

OFFICE OF THE SOLANO COUNTY SUPERINTENDENT OF SCHOOLS

Series 3000 – BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Policy 3515.2

Disruptions

In order to help maintain an educational environment that provides for student safety, the Solano County Office of Education (SCOE) is committed to keeping the schools free from disruptions and to keeping unauthorized persons from entering school grounds. The County 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, SCOE policy, or administrative regulation.

The Superintendent or designee shall establish a plan describing actions to be taken, including staff responsibilities, when an individual is causing 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 in the event of a disruption.

School staff shall be trained to recognize when an individual has committed acts that constitute a disruption in violation of SCOE policy or administrative regulation. Staff who believes that a disruption may occur shall immediately contact the site administrator, principal, or designee.

The site administrator, principal, or designee may direct a person 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. S/he 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.

The site administrator, 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 s/he has prior written permission for entry from the site administrator, principal, or designee.

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

1. 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

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

The site administrator, principal, or designee shall notify law enforcement as appropriate.

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

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after the person has departed from the school building or grounds. After reviewing the matter with the site administrator, 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.

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.

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
- 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
 - 626.9 Gun Free School Zone Act
 - 627-627.10 Access to school premises
 - 653b Loitering about schools or public places

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)

Policy Cross-Reference:

- 0450 Safety Plan
- 1250 Visitors/Outsiders
- 3515 Campus Security
 - 3515.3 District Police/Security Department
 - 3515.5 Sex Offender Notification
- 3516 Emergencies and Disaster Preparedness Plan
- 4118 Suspension/Disciplinary Action
- 4131 Staff Development
- 4158 Employee Security
- 4218 Dismissal/Suspension/Disciplinary Action
- 5131.4 Student Disturbances
- 5131.7 Weapons and Dangerous Instruments
- 5144.1 Suspension and Expulsion/Due Process
- 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)