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Introduction Date	8-27-14
Enactment Number	14-1603
Enactment Date	8-27-14



OAKLAND UNIFIED SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

From Jacqueline Minor, General Counsel

Board Meeting Date August 27, 2014

Subject **Amendments to Board Policy 3515.3 - Police Department**

Action Requested **Approval of Amendments to Board Policy 3515.3 - Police Department**

Background Current BP 3515.3 – Police Department - is silent as to what process the District follows to review, establish and revise internal policies specifically applicable to the Oakland Schools Police Department (“OSPD”). However, during the 2010 and 2011 calendar years the District initiated the practice of requiring Board approval of all OSPD policies. See Enactment Nos. 10-2172 and 11-1639.

Discussion The practice of requiring Board consideration and approval of any and all changes to internal OSPD policies has been an unduly burdensome one that has impaired OSPD’s ability to effectively and timely stay current with changes in law and best practices. In order to improve OSPD efficiency, including responding to changes in law and best practices, the authority to review, establish and revise OSPD internal policies, including the OSPD Operations/Policy Manual, should be vested in the Chief of Police.

Such a change would be consistent with the policies and procedures of other departments that have been accredited by the Commission on Accreditation for Law Enforcement Agencies, including the Oakland Housing Authority, from which our interim Chief Williams comes, as well as the Alameda County Sheriff’s Department.

Recommendation Approval of Amendments to Board Policy 3515.3 - Police Department.

Fiscal Impact N/A.

Attachments Redline of Board Policy 3515.3; Clean Copy of Board Policy 3515.3

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

BP 3515.3

Business and Noninstructional Operations

Police Department

To help ensure the safety of district students and staff and the security of district property, the Governing Board may maintain a police department that will be supervised by a Chief of Police of the Oakland Schools Police Department.

Policies

Authority is delegated to the Chief of Police of the Oakland Schools Police Department to establish, review and modify the Department's internal policies, including but not limited to the Department's Operations/Policy Manual and General Orders.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 1250 - Visitors/Outsiders)
- (cf. 3515 - Campus Security)
- (cf. 3515.2 - Disruptions)
- (cf. 3515.5 - Sex Offender Notification)
- (cf. 3516.2 - Bomb Threats)
- (cf. 5131.4 - Campus Disturbances)
- (cf. 5131.5 - Vandalism, Theft and Graffiti)
- (cf. 5131.6 - Alcohol and Other Drugs)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5136 - Gangs)
- (cf. 5142.1 - Identification and Reporting of Missing Children)
- (cf. 5145.11 - Questioning and Apprehension)
- (cf. 5145.12 - Search and Seizure)

Duties of district school security officers shall be delineated in a job description developed by the Superintendent or designee.

- (cf. 4119.3/4219.3/4319.3 - Duties of Personnel)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 4200 - Classified Personnel)

Police officers shall serve and perform their duties as required by the Chief of Police of the Oakland Schools Police Department.

Police officers shall conduct themselves in ways that promote goodwill and cooperation on the part of students, district staff and the general public.

Firearms

Police officers may carry firearms as authorized by law and/or regulation.

Parent Patrols

The district provides for volunteers or stipend parent patrols to support the district's safety and security efforts.

Legal Reference:

EDUCATION CODE

32296-32296.9 School Community Policing Partnership grants

35021.5 School police reserve corps

38000-38005 Security and police departments

39672 School peace officers, fingerprinting

45122.1 Classified employees, conviction of a violent or serious felony

49079 Notification to teacher; student who has engaged in acts constituting grounds for suspension or expulsion

BUSINESS AND PROFESSIONS CODE

7583-7583.46 Private patrol operators

FAMILY CODE

6240-6274 Emergency protective orders

GOVERNMENT CODE

3300-3312 Public safety officers, rights and protections

8597-8598 Peace officers

PENAL CODE

290.45 Sex offenders, authority of peace officers

646.91 Emergency protective order for stalking

830-832.9 Peace officers, especially:

830.32 School district and community college police

830.6 Reserve police officers, powers and duties

832 Course of training prescribed by Commission on Peace Officer Standards and Training

832.2 School peace officers; training

832.7 Disclosure of personnel files in criminal or civil proceedings

836 Peace officers; warrants

12028.5 Taking custody of weapons

13510-13519.9 Standards for recruitment and training

13700-13702 Response to domestic violence

WELFARE AND INSTITUTIONS CODE

707 List of crimes

828-828.1 Disclosure of information re minors by law enforcement agency

COURT CASES

San Diego Police Officers Association et al. v. City of San Diego Civil Service Commission et al., 104 Cal.App.4th 275 (2002)

Management Resources:

CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

WEB SITES

Commission on Peace Officer Standards and Training: <http://www.post.ca.gov>

CDE: <http://www.cde.ca.gov/spbranch/safety>

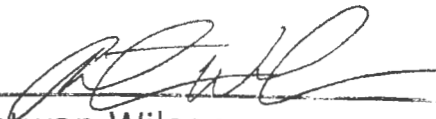
Attorney General's Office, Crime and Violence Prevention Center: <http://www.safestate.org>

| 7/14/04; 5/28/14A; 8/27/14A



8/28/14

David Kakishiba
President, Board of Education



8/28/14

Antwan Wilson
Secretary, Board of Education

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7/14/04; 5/28/14A; 8/27/14A