

CIVILITY POLICY

Members of Antelope Valley Schools Transportation Agency staff will treat parents and other members of the public with respect and expect the same in return. The Agency is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering Agency grounds.

This policy promotes mutual respect, civility and orderly conduct among Agency 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, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting Agency employees as positive role models to the children, as well as the community, AVSTA encourages positive communication, and discourages volatile, hostile or aggressive actions. The Agency seeks public cooperation with this endeavor.

Disruptions

1. Any individual who disrupts or threatens to disrupt Agency operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on Agency property, will be directed to leave the Agency property promptly by the CEO or designee.
2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the Manager or employee to whom the remarks are directed will admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the Agency employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on Agency premises, the offending person will be directed to leave promptly.
3. When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the CEO or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Codes 415.5 and 626.7, if he/she reenters the Agency facility within 30 days after being directed to leave. If any individual refuses to leave upon request or returns before the applicable period of time, the CEO Manager or designee may notify law enforcement officials. An Incident Report should be completed for the situations as set forth in Paragraph 1 and 2.

First reading: October 11, 2005
Second reading: November 8, 2005
Adopted: November 8, 2005

Safety and Security

4. The CEO or designee will ensure that a safety and/or crisis intervention techniques program is provided in order to raise awareness on how to deal with these situations if and when they occur.
5. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their CEO, Manager or Supervisor and complete an Incident Report. Employees and supervisor should complete an Incident Report and report to law enforcement, any attack, assault or threat made against them on Agency premises, while driving a bus or at school/District sponsored activities.

Documentation

6. 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 occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

Examples of Conduct Which Violates the Civility Policy

The Civility Policy prohibits harassment of Agency employees. For purposes of this policy, harassment is defined as a knowing and willful course of conduct directed at a specific person which seriously alarms, annoys, or harasses the person and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress and actually causes such distress (California Code of Civil Procedure 527.6). A course of conduct would include a pattern of conduct composed of a series of acts over a period of time, however, short, evidencing a continuity of purpose, including but 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 mails,
 - b. Interoffice mail,
 - c. Computer email, text messages, and instant messages,

- d. facsimile (fax).

Constitutionally protected activity is excluded from the definition of harassment.

Recourse Available for Unacceptable Disruptive Conduct by District Employees or Representatives

Any parent/guardian or member of the public who is subjected to unacceptable conduct from any Agency employee, as defined in the Civility Policy, may complete a Complaint Against Staff form pursuant to the Agency's policy.

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

Recourse Available for Unacceptable/Disruptive Conduct by Parents/Guardians and Other Members of the Public

The following are examples of ways by which Agency employees and supervisors/managers, 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 Civility Policy:

The Agency employee may provide to the offending person a written copy of this policy at the time of the occurrence.

2. Request to Cease and Desist Behavior:

Agency employees may request any parent/guardian or other members of the public 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 supervisor/manager.

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 Agency employee may verbally notify the offending person that the meeting, conference, telephone conversation, or any other activity is terminated. The Agency employee may terminate personal contact with the offending person. In that event, the Agency employee or site supervisor 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 Agency Grounds/Report to Law Enforcement:

If the meeting, conference or other conduct is on Agency premises, or interferes with, or is disruptive of Agency activities, the appropriate Supervisor/Manager or their designees may issue a formal warning, notify the offending person to promptly leave the Agency grounds and not return pursuant to Education Codes 33210, 33211, 44810, 44811 and Penal Codes 626.4, 626.7 and 626.8. The form of the notification is attached hereto as Exhibit 1310.1(b).

The form entitled, "Withdrawal of Consent" is to be used when the Agency staff chooses to base his/her decision to direct the individual off of the Agency property upon Education Code 32211 or Penal Code sections 626.7, 626.8 or 653(g).

5. Handling Violence, Threat, Battery or Other Illegal Action:

When violence, threat, assault, battery or other illegal action is threatened or directed, Agency employees may: (1) report the occurrence to their immediate Supervisor, (2) complete in Incident Report, and/or (3) report the incident to law enforcement officials.

In extraordinary circumstances, the Agency may assist the affected employee(s) in obtaining a restraining order against the offending person pursuant to California Code of Civil Procedure sections 527.6 and 527.8.

Complaint Procedure Concerning Violations of the Civility Policy by Parents/Guardians or Other Members of the Public

All complaints against/involving parents/guardians or other members of the public shall be initially filed with the CEO or designee. At the discretion of the CEO or designee, the complaint may be referred to the appropriate school site or department in an attempt to informally resolve the matter.

The complaint must be submitted on the designated complaint form. Complaints that do not contain specific factual allegations concerning the purported misconduct and the desired remedy, will not be processed.

The complaint must be filed not later than one month from the date the alleged misconduct occurred or, if such be the case, one month from the date complainant knew or, in the exercise of reasonable care and diligence, should have known of the alleged misconduct.

The Agency personnel may attempt to resolve the complaint informally within 10 working days of receipt of the complaint. If the complaint is referred to, and is not resolved at the Agency, as the

CIVILITY POLICY

3014

case may be, the CEO or designee shall conduct an investigation, which may include a conference with the complainant and the alleged violator. The CEO or designee shall complete the investigation within 20 working days from his/her receipt of the complaint from the Agency. Within 10 working days thereafter, the CEO shall render his/her decision concerning the merits of the complaint and the requested remedy, which shall be in writing, and served on both the complainant and the alleged violator. The CEO or designee's decision shall be final.

First reading: October 11, 2005
Second reading: November 8, 2005
Adopted: November 8, 2005

ANTELOPE VALLEY SCHOOLS TRANSPORTATION AGENCY
Lancaster, California

CIVILITY INCIDENT REPORT

Name _____ Site _____

Today's Date _____ Date and Time (approximately) of Incident _____

Location of Incident (office, yard, bus, route, etc. _____

Name of Person you are Reporting (if known) _____

Is this person a parent/guardian or relative to an employee of AVSTA? Yes No

Did you feel your well being/safety was threatened? Yes No

Were there any witnesses to this incident? Yes No

Name of Witness(es) _____

Were law enforcement officials contacted? Yes No

Who was notified? _____ Security _____ Administrator _____ Sheriff

Below, please describe what happened:

Signature of Person Completing Form

Date