Quarterly

Inspections must be documented using effective means to identify, evaluate and correct workplace violence hazards, including, assessment procedures/checklists, the Hazard Identification, Evaluation and Correction Record (Attachment F) and the Hazard Periodic Inspection Checklists (Attachment E). The date and name of the person conducting the inspections shall be documented. Any deficiencies must be documented and reported to the Director of Safety & Security/Committee or Task Force. Items will be addressed in a timely manner based on the severity of the hazard.

Periodic inspections may require assessing more than one type of workplace violence. DUSD performs inspections for each type of workplace violence by using the methods specified in this Plan and in DUSD’s assessment procedures/checklist(s).

All identified hazards must be corrected, as described below in the subsection “Hazard Correction.” This includes hazards identified during the inspections, by employee concerns, by Violent Incident Report Forms, by workplace violence incidents, or whenever DUSD is made aware of a new or previously unrecognized hazard.

Records of workplace violence hazard identification, evaluation, and correction shall be created and maintained for a minimum of five years. Please see the “Records” Section of this Plan.

The following personnel shall conduct periodic inspections in the following facilities/ departments/operations/sites.

|  |  |
| --- | --- |
| INSPECTOR | DEPARTMENT |
| Joseph Hunter | Director of Safety and Security |

### METHODS FOR PERIODIC INSPECTIONS

Periodic inspections may include the following:

1. Review all workplace violence incidents that occurred in the facility/department/operation/site within the previous year, regardless of whether an injury occurred.
2. Review all reported workplace violence concerns, including those communicated to DUSD in accordance with the “Communications” and “Reports of Workplace Violence” section of this Plan.
3. Identify and evaluate environmental risk factors for workplace violence in each facility/ department/operation/site, including surrounding areas, such as employee parking areas and other outdoor areas.
4. An assessment of the following specific environmental risk factors:

a. Lack of posting of emergency telephone numbers for law enforcement, fire, and medical services.

b. Lack of employee access to a telephone with an outside line.

c. Adequacy of workplace security systems, such as door locks, entry codes or badge readers, security windows, physical barriers and restraint systems.

d. The exterior and interior of the workplace for its attractiveness to criminals.

e. Procedures for employee response during a robbery or other criminal act, including DUSD policy regarding prohibiting employees, who are not security guards, from confronting violent persons or persons committing a criminal act.

f. Employees working in locations isolated from other employees because their assignment requires them to work alone, in remote locations, during night or early morning hours, or where an assailant could prevent entry into the work area by responders or other employees.

g. Poor illumination or blocked visibility of areas where possible assailants may be present.

h. The need for surveillance measures, such as mirrors or cameras.

i. Lack of physical barriers between employees and persons at risk of committing workplace violence.

j. Access to and freedom of movement within the workplace by non-employees, including recently discharged employees or other persons with whom an employee is having a dispute.

k. Lack of effective escape routes.

l. Lack of a designated safe area where employees can go to in an emergency.

m. Effective location and functioning of emergency buttons and alarms.

n. Obstacles and impediments to accessing alarm systems.

o. Effectiveness of systems and procedures that warn others of actual or potential workplace violence danger or that summon assistance, including intercom or radios.

p. Locations within the facility where alarm systems are not operational.

q. Entryways where unauthorized entrance may occur, such as doors designated for staff entrance or emergency exits.

r. Procedures for reporting suspicious persons or activities.

s. Storage of high-value items or currency.

t. Community-based risk factors, such as information relating to local crime conditions and the local police contact information.

u. Frequency and severity of threatening or hostile situations that may lead to violent acts by students, parents or other adults

v. Employees’ skill in safely handling threatening or hostile recipients student, /parents or other adults

w. Availability of security guards.

x. The use of work practices such as the "buddy" system for specified emergency events.

y. Failure to follow DUSD communication procedures and processes, in accordance with the “Communications” section of this Plan.

z. Frequency and severity of employees’ reports of threats of physical or verbal abuse by administrators, supervisors, or other employees.

aa. Any prior violent acts, threats of physical violence, verbal abuse, property damage or other signs of pressure in the workplace.

## **HAZARD CORRECTION**

DUSD shall correct workplace hazards which threaten the security of employees in a timely manner based on the severity of the hazard. DUSD shall correct hazards either when observed or discovered. Hazard correction must be documented using effective means to include, checklists including the Hazard Identification, evaluation and Correction Record (Attachment F) and the Hazard Periodic Inspection Checklists (Attachment E)

DUSD shall inform employees regarding completed workplace violence investigations conducted pursuant to this Plan and the records of any corrective action taken, in accordance with this and the “Communications” section.

