

CVUSD

Administrative Regulation

AR 5131.4

Students

Student Disturbances

Prohibited Activities

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

Note: Pursuant to Penal Code 404.6, any person who attempts to cause a riot may be found guilty of a misdemeanor. Penal Code 415 provides that any person who unlawfully fights or attempts to fight may also be guilty of a misdemeanor.

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)

***Note: Pursuant to Education Code 48900, a student may be subject to suspension or expulsion if the act is related to school activity or school attendance and occurred at any district school, including while the student is on school grounds, going to or coming from school, during the lunch period (whether on or off the school campus), or during, going to, or coming from a school-sponsored activity. In some circumstances, a student may be subject to disciplinary action for off-campus activities, such as a threat on a personal web site, if the district can show that the activity could materially and substantially interfere with school discipline. Because this is a complicated area of law, districts that wish to discipline a student for off-campus conduct should consult district legal counsel. ***

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)

***Note: Pursuant to Penal Code 416, a person who assembles for the purpose of disturbing the peace and then refuses to disperse may be guilty of a misdemeanor. ***

- 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)

(cf. 5113.1 - Truancy)

(cf. 5144 - Discipline)

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

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 any class currently in session will be extended until further notice. Upon receiving this notification, 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.

The principal may also request that the Superintendent dismiss school in accordance with the school disturbance response plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

CSBA: (6/90) 7/06

CVUSD Global Adoption: August 19, 2008