

MODESTO CITY SCHOOLS

Board Policy

BP 1313

COMMUNITY RELATIONS

Civility

The Board of Education recognizes the impact that civility has on the effective operation of the District, including its role in creating a safe and positive school climate and enabling a focus on student well-being, learning, and achievement. The Board believes that each person should be treated with dignity and respect in their interactions within the school community.

The Board understands that the First Amendment provides strong protection for speech. However, the Board expects that all speech and expression will comport with norms of civil behavior on district grounds, in district facilities, during district activities or events, and in the use of district electronic/digital systems and platforms.

Civil behavior is polite, courteous, and reasonable behavior which is respectful to others and includes integrity, honesty, acceptance, timeliness, dependability, observance of laws and rules, and effective communication.

The Board and district staff shall model civil behavior as an example of behavior that is expected throughout the district. Practices that promote civil behavior include actively listening, giving full attention to the speaker, and refraining from interruptions; welcoming and encouraging participation, input, and feedback through stakeholder engagement; promptly responding to concerns; and embracing varying and diverse viewpoints. Such practices may be incorporated into governance standards adopted by the Board or Superintendent and/or professional standards or codes of conduct for employees as specified in district policies and regulations.

Bold Black Underline = MCS Language

Bold Red = CSBA Language

Regular Black = Common Language

➡ Denotes changes being suggested

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Students, staff, parents/guardians, and community members should be educated in the recognition, development, and demonstration of civil behavior. The Superintendent or designee may incorporate related concepts in the curriculum, provide staff development activities, and/or communicate this policy to the school community.

Students, staff, parents/guardians, and community members shall not communicate or behave in a manner that causes disruption; hinders the orderly conduct of district operations, the educational program, or any other district program or activity; or creates an unsafe learning or working environment. The Superintendent or designee may respond to disruptive, violent, or threatening behavior in accordance with law and as specified in BP/AR 3515.2 – Disruptions.

Behavior by students or staff that is discriminatory, harassing, or intimidating, including sexual harassment, bullying, and/or hate violence, or behavior that is in any other way unlawful, is prohibited and is subject to discipline in accordance with law and as specified in district policy and regulations.

Legal References:

EDUCATION CODES

200-264 Educational equity

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes

32212 Classroom interruptions

32280-32289.5 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44050 Employee code of conduct; interaction with students

44807 Teachers' duty concerning conduct of students

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

48900-48926 Suspension and expulsion

48907 Exercise of free expression; rules and regulations

49330-49335 Injurious objects

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Legal References (cont.):

GOVERNMENT CODES

54954.3 Opportunity for public to address legislative body

54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODES

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

422.55 Definition of hate crime

422.6 Civil rights; crimes

626-626.11 School crimes

627-627.10 Access to school premises

653.2 Electronic communication devices, threats to safety

653.b Loitering about schools or public places

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

CA CONSTITUTION ARTICLE 1, SECTION 2

Freedom of speech and expression

CA CONSTITUTION ARTICLE 1, SECTION 28(C)

Right to Safe Schools

CIVIL CODE 51.7

Freedom from violence or intimidation

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2019

COMMISSION ON TEACHER CREDENTIALING PUBLICATION

California Professional Standards for Education Leaders, February 2014

COURT DECISIONS

Baca v. Moreno Valley Unified School District, (1996) 936 f. Supp. 719

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

City of San Jose v. William Garbett, (2010) 190 Cal. App. 4th 526

Norse v. city of Santa Cruz, (9th Cir. 2010) 629 F3d 966

CSBA PUBLICATIONS

Professional governance Standards for School Boards

Superintendent Governance Standards

NATIONAL POLICY BOARD FOR EDUCATIONAL ADMINISTRATION

Professional Standards for Educational Leaders, October 2015

WEBSITES

National Policy Board for Educational Administration: <https://www.npbea.org/>

National School Safety Center: <http://www.schoolsafety.us/>

Center for Safe and Responsible Internet Use: <https://www.ewa.org/>

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Management Resources (cont.):

California Office of the Attorney General: <https://oag.ca.gov/>

National Council for the Social Studies: <https://www.socialstudies.org/>

Commission on Teacher Credentialing: <https://www.ctc.ca.gov/>

CSBA: <https://www.csba.org/>

California Department of Education: <https://www.cde.ca.gov/>

U.S. Department of Education: <https://www.ed.gov/>

U.S. Equal Employment Opportunity Commission: <https://www.eeoc.gov/>

ADOPTED

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