

Business and Noninstructional Operations

BP 3515.2 (a)

Disruptions

The Governing Board is committed to providing a safe and orderly environment for students, staff, and others on district property or while 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 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 - Dismissal/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 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.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.3 - District Police/Security Department)

(cf. 3515.7 - Firearms on School Grounds)

(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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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.

Legal Reference (see next page)

Disruptions

Legal Reference:

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*
- 48902 *Notification of law enforcement authorities*
- 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*
- 626.85 *Misdemeanor for specified drug offender presence on 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

- 7151 *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:

CSBA PUBLICATIONS

- 911! A Manual for Schools and the Media During a Campus Crisis, 2001*
- U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**
- Guide for Developing High-Quality School Emergency Operations Plans, 2013*

WEB SITES

- CSBA: <http://www.csba.org>
- California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>
- U.S. Department of Education: <http://www.ed.gov>

Policy

- adopted: April 14, 1997
- revised: April 14, 2009
- revised: July 13, 2010
- revised: September 27, 2016

VISALIA UNIFIED SCHOOL DISTRICT

Visalia, California

Disruptions

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 or school activity if:

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)

(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 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)

Disruptions

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: (Education Code 32211; Penal Code 626.7, 626.8, 636.85)

1. Fails to leave or remains after being directed to leave
2. Returns to the campus without following the school's posted registration requirements
3. Returns within seven days after being directed to leave

(cf. 0450 - Comprehensive Safety Plan)

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.

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 Governing Board. 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)

Regulation
approved: April 14, 1997
revised: March 9, 2009
revised: June 7, 2010
revised: October 11, 2012
revised: September 1, 2016

VISALIA UNIFIED SCHOOL DISTRICT
Visalia, California