

## Parent Handbook- Civility Policy

### Disruption

Adults are role models for students, and the manner in which we interact with one another is critical to cultivating and maintaining a mutually respectful and effective intellectual environment that is safe, civil, and free from disruptions. All adult members of the school community (parents, visitors, and staff) are expected to uphold the same policies and procedures as the students. McKinley Elementary encourages positive communication and prohibits volatile, hostile, or aggressive actions. It is expected that communication in all forms, and at all times, whether verbal, non-verbal, or written (including email), will be in a professional and courteous manner. This policy is not intended to deprive any person of his/her right to freedom of expression; the intent is to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff, and a safe, harassment-free environment in which parents and community members can participate in school functions.

Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of others; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; harasses with frequent and abusive emails; or who has otherwise established a continued pattern of unauthorized entry on school property, will be directed by the Principal or designee to cease the behavior and the offending person may be directed to leave the campus promptly. (Ed Code 44811, Penal Codes 415.5 and 626.7, and BP 3515.2)

This policy promotes mutual respect, civility and orderly conduct among school employees, parents and the public. Thank you for your support and cooperation in this matter.

**Ed Code 44811(a)** Any parent, guardian, or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts classwork or extracurricular activities or involves substantial disorder is guilty of a misdemeanor.

**Penal Code 415.5 (a)** Any person who (1) unlawfully fights within any building or upon the grounds of any school, community college, university, or state university or challenges another person within any building or upon the grounds to fight, or (2) maliciously and willfully disturbs another person within any of these buildings or upon the grounds by loud and unreasonable noise, or (3) uses offensive words within any of these buildings or upon the grounds which are inherently likely to provoke an immediate violent reaction is guilty of a misdemeanor punishable by a fine not exceeding four hundred dollars (\$400) or by imprisonment in the county jail for a period of not more than 90 days, or both.

**Penal Code 626.7(a)** If a person who is not a student, officer, or employee of a public school, and who is not required by his or her employment to be on the campus or any other facility owned, operated, or controlled by the governing board of that school, enters a campus or facility outside of the common areas where public business is conducted, and it reasonably appears to the chief administrative officer of the campus or facility, or to an officer or employee designated by the chief administrative officer to maintain order on the campus or facility, that the person is committing any act likely to interfere with the peaceful conduct of the activities of the campus or facility, or has entered the campus or facility for the purpose of committing any such act, the chief administrative officer or his or her designee may direct the person to leave the campus or facility. If that person fails to do so or if the person returns without following the posted requirements to contact the administrative offices of the campus, he or she is guilty of a misdemeanor and shall be punished as follows [ ]

**SMMUSD BP 3515.2** The Board of Education is committed to providing a safe environment for district students, staff, and others while they are on district property or engaged in school activities. The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal district or school operations, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds....Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code [48902](#) and [20 USC 7151](#) and in other situations, as appropriate.

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds if: (Education Code [44810](#), [44811](#); Penal Code [415.5](#), [626.7](#), [626.8](#), [626.81](#), [626.85](#))

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property.
2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction.
3. The person loiters around a school without lawful business for being present or reenters a school within 72 hours after he/she was asked to leave.
4. The person is required to register as a sex offender pursuant to Penal Code [290](#). However, a registered sex offender may be on school grounds if he/she has a lawful purpose and written permission from the principal or designee.
5. The person is a specified drug offender as defined in Penal Code [626.85](#). However, a specified drug offender may be on school grounds with written permission from the principal or designee or, if he/she is a parent/guardian of a child enrolled in that school, to attend a school activity.
6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any student in grades K-8 while attending, arriving at, or leaving school. (Penal Code [626.8](#))
7. The person has otherwise established a continued pattern of unauthorized entry on school grounds.

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code [626.7](#), [626.85](#))

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she:

1. Fails to leave or remains after being directed to leave (Penal Code [626.7](#), [626.8](#), [626.85](#))
2. Returns to the campus without following the school's posted registration requirements (Penal Code [626.7](#))
3. Returns within seven days after being directed to leave (Penal Code [626.8](#), [626.85](#))

#### Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code [32211](#)). The decision of the Superintendent or designee may be appealed to the Board of Education. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code [32211](#)). In any circumstance where a person has been directed to leave a school building or grounds where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code [32211](#))

Ed Code 32210 Willful disturbance of public school or meeting, misdemeanor  
Ed Code 32211 Threatened disruption or interference with classes; misdemeanor  
Ed Code 44810 Willful interference with classroom conduct  
Ed Code 44811 Disruption of classwork or extracurricular activities

Penal Code 415.5 Disturbance of peace of school  
Penal Code 626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions  
Penal Code 626.8 Disruptive presence at schools  
Penal Code 653b Loitering about schools or public place