### METHODS FOR HAZARD CORRECTION

DUSD shall use engineering and work practice controls to eliminate or minimize employee exposure to the identified hazards to the extent feasible. DUSD shall take measures to protect employees from imminent hazards immediately. Hazard correction will be specific to a given department – Maintenance of Operations (MOT).

Corrective measures may include, as applicable, but shall not be limited to:

1. Making the workplace unattractive to criminals by maintaining lighting around and at the workplace.
2. Posting of emergency telephone numbers for law enforcement, fire, and medical services.
3. Ensuring employees have access to a telephone with an outside line.
4. Providing functioning systems, such as door locks, security windows, physical barriers, emergency alarms and other restraint systems.
5. Posting signs that limited cash is kept on the premises and that the premises are subject to surveillance.
6. Limiting the amount of cash on hand and using time access safes for large bills.
7. Ensuring sufficient numbers of staff are trained and available to prevent and immediately respond to workplace violence incidents during each shift, including the use of security guards.
8. Providing line of sight or other immediate communication in all areas where members of the public may be present. This may include removal of sight barriers, provision of surveillance systems or other sight aids such as mirrors, use of a buddy system, improving illumination, or other effective means.
9. Configuring facility spaces so that employee access to doors and alarm systems cannot be impeded by persons or obstacles.
10. Configuring facility spaces to control and limit freedom of movement within, the workplace by non-employees, including recently discharged employees or persons with whom an employee is having a dispute.
11. Ensuring adequate employee escape routes.
12. Maintaining sufficient staffing, including security personnel, who can maintain order in the facility and respond to workplace violence incidents in a timely manner.
13. Installing, implementing, and maintaining the use of an alarm system or other effective means by which employees can summon security and other aid to defuse or respond to an actual or potential workplace violence emergency.
14. Providing training and re-training, including as provided in the “Training” section of this Plan, including on DUSD’s emergency action procedures/reporting workplace violence concerns and incidents/awareness of the warning signs of potential workplace violence, handling threatening or hostile situations that may lead to violent acts by visitors, students, parents, and third-party vendors.
15. Providing procedures for a “buddy” system for specified emergency events.
16. Establishing a policy for prohibited practices, including a no-weapon policy.
17. Ensuring all employees report workplace violence concerns and incidents, including suspicious person, activities and packages, in accordance with the “Communications” and “Reports of Workplace Violence” sections of this Plan.
18. Ensuring communication in accordance with the “Communications” section of this Plan.
19. Ensuring an appropriate response to workplace violence concerns and incidents, and other issues such as verbal abuse or property damage are reported to the appropriate supervisor or manager and resolved in accordance with this Plan and DUSD policy.
20. Ensuring appropriate discipline for employees for workplace violence incidents, in accordance with this Plan and DUSD’s handbook. Discipline policy, and bargaining unit agreements.
21. Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# INVESTIGATIONS AND POST-INCIDENT RESPONSE

DUSD must investigate workplace violence, concerns of workplace violence and injuries from workplace violence, regardless of how they are reported or how DUSD becomes aware of them. In addition to the procedures discussed above in the “Communication” and “Hazard Identification, Evaluation and Correction” sections of this Plan, DUSD shall promptly investigate and communicate with an employee regarding employee concerns of workplace violence and conduct investigations to prevent or respond to workplace violence.

The primary goal of investigation is the prevention of similar incidents. Management, administrative and supervisory personnel, and the Director of Safety & Security/Designee of the Task Force are responsible for ensuring investigations in their areas of responsibility are conducted.

Investigative reports prepared in accordance with this Plan shall not contain information, such as a person’s name, address, electronic mail address, telephone number, social security number or other information that, alone or in combination with other publicly available information, reveals the person’s identity.

The Violent Incident Report (Attachment A) requests details of the incident, including what happened, why it happened, what should be done to prevent it from happening again and what action has been taken to reduce or eliminate future incidents. Please also refer to the “Reports of Workplace Violence” section of this Plan.

In the event an employee is injured or sought medical treatment, supervisors shall also comply with the appropriate procedures, including completing the required entries or forms, such as OSHA Log 300 or 300A, Cal/OSHA Form 301 Injury and Illness Incident Report, and/or California Department of Industrial Relations, Division of Workers’ Compensation Form DWC-1 (Workers’ Compensation Claim Form). Please also refer to the “Reports of Workplace Violence” section of this Plan. Should an injury qualify as a “serious” injury as defined by Title 8 CCR Section 330, DUSD must report the injury to Cal/OSHA if required by Title 8 CCR Section 342.

When an employee reports workplace violence or a concern of workplace violence or when DUSD otherwise becomes aware of a concern of possible or actual workplace violence, DUSD shall conduct an investigation and respond to the workplace violence. The Director of Safety & Security/Designee of the Task Force or other designated person shall conduct the investigation.

