

Campus Student Disturbances

Prohibited Activities

A student involved or attempting to be involved in any of the following prohibited activities shall be subject to discipline:

1. Disturbing the peace, including, but not limited to, causing or attempting to cause a riot, burning or destroying property, fighting, challenging another to fight, or using offensive words likely to provoke a fight

(cf. 3515 - Campus Security)

2. Disrupting school operations, including, but not limited to, exercising free expression which is obscene, libelous, or slanderous or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or substantially disrupting the orderly operation of the school (Education Code 48907)

(cf. 5145.2 - Freedom of Speech/Expression)

Other examples of activities that may be considered disrupting school operations include, but are not limited to:

- a. Organizing or participating in unauthorized assemblies on school premises**
- b. Participating in sit-ins or stand-ins which deny students or employees normal access to school premises**
- c. Interfering with or unauthorized use of the district's computer system**

(cf. 6163.4 - Student Use of Technology)

3. Refusing to disperse, including, but not limited to, assembling for the purpose of causing a disruption and refusing to disperse upon the direction of school personnel

4. Boycotting school, including, but not limited to, participating in any protest that involves nonattendance where attendance is required at school, class, or at a school activity

Any student who participates in a boycott shall be given an unexcused absence and may be classified as truant, regardless of any parent/guardian approval of the absence.

(cf. 5113 - Absences and Excuses)

Campus Student Disturbances (continued)

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

~~All school staff shall respond to campus disturbances in accordance with the school's response plan. Response plans shall describe:~~

- ~~1. The means which will be used to signal an emergency situation and maintain communication among staff and with the Superintendent or designee.~~
- ~~2. Each staff member's specific duties during a disturbance.~~
- ~~3. Procedures for ensuring the safety of students and staff.~~
- ~~4. Conditions, as prearranged with law enforcement authorities, under which the principal or designee shall:
 - ~~a. Inform the police~~
 - ~~b. Secure police assistance~~
 - ~~c. Give the police responsibility for a specific crisis situation~~~~
- ~~5. Procedures for the orderly dismissal of school when authorized by the principal or designee.~~

~~All media inquiries during crisis situations shall be routed to the Superintendent or designee.~~

~~(cf. 1112 - Media Relations)~~

Extension of Class Period and/or Dismissal of School

During any disturbance in which additional students might become involved while changing classes, the principal or designee may notify all staff that the present class period will be extended until further notice. Upon receiving this notification:

1. ~~Teachers~~ **Staff** shall ensure that all students in their charge remain in one location under their supervision **and shall ask all students who are in the halls to return to their classes immediately.**
2. ~~Teachers shall ask any students who are in the halls to return to their classes at once.~~

Campus Student Disturbances (continued)

~~Prohibited Activities~~

~~1. Disturbing the Peace~~

~~It is a misdemeanor to intentionally cause or attempt to cause a riot by engaging in conduct which urges a riot or urges others to act forcefully or violently, or to burn or destroy property under circumstances which produce a clear, present, and immediate danger of such acts occurring. (Penal Code 404.6)~~

~~Anyone who, in a public place, fights, challenges another to fight, or uses offensive words likely to provoke a fight is guilty of a misdemeanor. (Penal Code 415)~~

~~2. Disruption of School Operations~~

~~Students shall be subject to disciplinary action for any exercise of free expression which so incites students as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school, such as may occur when students:~~

- ~~a. Organize or participate in unauthorized assemblies on school premises.~~
- ~~b. Participate in sit ins or stand ins which deny students or employees normal access to school premises.~~

~~3. Refusal to Disperse~~

~~Persons who assemble for the purpose of disturbing the public peace or committing any unlawful act are severally guilty of a misdemeanor if they do not disperse when desired or commanded to do so by a public officer. (Penal Code 416)~~

~~Persons who remain present at the place of any riot, rout or unlawful assembly after being lawfully warned to disperse are guilty of a misdemeanor. (Penal Code 409)~~

~~4. Boycotts~~

~~Students participating in any protest that involves nonattendance at school or at a school activity where attendance is required shall be identified as truant, regardless of any parental approval of their act.~~

Regulation
approved: September 20, 2001
revised:

SAN JOSE UNIFIED SCHOOL DISTRICT
San Jose, California