

DISRUPTIONS

~~In order to help maintain an educational environment that provides for student safety, the~~ *The* Board of Education is committed to *providing a safe and orderly environment for students, staff, and others on district property or while engaged in school activities.* ~~keeping the schools free from disruptions and to keeping unauthorized persons from entering school grounds. The Superintendent or designee shall provide for the prompt removal of any individual from school grounds who disrupts or threatens to disrupt normal school operations, threatens the health and safety of students or staff, or threatens to cause property damage in accordance with law, Board policy, or administrative regulation.~~

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other district facility, 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.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515 - Campus Security)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4158/4258/4358 - Employee Security)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131.4 - Student Disturbances)

The Superintendent or designee shall establish a plan describing ~~actions to be taken, including staff responsibilities~~ *and actions to be taken* when an individual is causing *or threatening to cause* a disruption. *The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption.* In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention *when necessary.* ~~in the event of a disruption.~~

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

~~School staff shall be trained to recognize when an individual has committed acts that constitute a disruption in violation of Board policy or administrative regulation. Staff who believe that a disruption may occur shall immediately contact the principal.~~

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

DISRUPTIONS (continued)

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 7961 and in other situations, as appropriate.

Gun Free School Zone

Possession of unauthorized firearms, weapons, or other dangerous instruments is prohibited within 1,000 feet of school grounds without the written permission of school authorities. (Penal Code 626.9, 626.10)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process [Students with Disabilities])

Legal References:

EDUCATION CODE

32210 Willful disturbance of public school or meeting, misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35160 Authority of governing boards

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

51512 Prohibited use of electronic listening or recording device

PENAL CODE

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

626-626.11 Schools, crimes, especially:

626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions

626.8 Disruptive presence at schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

626.9 Gun Free School Zone Act

627-627.10 Access to school premises

653b Loitering about schools or public places

12556 Imitation firearms

30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 20

7961 Gun-Free Schools Act

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

In Re Joseph F., (2000) 85 Cal.App.4th 975

In Re Jimi A., (1989) 209 Cal. App.3d 482 “

In Re Oscar R., (1984) 161 Cal. App 3d 770

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen. 58 (1996)

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guide for Developing High-Quality School Emergency Operations Plans, 2013

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001 U.S.

DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003-

DISRUPTIONS (continued)

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ss/>

~~U.S. Department of Education, Emergency Planning: <http://www.ed.gov/admins/lead/safety/emergencyplan>~~

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

Policy amended: June 9, 2020

Policy adopted: April 19, 2007

DISRUPTIONS

The principal or designee may direct a person, *except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:* ~~to leave school grounds when there is a reasonable basis for concluding that the person is committing, or has entered campus with the purpose of committing, an act that is likely to interfere with the peaceful conduct, discipline, good order, or administration of school activities or with the intent to inflict damage on any person or property. He/she may also ask a person to leave who uses loud and/or offensive language which could provoke a violent reaction or a person who has otherwise established a continued pattern of unauthorized entry on school grounds. This shall not apply if that person is a student, school employee, or other person required by his employment to be on school grounds. (Education Code 44810, 44811; Penal Code 415.5, 626.7, 626.8)~~

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. (Education Code 44810, 44811; Penal Code 626.7)*
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 (Penal Code 415.5)*
3. *The person, without lawful business for being present, loiters around a school or reenters a school within 72 hours after he/she was asked to leave (Penal Code 653b)*
4. *The person is required to register as a sex offender pursuant to Penal Code 290 and does not have a lawful purpose and written permission from the principal or designee to be on school grounds (Penal Code 626.81)*

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.5 - Sex Offender Notification)

5. *The person is a specified drug offender, as defined in Penal Code 626.85, and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school (Penal Code 626.85)*
6. *The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of students, staff, or others 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 (Penal Code 626.8)*

DISRUPTIONS (continued)

(cf. 1240 - Volunteer Assistance)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 6145.2 - Athletic Competition)

~~The principal or designee may also direct a specified drug offender to leave school grounds, unless that person is a student at the school, a parent/guardian of a child attending the school, or he/she has prior written permission for entry from the principal or designee. (Penal Code 626.85)~~

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 will be guilty of a crime if he/she: *(Education Code 32211; Penal Code 626.7, 626.8, 636.85)*

1. *Fails to leave or remains* ~~Remains~~ after being directed to leave ~~(Education Code 44811; Penal Code 626.8)~~
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)~~

(cf. 0450 - Comprehensive Safety Plan)
~~*(cf. 1250 - Visitors/Outsiders)*~~
~~*(cf. 3515.3 - District Police/Security Department)*~~
~~*(cf. 4158/4258/4358 - Employee Security)*~~
~~*(cf. 5131.4 - Student Disturbances)*~~

Whenever an individual is causing or threatening to cause a disruption at any district facility other than a school campus, the Superintendent or designee may direct that individual to leave the facility consistent with this regulation and the accompanying Board policy.

~~The principal or designee may direct a person who is required to register as a sex offender to immediately leave school grounds, unless he/she is on school grounds for lawful business or with the principal's permission. If such a person does not leave school grounds, the principal or designee shall inform the person that he/she may be guilty of a crime.~~

~~*(cf. 3515.5 - Sex Offender Notification)*~~

~~The principal or designee shall notify law enforcement as appropriate.~~

DISRUPTIONS (continued)

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 ground 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)

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