

## **Community Relations**

### **CIVILITY POLICY #1010**

#### ***Philosophy***

Members of the Linscott Charter School community will treat each other and members of the public with respect and expect the same in turn. The school is committed to maintaining orderly educational and administrative processes, in keeping the school and administrative office free from disruptions, and preventing unauthorized persons from entering school grounds.

#### ***Purpose***

This policy promotes mutual respect, civility, and orderly conduct among school employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain a reasonable, safe, disruption and harassment-free environment for our students, staff, and authorized visitors. Employees, families, and visitors have the right to enjoy a safe environment free of abusive conduct and disruption. Likewise, they have a duty not to inflict abusive conduct or disruption on others. In the interest of presenting employees as positive role models to the children of this school, as well as the community, the Linscott Charter School encourages positive communication, and discourages volatile, hostile or aggressive actions. All stakeholders must comply with this Civility Policy or be subject to a loss of access to school events and grounds either on a temporary or permanent basis.

#### ***Who is covered by the Civility Policy?***

Employees, students, parents, volunteers, vendors, and visitors have a right to be free of disruption and abusive conduct while participating in educational programs at Linscott Charter School.

#### ***What is abusive conduct?***

Abusive conduct can be words, actions, or the threat of actions in or out of the school environment when the conduct has impacts or implications for the school environment. Abusive conduct is by definition unconsented and unwelcomed by the recipient of the conduct and objectively unreasonable in light of circumstances. It can include violent and non-violent acts, including threats, gestures, misinformation, gossip, curse words, insults, innuendo, and similarly unwelcome and unpleasant words and actions.

### ***What qualifies as a Disruption?***

Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students, parents or staff; distracts from the lawful order of campus or the delivery of classroom instruction; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued a pattern of unauthorized entry on school property.

### ***Procedures for addressing disruptions and abusive conduct:***

If any individual covered by this policy behaves in a disruptive or abusive manner toward another individual covered by this policy, the following steps will apply.

1. If the conduct is against an adult, the person to whom the remarks are directed will admonish the speaker to act and behave in a civil manner in compliance with the Civility Policy, if they feel safe doing so. If the conduct is against a child or if the employee does not feel safe to admonish the speaker, the matter will be escalated to an administrator, who will intervene and if appropriate, direct the speaker to honor the Civility Policy. Employees may also escalate a complaint to the AD (or Board member in the alternative) against serious, persistent, or willful violators of the Policy.
2. If action is not taken by the speaker to stop their inappropriate conduct, the individual toward whom the inappropriate conduct has been directed (or an administrator on their behalf) will notify the speaker that the meeting is being ended based on their non-compliance with the Civility Policy. If the interaction is on school premises or at a school event, the offending person will be directed to leave promptly.
3. When an individual is directed to leave under paragraph 1 or 2, they may also be subject to a temporary or permanent loss of visitor access to campus. In such cases, the AD or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Code 415.5 and 626.7, if he/she reenters any school facility within thirty (30) days after being directed to leave, or within fourteen (14) days, if the person is a parent/guardian of a student attending the school.
4. If any individual refuses to leave upon request or returns before the applicable period of time, the AD or designee may notify law enforcement officials and have the individual removed for trespassing. The school may also seek a workplace violence temporary restraining order against the person if necessary to maintain safety and order. An Incident Report should be completed for the situations as set forth in paragraphs 1 and 2.

### **Safety and Security**

1. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their supervisor and

complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement any attack, assault, or threat made against them on school premises, or a school sponsored activity.

2. If any threat or violence is gang related, it shall be immediately reported to law enforcement and the school shall use all appropriate means to exclude the person or persons making the gang-related threat or violence from all school premises for as long as possible. The AD shall inform the board and pursue any civil remedies.

