



FOOTHILL-DE ANZA
Community College District

DRAFT – New (Legally Required)

Book Administrative Procedure

Section **Chapter 3 General Institution**

Title **Workplace Violence**

Number **AP 3510**

Legal [Penal Code Sections 626.9 and 626.10](#)
[Cal/OSHA; Labor Code Sections 6300 et seq.](#)
[Title 8 Section 3203](#)
[Code of Civil Procedure Section 527.8](#)
[Penal Code Sections 273.6, 626.9 and 626.10](#)

Adopted **New**

Last Revised _____

The District is committed to providing a work environment that is free of violence and the threat of violence. In keeping with this commitment, acts and threats of violence towards others or district property is strictly prohibited. The district's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence, and in implementing measures to inform its employees of violence awareness and prevention, and responding to violence in the workplace.

Responding to Threats of Violence

A top priority in this process is effectively handling critical workplace incidents, especially those dealing with actual or potential violence.

Violence or the threat of violence against or by any employee of the District or any other person is unacceptable. Threats may be delivered in a variety of methods including but not limited to:

- **In person**
- **Via email**
- **Via telephone**
- **In writing**
- **Via social media**
- **Threatening non-verbal behavior**

Should a non-employee on District property demonstrate or threaten violent behavior, he/she may be subject to criminal prosecution.

Should an employee, during working hours or in connection with his/her employment, demonstrate or threaten violent behavior he/she may be subject to disciplinary action and/or criminal prosecution.

The following are examples of actions that are considered an act of violence or threat of violence:

- Striking, punching, slapping, or assaulting another person.
- Fighting or challenging another person to fight.
- Grabbing, pinching, or touching another person in an unwanted way whether sexually or otherwise.
- Engaging in dangerous, threatening, or unwanted horseplay.
- Threatening harm or harming another person, or any other action or conduct that implies the threat of bodily harm.
- Possession, use, or threat of use, of a firearm, knife, explosive, or other weapon, including but not limited to any facsimile firearm, knife, explosive, or weapon, on District property, including parking lots, other exterior premises, District vehicles, or while engaged in activities for the District in other locations, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District administrator or other authorized representative to have such a weapon, or is a duly appointed peace officer who is engaged in the performance of his/her duties.
- Possession, use, or threat of use, of any dirk, dagger, ice pick, knife, or similar item having a fixed blade longer than 2½ inches on district property or while engaged in activities for the district in other locations, unless the person is authorized to possess such a weapon in the course of his/her employment, has been authorized by a District administrator or other authorized representative to have such a weapon, or is a duly appointed peace officer who is engaged in the performance of his/her duties.

Any employee who is the victim of any violent threatening or harassing conduct, any witness to such conduct, or anyone receiving a report of such conduct, whether the perpetrator is a District employee or a non-employee, shall immediately report the incident to his/her supervisor or administrator or designated campus or central services administrator. An employee shall also have the option at any time to file a report with district police.

Designated campus and central services administrators:

1. Central Services - Director of Human Resources 650.949.6210
2. Foothill College - Vice President of Student Services 650.949.7325
3. De Anza College - Vice President of Student Services 408.864.8330

Campus Police:

4. District/Campus Police, 650.949.7313

Any employee, acting in good faith, who initiates a complaint or reports an incident under this policy is protected from retaliation or harassment.

Any employee reported to be a perpetrator will be provided both due process and representation before disciplinary action is taken.

In the event there is credible fear for the safety of the perpetrator or the safety of others at the scene of a violent act, District Police shall be called.

Informing and Educating Employees

The District will disseminate information regarding District policies and appropriate procedures on workplace violence to all employees. The District will also provide resources for preventing workplace violence and responding to violence or the threat of violence to all employees.



FOOTHILL-DE ANZA
Community College District

DRAFT – Revised (Legally Required)

Book	Board Policy
Section	Chapter 7 Human Resources (including former Article 4 Personnel) <u>Chapter 3 General Institution</u>
Title	Prevention of <u>Workplace Violence</u>
Number	BP 4515 <u>3510</u>
Status	Active
Legal	Cal/OSHA: Labor Code Sections 6300 et seq. 8 California Code of Regulations Section 3203 "Workplace Violence Safety Act of 1994" (Code of Civil Procedure Section 527.8) "Workplace Violence Safety Act of 1994" (Penal Code Section 273.6)
Adopted	October 21, 1996
Last Revised	November 5, 2001

The Board is committed to providing a District work and learning environment that is free of violence and the threat of violence. The Board's priority is the effective handling of critical workplace violence incidents, including those dealing with actual or potential violence.

The Chancellor shall establish administrative procedures that assure that employees are informed regarding what actions will be considered violent acts, and requiring any employee who is the victim of any violent conduct in the workplace, or is a witness to violent conduct to report the incident, and that employees are informed that there will be no retaliation for such reporting.

~~The Foothill De Anza Community College District is committed to providing and maintaining a respectful environment that is conducive to working and learning for all members of the educational community. The District will make every reasonable effort to provide a safe and healthy working environment for its employees and a safe and healthy learning environment for students and visitors, in accordance with local, state and federal laws and regulations.~~

~~In keeping with this commitment, it is the District's policy to strictly prohibit acts and threats of violence. This includes acts and threats that are intended to damage property or to intimidate, harass and/or coerce others. The prohibition of acts and threats of violence also includes any act, behavior or communication that is abusive, threatening or disruptive to the work, education or well being of any individual or group of individuals employed by, enrolled in or visiting the District.~~

~~Workplace violence is cause for disciplinary action including, but not limited to, termination of employment or expulsion from District premises. Violators may also be subject to criminal prosecution. Foothill De Anza~~

~~Community College District seeks to provide a safe work environment to the full extent required by law and does not intend to create an obligation on the part of the District to take any actions beyond those required by law.~~

~~Persons who commit violent acts or threats on District premises shall be removed from the premises as quickly as safety permits. The District reserves the right to refuse entry to District premises to such individuals, pending the outcome of an investigation into a reported incident.~~

~~Once a threat has been substantiated, the District will notify the person responsible that he or she will be held accountable for the action. The District will implement timely and appropriate responses, as necessary.~~

~~Existing District policies and procedures may not be used in any manner that interferes with a timely and appropriate response.~~

Approved 10/21/96

Amended 11/5/01