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Tentative Agreement

Between

Fairfield-Suisun Unified Teachers Association (FSUTA or Association)

And

Fairfield Suisun Unified School District (FSUSD or District)

Article 17.3—Reporting to Unit Members Regarding Violent and Dangerous Students

The parties recognize that there is an affirmative obligation on the part of FSUSD to notify unit members regarding students who have committed offenses enumerated in Education Code 48900 (excluding section (h) tobacco) for the safety and security of the unit members and their students. The parties further recognize that students have certain privacy rights which regulate who may have access to such information. The procedures below are designed with the specific purpose of balancing the above referenced rights and obligations.

- a) For purposes of this section, "each unit member at a site" means all unit members who may encounter a student in the course of their normal responsibilities, both during the school day and during any adjunct duties.
- b) Prior to the first reporting date of each school year, each unit member at a site shall receive annual notification of all students at the site who have been disciplined under the following District issued discipline codes during the prior three (3) calendar years. These discipline codes align with offenses enumerated in Education Code Section 48900 et. Seq.

COD	Reason	COD	Reason
A1	Threatened or cause serious injury	U3	Hate violence
A2	Used force or violence	U4	Harassment with threat to cause injury
B	Possessed or sold dangerous object	U7	Terrorist act
E	Robbery or extortion	X1	Caused physical injury
M	Possessed an imitation firearm	X4	Robbery or extortion
N	Sexual assault or battery	X5	Assault / battery on an employee
Q	Hazing	Z1	Possession of a firearm

R	Serious incident during non-school hours	Z2	Brandished a knife
S	Aided in physical injury	Z4	Sexual assault/battery -
T	Truancy	Z5	Possessed an explosive or exp. device
U2	Sexual harassment		

- c. Each unit member at a site shall receive notification of all students at the site, who are disciplined for any of the above referenced infractions subsequent to the entry of the data into the student information system (per 17.3.i. below).
- d. Each unit member with a class list shall receive annual notification of all students on their lists who have been disciplined under any of the sections in Education Code 48900 (excluding section (h) (tobacco) during the past three (3) calendar years. This includes students who have been disciplined under sections not enumerated in Article 17.3 (b) above.
- e. Each unit member with a class list shall receive notification of all students on their lists who are disciplined for any of the sections in Education Code 48900 (excluding section (h) (tobacco). This includes students who have been disciplined under sections not enumerated in Article 17.3 (b) above subsequent to the entry of data into the student information system (per 17.3.i. below).
- f. Information in the District's possession requiring notification under Article 17.3 (a-e) above for students newly enrolled in a unit member's class shall be provided to the unit member as soon as possible by the principal or designee.
1. For students transferred from another District classroom the information shall be provided not later than two (2) days after a student is enrolled in a unit member's class or site.
 2. For students new to the District the information shall be provided as soon as possible, but not later than two (2) days after the District receives the information.

g. This procedure shall be provided to and discussed with all unit members at the beginning of each school year and to newly employed unit members within the first week of employment by the unit member's supervisor.

h. All notices in Article 17 (a-e) shall contain the name of the student, the infraction listed by the by the current discipline code used in the District's information system and the date of each incident. It shall be provided to each new unit member prior to their first contact with students.

i. Principals or their designee(s) shall input student's actions that are grounds for suspension or expulsion into the student information system, update this information weekly and provide to unit members weekly. All notices shall be emailed to the unit member's District issued email address. If access to the information system is not provided to a unit member, the information shall be provided with a written report.

j. The District shall take responsibility to review student records upon receipt, to determine the necessity of notification and a monitoring system to ensure that the appropriate procedures are being implemented.

k. Per Education Code 44014, all incidents of assault, battery or other forms of violent behavior upon any District employee shall be promptly reported to the police and the unit member's immediate supervisor . Notifications regarding such incidents shall be made to unit members as soon as possible, but no later than two (2) days after the incident. The District shall take responsibility to communicate and secure such information and afford protection to the unit member as required.

l. Each site may maintain a compendium/binder of all lists of notification issued within the school year, to unit members for unit members' access and review. However, such compendium/binder, if utilized, shall be secured in a manner to effect and maintain the privacy and confidentiality of all student data therein.

m. Unit members shall maintain the privacy and confidentiality of all student records provided in accordance with the law and these procedures.

n. A joint committee of the District and the Association appointed by the parties five (5) members each) shall meet annually to determine the effectiveness of the procedures, of their implementation and to recommend necessary changes to maintain unit member and student safety and an improved instructional environment. The parties shall review the committee's recommendation(s), if any, for possible inclusion in or change to these procedures.

Stephanie Cobb 12/1/10

Stephanie Cobb

Date

Negotiations Chair, FSUTA

Robert A. Martinez 12/1/10

Robert A. Martinez

Date

Director, FSUSD