DUSD offers a variety of support and resources for employees affected by workplace violence, including the Employee Assistance Program or counseling services as described in DUSD’s benefits package (Behavioral Health).

Procedures for investigating workplace violence incidents may include:

## **REQUIRED INVESTIGATIVE ACTIVITIES**

1. Informing employees how concerns will be investigated and how the employees will be informed as to the results of the investigations and any corrective action, in accordance with the “Communications” and “Hazard Identification, Evaluation and Correction” sections of this Plan.

## **OPTIONAL INVESTIGATIVE ACTIVITIES**

1. Reviewing any relevant previous incidents.
2. Interviewing the affected employee(s) and any witnesses, including law enforcement and/or security personnel.
3. Preparing appropriate summaries of the interviews.
4. Visiting the scene of the alleged incident as soon as possible.
5. Examining the workplace for factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
6. Reviewing any relevant physical, electronic or other evidence, such as video footage, photographs, and/or emails or other communications.
7. Coordinating, to the extent necessary and feasible, with any law enforcement investigation.
8. Determining the cause of the incident.
9. Taking corrective action to correct the hazards and prevent the incident from reoccurring.
10. Preparing a written report of findings and any action taken, and ensuring corrective action is taken.
11. Obtaining any reports completed by law enforcement, when available.
12. Other: \_Report to Superintendent\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The requirements and procedures of this section are in addition to those described elsewhere in this Plan and those which will be taken in accordance with DUSD’s policy regarding investigating misconduct and/or discipline. An investigation in accordance with those policies, and other applicable policies, may serve as an investigation under this Plan.

## **REQUIRED RESPONSE TO EMPLOYEE CONCERNS**

To the extent not addressed in accordance with this section and the “Communication” and “Hazard Identification, Evaluation and Correction” sections of this Plan, DUSD may investigate and communicate with employees regarding their concerns using the following:

### METHODS TO INFORM EMPLOYEES OF INVESTIGATIONS AND CORRECTIVE ACTIONS

1. Updating the employee on the status of the investigation into the employee’s concern and any relevant corrective action.
2. Providing the employee a copy of any completed workplace violence investigation conducted pursuant to this Plan relevant to the employee’s concern and the records of any corrective action taken. No personally identifying information of any other employee which is the subject of the investigation will be provided to employee(s) not involved in the incident.
3. The employee’s first line supervisor and/or the WVPP Administrator (Director of Safety & Security/Designee) of the Task Force meeting with the employee to discuss the concerns, the investigation and the corrective actions to be taken.
4. Sending the employee via email a summary of the employee’s concern, the investigation and actions taken in response to the employee’s concern.
5. Posting any completed workplace violence investigation conducted pursuant to this Plan and the records of any corrective action taken to an internal bulletin board/site. No personally identifying information will be posted or otherwise made publicly available.
6. Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

# VIOLENT INCIDENT LOG

DUSD shall record information regarding incidents of workplace violence in the Violent Incident Log. (Attachment D) The Log shall contain the information requested in the Log about all incidents, the post-incident response and incident investigation.

DUSD shall prepare the Log based on information solicited from involved employees, including those who experienced the violent incident; on witness statements; and on the findings of investigations into workplace violence incidents. The Log shall not contain any elements of personally identifiable information, such as a person's name, address, electronic mail address, telephone number, or Social Security number, or other information that, alone or in combination with other publicly available information, reveals any person's identity.

Workplace violence resulting in an injury requiring recording the information on the OSHA Log 300 or 300A, Cal/OSHA Form 301 Injury and Illness Incident Report, and/or California Department of Industrial Relations, Division of Workers’ Compensation Form DWC-1 (Workers’ Compensation Claim Form) must also be recorded on those documents, in addition to the Violent Incident Log. All OSHA forms and logs are processed and stored in accordance with the applicable laws and regulations relating to those forms.

For multiemployer worksites, the employer or employers whose employees experienced the workplace violence incident shall record the information in the Violent Incident Log and shall provide a copy of that log to the controlling employer.

# PLAN REVIEW

DUSD shall review and revise this Plan as provided below. DUSD shall review the Plan at least annually, when a deficiency is observed or becomes apparent, after a workplace violence incident, and as needed at any other time.

Review and any revision, as needed, of the Plan shall consist, at a minimum, of the following:

1. The Plan itself and the effectiveness of the Plan.
2. Procedures used to obtain the active involvement of employees and their unions/bargaining units in developing, implement and reviewing the plan, as discussed in “Responsible Persons – Employee Involvement.”
3. Violent Incident Log.