## **Documentation**

When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

## **Example of Conduct Which Violate the Civility Policy**

The Civility Policy prohibits abusive conduct and disruptions which individually or collectively may amount to harassment. It also prohibits unlawful acts against its employees, students, and visitors. This includes but is not limited to:

1. Following or stalking an individual;
2. Making harassing telephone calls to an individual;
3. Sending harassing correspondence to an individual by any means, including, but not limited to:
  - a. the use of private mail
  - b. interoffice mail
  - c. text message
  - d. social media
  - e. computer email, text messages, and instant messages
  - f. facsimile (fax)

Constitutionally protected activity is excluded from the definition of harassment.

## **Recourse Available for Unacceptable Disruptive Conduct by Linscott Charter School Employees or Representatives**

Any parent/guardian or member of the public who is subjected to unacceptable conduct from any school representative or school personnel, may file a written complaint with the Administrative Director.

The AD or designee will attempt to resolve the issue and respond to all parties involved.

## **Recourse Available for Unacceptable/Disruptive Conduct by Parents/Guardians and other Members of the Public**

The following are examples of ways by which Linscott Charter school employees and school administrators, depending on the circumstances presented, may resolve situations involving parents/guardians and other members of the public who violate the Civility Policy.

1. Provision of the:  
The school employee may provide to the offending person a written copy of its policy at the time of the occurrence.
2. Request to Cease and Desist Behavior:  
Employees may request any parent/guardian or other members who engages in unacceptable and/or disruptive conduct, as described above, to immediately cease his/her conduct and to act and speak civilly, or may report such person and conduct to the appropriate site administrator.
3. Termination of Activity:  
If the offending person does not cease his/her inappropriate conduct and/or communication after being requested to do so, the appropriate administrator may verbally notify the offending person that the meeting, conference, telephone conversation or any other activity is terminated. The school employee or administrator may terminate personal contact with the offending person. In that event, the employee or site administrator and the offending person may continue to communicate in writing, if appropriate, regarding the subject matter of the conference telephone conversation or other activity that was terminated.
4. Request to Leave School Grounds/Report to Law Enforcement:  
  
If the meeting, conference, or other conduct is on school premises, or interferes with, or is disruptive of school or school activities, the appropriate site administrators or their designees may issue a formal warning, notifying the offending person to promptly leave the school grounds and not return pursuant to Education Codes 3310, 33211, 44810, 44811, and Penal codes 636.4, 626.7, and 626.8.
5. Handling Violence, Threat, Battery or Other Illegal Action:  
  
When violence, threat, assault, battery, or other illegal action is threatened or directed, employees may (1) report the occurrence to their supervisor, (2) complete an Incident Report, and or (3) report the incident to law enforcement officials.

In extraordinary circumstances, Linscott Charter School may assist the

affected employee (s) in obtaining a restraining order against the offending person pursuant to the California Code of Civil Procedure sections 527.6 and 527.8.

Any staff member may complete a complaint against/involving parents/guardians or other members of the public and initially file such complaint with the Administrative Director or designee and the AD or designee will attempt to resolve the matter informally if possible.

The AD or designee will attempt to resolve the issue and respond to all parties involved when an informal resolution of the matter is not accomplished.

The complaint must be filed within a reasonable amount of time from the time purported misconduct occurred.

The administrator may attempt to resolve the complaint informally within 10 working days of receipt of the complaint. If the complaint is referred, and is not informally resolved the AD or designee shall conduct an investigation, which may include a conference with the complainant and the alleged violator. The AD or designee shall complete the investigation within 20 working days for his/her receipt of the complaint. Within 10 working days thereafter, the AD shall render his/her decision concerning the merits of the complaint and requested remedy, which shall be in writing, and served on both the complainant and the alleged violator. This decision shall be final.

*Legal Reference:*

EDUCATION CODE

32210 Disturbing School  
44014 Assault on Personnel  
44810 Person on School Grounds  
44811 Insults and Abuses

PENAL CODE

243.5 Arrest on School Grounds  
415.5 Fighting on School Grounds  
626.8 Entry of School by Person not on Lawful Business  
627.7 Refusal to Leave School Grounds

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