

[Your Full Name]
[Your Position]
[Your Contact Information]

[Date]

[Site or District Administrator Name]
[District Name]
[District Address]
[City, State, ZIP]

Re: Urgent Matter - Request for Immediate Action Regarding Student Violence

Dear [Site or District Administrator Name],

I am writing to you on behalf of the [CTA Chapter Name]. It is my understanding that there is a student assigned to [] grade at [] School who is extremely violent, aggressive, and disruptive. Consequently, the teacher spends an inordinate amount of time addressing the student's misbehavior or evacuating students from the class and is working under duress. Furthermore, due to this student's behavior, it is virtually impossible for the teacher to: (1) provide instruction to the other students assigned to the class, (2) adequately address their varying needs, or (3) implement IEPs.

The teacher has brought these concerns to the attention of site and district management on multiple occasions, but the student has remained in this class. [Add specific examples.] As a result of the District's failure to address these problems, the teacher and other staff members are very concerned about their safety and the safety of other students.

Considering the gravity of the situation and the potential risks to the safety of both staff and students, I am formally requesting that the district takes the following immediate steps:

- 1) conduct a behavior threat/risk assessment;
- 2) remove the student from the current classroom;
- 3) convene the IEP team for the student to determine whether the current placement or a more restrictive environment is appropriate to address the student's needs; and
- 4) to the extent that the school members of a student's IEP team determine that the student should be placed in a more restrictive setting to prevent a "substantial likelihood of injury" to others, and to the extent that the parents refuse to consent to such a change, request an expedited due process hearing or court order authorizing the change.

I want to underscore that should any harm come to our members due to the district's failure to act, [CTA Chapter Name] will explore all possible avenues to address and rectify the situation, and if necessary, hold the district accountable.

The district carries a constitutional and statutory duty to maintain the safety of its students and staff. Cal. Const. Art. I, Sec. 28(f)(1) ("All students and staff of public primary, elementary,

junior, and senior high schools . . . have the inalienable right to attend campuses which are safe, secure and peaceful.”); Cal. Labor Code § 6400(a) (“Every employer shall furnish employment and a place of employment that is safe and healthful for the employees therein.”). This duty extends to adopting practices that ensure a safe and healthful work environment. Cal. Labor Code § 6401. It is essential to recognize that the district’s statutory duty surpasses common law principles, emphasizing the importance of ensuring the safety and health of employees. *Bonner v. Workers’ Comp. Appeals Bd.* (1990) 225 Cal. App. 3d 1023, 1034.

The duty of the district to its employees aligns with or surpasses that of a landowner to a business invitee. *Taylor v. Centennial Bowl, Inc.*, (1966) 65 Cal. 2d 114, 121. This duty requires affirmative action to control wrongful acts that pose a threat, provided there is reasonable cause to anticipate such acts and the probability of resulting injury.

To further discuss and expedite the necessary actions outlined above, I request that you contact me immediately at [Your Contact Information].

Your prompt attention to this matter is crucial, and I appreciate your cooperation as we work together to ensure the safety and well-being of our educators and students.

Sincerely,

[Your Full Name]

[Your Position]

[Your School Site]

[Contact Information]