## **A. ITEMS FOR REVIEW**

1. Investigations of alleged hazardous conditions or employee concerns.
2. Investigations of workplace violence incidents.
3. Written records of workplace violence issues discussed at committee meetings/employee meetings.
4. The effectiveness of security systems, including alarms, emergency response plans, and security personnel, if applicable.
5. Records of hazard identification, evaluation and corrections.
6. Communications regarding safety and health issues.
7. Training programs as provided in the Plan.
8. DUSD electronic forms where employees can provide suggestions, feedback or concerns regarding the Plan and/or violence at DUSD.
9. Any survey regarding the Plan and workplace violence at DUSD.

## **METHODS TO CONDUCT THE PLAN REVIEW**

DUSD shall conduct the review required by this section by the following methods:

1. Providing the Plan and proposed revisions to the Plan to employees and their union/bargaining units at no cost before revisions are implemented and soliciting feedback from employees.
2. Interviewing employees regarding the proposed revisions and/or violence at DUSD.
3. The Director of Safety & Security/Designee of the Task Force will attend staff meetings of different facilities/departments/sites/operations throughout DUSD to obtain employee input.
4. Conducting periodic committee meetings/employee meetings.
5. Maintaining electronic forms where employees can provide suggestions, feedback or concerns regarding the Plan and/or violence at DUSD.
6. Distributing a survey regarding the Plan and workplace violence at DUSD.
7. OTHER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DUSD shall communicate any revisions to the Plan to all employees, in accordance with the “Communications” section of this Plan.

# RECORDS

**Note: School districts should keep in mind that all records could be subject to public disclosure through the Public Records Act unless releasing specific information could pose a risk to the school district.**

DUSD shall keep and maintain records as required by this Plan.

DUSD shall create training records, which shall include training dates, contents or a summary of the training sessions, names and qualifications of persons conducting the training, and names and job titles of all persons attending the training sessions, and maintain training records for a minimum of **one year:**

1. Employee Training Log. (See Attachment C)
2. Training Attendance Log. (See Attachment B)

To the extent feasible, any associated written materials or presentations shall be kept with the relevant Training Attendance Log.

DUSD shall create and maintain the following records for a minimum of **five years:**

1. Hazard Identification, Evaluation and Correction. (See Attachment E)
2. Violent Incident Log. (See Attachment D)
3. Records of workplace violent incident investigations conducted pursuant to this Plan. These records shall not contain “medical information” as defined by California Civil Code Section 56.05(j).
4. Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following records shall be made available to all employees, upon request and without cost, for examination and copying within 15 calendar days of a request: (1) Records of workplace violence hazard identification, evaluation and correction; (2) Training records showing the training dates, contents or a summary of the training sessions, names and qualifications of persons conducting the training, and names and job titles of all persons attending the training sessions; and (3) the Violent Incident Log. Any employee personally identifiable information shall not be released, except as authorized by law. All records required by this Plan shall be made available to Cal-OSHA upon request and as required by law.

**REPORTING RESPONSIBILITIES**

As required by California Code of Regulations (CCR), Title 8, Section 342(a). Reporting Work Connected Fatalities and Serious Injuries, DUSD will immediately report to Cal/OSHA any serious injury or illness (as defined by CCR, Title 8, Section 330(h)), or death (including any due to Workplace Violence) of an employee occurring in a place of employment or in connection with any employment.

1. **K-12 EDUCATION SETTINGS AND DISABLED STUDENTS**

In the K-12 school context, workplace violence scenarios involving disabled students or students suspected of being disabled require necessary consideration of additional laws and intra-school district coordination with responsible departments (e.g. Student Services, Special Education, Educational Services, etc.). Laws that must be considered include those concerning special education[[1]](#endnote-1), Section 504 of the Rehabilitation Act of 1973[[2]](#endnote-2) (“Section 504”) and the Americans with Disabilities Act.[[3]](#endnote-3)

Students that are alleged to have engaged in workplace violence related to school attendance, regardless of disability status, will frequently be subject to disciplinary proceedings, including expulsion. In addition to DUSD board policies and administrative regulations addressing student discipline, Education Code §§ 48900-48927 will need to be consulted with the appropriate district personnel and, if need be, legal counsel.

Students currently identified as disabled, or suspected of being disabled under special education laws and/or Section 504 laws, and subject to removal from school or school activities for violations of codes of conduct such as those found in the Education Code, and that are considered a “change of placement” (e.g. more than 10 days of suspension in a school year, disciplinary transfers to different schools or settings, expulsion, etc.) are likely entitled to additional legal protection in the form of manifestation determination meetings[[4]](#footnote-2) that potentially can halt continued school removal absent narrow exceptions that allow removals of no more than 45 school days in accordance with narrowly tailored parameters.[[5]](#footnote-3) In addition to manifestation determinations connected to students with individualized education programs (“IEP”) or those that should have an IEP but do not[[6]](#footnote-4), the law also favors manifestation determinations for Section 504 eligible students that are subject to a “significant change of placement” arising out school related misconduct.[[7]](#footnote-5)

Additionally, IEP eligible students involved in behavioral emergencies, defined as “unpredictable, spontaneous behavior that poses clear and present danger of serious physical harm to the individual with exceptional needs, or others, and that cannot be immediately prevented by a response less restrictive than the temporary application of a technique used to contain the behavior”[[8]](#footnote-6) will be entitled under California law to additional considerations, including but not limited to, the potential right to an IEP meeting within two days of the behavior emergency in qualifying scenarios.[[9]](#footnote-7)

ACKNOWLEDGMENT OF RECEIPT

I have received a copy of the DUSD Workplace Violence Prevention Plan (the “Plan”) and understand that it contains important information about the Delano Union School District’s workplace safety and security policies and about my rights, responsibilities and obligations as an employee. I acknowledge that I have read, understand, and will adhere to the DUSD Plan and that I have familiarized myself with the material in the Plan. I understand that the DUSD may change, rescind, delete, or add to any policies, benefits, and practices described in the Plan from time to time, at its sole and absolute discretion, with or without prior notice.

|  |  |
| --- | --- |
| Date | Signature |
|  | Print Name |

**VIOLENT INCIDENT REPORT – ATTACHMENT A**

Employee Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name/Title/Contact Information of Person Completing Form:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |  |  |
| --- | --- | --- | --- |
| **Date/Time** | **Location/ Department** | **Incident Description** | **Violence Committed By?[[10]](#footnote-8)** |
|  |  |  |  |

**Type of Incident:** (check all that apply)

Physical attack (e.g. biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting)  Attack with weapon (e.g. gun, knife, other object)  Threat of force or use of weapon  Sexual assault or threat (rape or attempted rape, physical display, or unwanted verbal or physical sexual contact)  Verbal Harassment  Animal Attack  Other\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Incident Location Specifics:** (check all that apply)

Office  Sales Floor  Hallway  Restroom/Bathroom  Parking Lot  Other Area Outside Building  Personal Residence  Break Room  Cafeteria  Other

**Incident Specifics:** (check all that apply)

Victim Performing Usual Job Duties  Poor Lighting  Rushed ☐ Working During Low Staffing Level  High Crime Area  Isolated/Alone  Unable to Get Help/Assistance  Working in Community Setting  Working in Unfamiliar/New Location

**Consequence Specifics:** (check all that apply)

Medical Treatment Provided  Assistance Provided to Conclude Incident (detail in Incident Description)  Security Contacted  Law Enforcement Contacted  Lost Time of Work Hours: \_\_\_\_\_\_\_\_\_\_\_\_\_  Actions Requested to Protect from Continuing Threat (if any):

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**TRAINING ATTENDANCE LOG – ATTACHMENT B**

Trainer Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Trainer Qualifications: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Training Name / Description: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| \_**Date** | **Attendee** | **Attendee Title** |
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Attach Training materials

**EMPLOYEE TRAINING LOG – ATTACHMENT C**

Employee Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position/Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Department: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**VIOLENT INCIDENT LOG – ATTACHMENT D**

Name/Title of Person Completing Form: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Completed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| --- | --- | --- | --- | --- | --- |
| **Log No.** | **Date/Time** |  | **Location/ Department** | **Incident Description** | **Violence Committed By?[[11]](#footnote-9)** |
|  |  |  |  |  |  |

**Type of Incident:** (check all that apply) (as defined in the “Definitions” section)

Type 1 Incident  Type 2 Incident  Type 3 Incident  Type 4 Incident

Physical attack (e.g. biting, choking, grabbing, hair pulling, kicking, punching, slapping, pushing, pulling, scratching, or spitting)  Attack with weapon (e.g. gun, knife, other object)  Threat of force or threat of use of weapon or other object  Sexual assault or threat (rape or attempted rape, physical display, or unwanted verbal or physical sexual contact)  Verbal Harassment  Animal Attack  Other \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Incident Location Specifics:** (check all that apply)

Office  Sales Floor  Hallway  Restroom/Bathroom  Parking Lot  Other Area Outside Building  Personal Residence  Break Room  Cafeteria  Other

**Incident Circumstances:** (check all that apply)

Victim Performing Usual Job Duties  Poor Lighting  Rushed ☐ Working During Low Staffing Level  High Crime Area  Isolated/Alone  Unable to Get Help/Assistance  Working in Community Setting  Working in Unfamiliar/New Location  Other: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Consequence Specifics:** (check all that apply)

Security Contacted/Law Enforcement Contacted Law Enforcement/Security Response: \_\_\_\_\_\_\_\_\_\_\_\_\_  Actions Taken to Protect from Continuing Threat or Other Hazards Identified as a Result of Incident (if any): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**HAZARD PERIODIC INSPECTION CHECKLIST – ATTACHMENT E[[12]](#footnote-10)**

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Facility / Operation / Department: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**STAFFING / SECURITY**

| **HAZARD** | **PRESENT** | **CORRECTION** | **CORRECTED** | **NOTES / FOLLOW UP** |
| --- | --- | --- | --- | --- |
| Lack of designated security personnel, including chief of security / safety | Yes  No  N/A | Designate personnel responsible for security | Yes  No  N/A |  |
| Failure to communicate contact information for security personnel to all employees | Yes  No  N/A | Communicate contact information for security personnel to all employees | Yes  No  N/A |  |
| Emergency telephone numbers for law enforcement, fire and medical services not accessibly posted | Yes  No  N/A | Post emergency telephone numbers for law enforcement, fire and medical services where employees can access it | Yes  No  N/A |  |
| Security not posted / located in vulnerable areas (e.g. parking lot, reception area, etc.) | Yes  No  N/A | Post / locate security staff in vulnerable locations. | Yes  No  N/A |  |
| Staff not available to escort employees upon request or as needed (e.g. to the parking lot, etc.) and a contact number provided | Yes  No  N/A | Staff identified and available to escort employees on request or as needed and a contact number provided | Yes  No  N/A |  |
| OTHER | Yes  No  N/A |  | Yes  No  N/A |  |

**TRAINING**

| **HAZARD** | **PRESENT** | **CORRECTION** | **CORRECTED** | **NOTES / FOLLOW UP** |
| --- | --- | --- | --- | --- |
| Required training not done on schedule in accordance with the Plan | Yes  No  N/A | Perform training in accordance with the Plan | Yes  No  N/A |  |
| Employees not trained on the Plan and topics required by the Plan | Yes  No  N/A | All employees trained on the Plan | Yes  No  N/A |  |
| Employees [or specific employees] not trained to respond to violent incidents | Yes  No  N/A | Employees trained to respond to violent incidents | Yes  No  N/A |  |
| Employees [or specific employees] not trained to recognize the potential for violence, factors contributing to the escalation of violence and how to counteract them, and when and how to seek assistance to prevent or respond to violence. violence, and strategies to avoid physical harm. | Yes  No  N/A | Employees trained to recognize the potential for violence, factors contributing to the escalation of violence and how to counteract them, and when and how to seek assistance to prevent or respond to violence. violence, and strategies to avoid physical harm. | Yes  No  N/A |  |
| OTHER | Yes  No  N/A |  | Yes  No  N/A |  |

**ENGINEERING / FACILITIES**

| **HAZARD** | | **PRESENT** | **CORRECTION** | **CORRECTED** | **NOTES / FOLLOW UP** |
| --- | --- | --- | --- | --- | --- |
| No fences, gates, walls or other barriers around workplace | | Yes  No  N/A | Install fences, gates, walls or other barriers around workplace | Yes  No  N/A |  |
| Entrances not visible | | Yes  No  N/A | Make entrances visible | Yes  No  N/A |  |
| Workplace attractive to thieves | | Yes  No  N/A | Make workplace unattractive to thieves | Yes  No  N/A |  |
| No employee only parking area | | Yes  No  N/A | Provide employee only parking area | Yes  No  N/A |  |
| Landscape and areas around workplace and parking lots not maintained to minimize hiding places | | Yes  No  N/A | Maintain landscape and area around workplace and parking lots to minimize hiding places | Yes  No  N/A |  |
| Inadequate lighting in the parking areas and approaches to workplace | | Yes  No  N/A | Install adequate lighting in the parking areas and approaches to the workplace | Yes  No  N/A |  |
| Access to the facility/department/operation and freedom of movement within it not controlled, consistent with business necessity. | | Yes  No  N/A | Access to the workplace and freedom of movement within it controlled, consistent with business necessity. | Yes  No  N/A |  |
|  | No controlled / Escorted access in certain situations (e.g. discharged employee, concerns regarding an employee) | Yes  No  N/A | Procedures to control and/or escort employees in certain situations (e.g. discharged employee, concerns regarding an employee) | Yes  No  N/A |  |
| Does the workplace lack: | |  |  |  |  |
|  | Secured entry (e.g. fobs, buzzers) | Yes  No  N/A | Secured entry system | Yes  No  N/A |  |
|  | Physical barriers (Plexiglass, elevated counters, etc.) | Yes  No  N/A | Installed appropriate barriers | Yes  No  N/A |  |
|  | Locks | Yes  No  N/A | Install locks | Yes  No  N/A |  |
|  | Alarms | Yes  No  N/A | Install alarms | Yes  No  N/A |  |
|  | Panic alarms / buttons (portable or fixed) | Yes  No  N/A | Install or provide panic alarms | Yes  No  N/A |  |
|  | Screening devices (e.g. metal detectors, x-ray machines) | Yes  No  N/A | Install screening devices | Yes  No  N/A |  |
|  | Line of sight between employees in work areas | Yes  No  N/A | Provide line of sight between employees in work areas | Yes  No  N/A |  |
| Surveillance lacking: | | Yes  No | Using surveillance, such as cameras or mirrors | Yes  No  N/A |  |
|  | Mirrors | Yes  No  N/A | Install mirrors | Yes  No  N/A |  |
|  | Cameras – interior and exterior | Yes  No  N/A | Install cameras | Yes  No  N/A |  |
|  | Other surveillance | Yes  No  N/A | Install other surveillance | Yes  No  N/A |  |
| Lack of signs that there is limited cash on premises | | Yes  No  N/A | Post signs that limited cash is kept on the premises | Yes  No  N/A |  |
| Insufficient available employee escape routes | | Yes  No  N/A | Establish / designate employee routes | Yes  No  N/A |  |
| Exit doors | |  |  |  |  |
|  | Opened from inside or outside | Yes  No  N/A | Exit doors are only able to be opened from the inside | Yes  No  N/A |  |
|  | Opened from the direction of exit travel with tools or special knowledge or effort | Yes  No  N/A | Exit doors are opened from the direction of exit travel without tools or special knowledge or effort | Yes  No  N/A |  |
| Spaces configured so that access to doors and/or alarm systems is impeded | | Yes  No  N/A | Configure space so that access to doors and/or alarm systems is not impeded | Yes  No  N/A |  |
| Furniture not secured to floor | | Yes  No  N/A | Secure furniture to floor | Yes  No  N/A |  |
| OTHER | | Yes  No  N/A | Secure furniture to floor | Yes  No  N/A |  |

**WORK PRACTICE CONTROLS**

| **HAZARD** | | **PRESENT** | **CORRECTION** | **CORRECTED** | **NOTES / FOLLOW UP** |
| --- | --- | --- | --- | --- | --- |
| Public access not restricted consistent with business necessity | | Yes  No  N/A | Restrict public access consistent with business necessity | Yes  No  N/A |  |
| Employees not provided with maps and/or clear directions to their workspaces and entrances and exits | | Yes  No  N/A | Provide employees with maps and/or clear direction to their workspaces and entrances and exits | Yes  No  N/A |  |
| Lack of posted floor plans showing entrances, exits and the location of security, visible only to authorized personnel | | Yes  No  N/A | Post floor plans posted showing entrances, exits and the location of security, visible only to authorized personnel | Yes  No  N/A |  |
| Lack of appropriate security measures for employees working in special situations | |  |  |  |  |
|  | Working late at night | Yes  No  N/A | Institute appropriate security measures for employees working late at night | Yes  No  N/A |  |
|  | Handling money | Yes  No  N/A | Institute appropriate security measures for employees handling money | Yes  No  N/A |  |
|  | Working by themselves | Yes  No  N/A | Institute appropriate security measures for employees working by themselves | Yes  No  N/A |  |
| Visitors or clients not escorted when on premises | | Yes  No  N/A | Escort all visitors and clients when on premises | Yes  No  N/A |  |
| Employees, visitors and clients not required to wear badges or other identification | | Yes  No  N/A | Require all employees, visitors and clients to wear badges or other identification | Yes  No  N/A |  |
| Employees without access to a telephone | | Yes  No  N/A | Provide employees access to a telephone in case of an emergency | Yes  No  N/A |  |
| No procedures to report suspicious persons or activities | | Yes  No | Employees have access to contact information for security and law enforcement and are instructed how to report suspicious persons and activities | Yes  No  N/A |  |
| Workplace Violence Prevention Plan not communicated and/or provided to all employees | | Yes  No  N/A | Workplace Violence Prevention Plan provided to all employees | Yes  No  N/A |  |
| Employees not trained on recognizing and responding to violence, including active shooter | | Yes  No | Employees trained on response to violence, including active shooter | Yes  No  N/A |  |
| No communication procedures for employees to report workplace violence concerns, including threats, physical violence and property damage, without fear of reprisal | | Yes  No  N/A | Implement communication procedures for employees to report workplace violence concerns | Yes  No  N/A |  |
| No communication procedures between employees and between shifts, facilities, operations and/or departments regarding conditions that may increase potential for workplace violence | | Yes  No  N/A | Implement communication procedures between employees and between shifts, facilities, operations and/or departments regarding conditions that may increase potential for workplace violence | Yes  No  N/A |  |
| Cash on hand not stored in safes on premises | | Yes  No | Cash on hand limited and time access safes used | Yes  No  N/A |  |
| Valuables present on site or during exchange (e.g. cashier, etc.) | | Yes  No  N/A | Limit the amount of valuables on site and keep only small bills in a cash register; use time access safes and deposit large bills as they are received; use only one cash register after dark and keep its drawer empty and open | Yes  No  N/A |  |
| Employees work alone or isolated. | | Yes  No  N/A | Employees use a “buddy system” or a check in system | Yes  No  N/A |  |
| Lack of appropriate discipline procedures for employees who commit workplace violence, including threats | | Yes  No  N/A | Provide appropriate procedures for employees who commit workplace violence, including threats | Yes  No  N/A |  |
| Employee Assistance Program or other counseling not available to employees who exhibit behaviors or signs of strain that may lead to workplace violence | | Yes  No  N/A | Provide an Employee Assistance Program or other counseling to employees who exhibit behaviors or signs of strain that may lead to workplace violence | Yes  No  N/A |  |
| OTHER | | Yes  No  N/A | [Describe correction action taken] | Yes  No  N/A |  |

**HAZARD IDENTIFICATION, EVALUATION AND CORRECTION RECORD – ATTACHMENT F**

Date of Inspection:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Persons Conducting Inspection:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| Persons Reporting: |
| Unsafe Condition, Work Practice or Employee Concern (include what, who, when, where and how it is unsafe): |
| Causes of Other Contributing Factors (What caused or contributes to the unsafe condition?): |
| Persons Involved: |
| Corrective Action Taken and Date: |
| Preventive Action (if any): |
| Description of Hazard Correction: |
| Date Received by[Chief Safety Officer/ Chief Security Officer/IDENTIFIED POSITION/Designee of the Task Force]: |

1. See 20 U.S.C. §§ 1400 et seq. and Education Code §§ 56000 et seq. The regulations connected with these laws are found at 34 C.F.R. §§ 300.1-818 and Title 5 CCR §§ 300 et seq., respectively. [↑](#endnote-ref-1)
2. See 29 U.S.C. § 794 and corresponding regulations found at Title 34 C.F.R. §§ 104.1-104.61. [↑](#endnote-ref-2)
3. See 42 U.S.C. §§ 12101 et seq. and corresponding regulations found at Title 34 C.F.R. §§ [↑](#endnote-ref-3)
4. 1 See 20 U.S.C. §§ 1400 et seq. and Education Code §§ 56000 et seq. The regulations connected with these laws are found at 34 C.F.R. §§ 300.1-818 and Title 5 CCR §§ 300 et seq., respectively.

   See 29 U.S.C. § 794 and corresponding regulations found at Title 34 C.F.R. §§ 104.1-104.61.

   2See 42 U.S.C. §§ 12101 et seq. and corresponding regulations found at Title 34 C.F.R. §§

   See 20 U.S.C. § 1415(k)(1) and (7); Title 34 C.F.R. 300.530.

   3 See Title 34 C.F.R. § 300.530(g). [↑](#footnote-ref-2)
5. [↑](#footnote-ref-3)
6. 4 See 20 U.S.C. § 1415(k)(5); Title 34 C.F.R. § 300.534. [↑](#footnote-ref-4)
7. 5Although the term "manifestation determination" does not appear in the statutory or regulatory language of Section 504, the Office for Civil Rights (“OCR”) has interpreted Section 504 as requiring a manifestation determination in connection with disciplinary actions that constitute a "significant change in placement" under Title 34 C.F.R. 04.35. [↑](#footnote-ref-5)
8. 6 See Education Code § 56521.1(a). [↑](#footnote-ref-6)
9. 7 See Education Code § 56521.1(g). [↑](#footnote-ref-7)
10. The perpetrator will be classified as: (1) client or customer; (2) family or friend of a client or customer; (3) stranger with criminal intent; (4) co-worker, supervisor or manager of victim, (5) partner or spouse, parent or relative of victim, or (6) other perpetrator. [↑](#footnote-ref-8)
11. The perpetrator will be classified as: (1) client; (2) customer; (3) family or friend of a client or customer; (4) stranger with criminal intent; (5) co-worker, supervisor or manager of victim, (6) partner or spouse, parent or relative of victim, or (7) other perpetrator. [↑](#footnote-ref-9)
12. Note: Not every hazard must be corrected with every engineering or work practice control. The above checklist is to assist you in identifying hazards and developing possible corrections. For example, you are not required to have surveillance cameras or secured entry. [↑](#footnote-ref-10)