

### Student Disruptions

Established channels of communication and approved procedures exist in the public schools for expressing student opinions, concerns, or complaints. To ignore existing channels or to organize student protests in defiance of rules and regulations is a disruption of the normal functioning of the school. Individual or group activism which results in, or threatens disruption of, the school is prohibited. "Any person who willfully disrupts any public school or any public meeting is guilty of a misdemeanor..." (Education Code Section 32210).

It is fallacious to presume that the constitution confers the right to disrupt a school without any legal accountability, or to wrongly equate school disruption with free speech or academic freedom. The proposition that if individuals believe their cause is just they can, with impunity, trample on the rights of others, has been squarely repudiated by the Supreme Court of the United States. In Cox v. Louisiana, the Supreme Court states as follows:

"The rights of free speech and assembly, while fundamental in our democratic society, still do not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time. The constitutional guarantee of liberty implies the existence of an organized society maintaining public order without which liberty itself would be lost in the excesses of anarchy."

Students who willfully disrupt the routine and daily schedule of the school or a school-sponsored event by participating in individual or group activity which has as its purpose the encouragement of noncompliance with an existing school policy, regulation or administrative decision shall be subject to disciplinary action as appropriate, including notation of their unsatisfactory conduct on the cumulative record. They may also be required to forfeit all recognition, student-body participation, honors, awards and scholarships. Any instance of truancy, insubordination or overt acts of behavior inimical to the welfare of others resulting from their participation shall be subject to appropriate disciplinary action, including arrest.

### Unauthorized Assembly

Any unauthorized assembly of students on the school premises during school hours is a disruptive influence, threatening in nature to the normal functioning of the school program, is an impairment of the proper exercise of the supervisory responsibility of the school staff and is prohibited.

Individuals or groups who willfully disrupt the daily routine of the school by organizing, encouraging, or participating in such unauthorized assembly shall be subject to appropriate disciplinary action.

#### Sit-ins, Stand-ins, Walk-ons and Similar Disruptions

Individuals or groups who physically occupy the school premises or any portion thereof, thereby, in effect, disrupting the regular routine of the school and denying normal access and egress to other students, school employees, and patrons, and who refuse to leave when lawfully ordered to do so are in violation of Penal Code 626.8 and/or Education Code 32211 and 44810 are subject to appropriate disciplinary action, including arrest.

#### Vocal Disruption

Group discussion on controversial issues which are germane to the curriculum and the daily lesson plan are appropriate in the classroom as a part of a planned program of instruction under the supervision of a teacher. Students who disrupt the ordinary routine of the classroom, who insist upon discussing topics not germane to the curriculum or the daily plan of instruction, who harangue others and promote a partisan point-of-view trample upon the rights of others and shall be subject to appropriate disciplinary action.

In a like manner, any unauthorized forum, use of sound amplifying equipment, "Soap box" type harangue or exhortation on the school premises during school hours is disruptive and is expressly prohibited.

#### Boycotts

Individuals or groups who participate in any protest or act of noncompliance that includes nonattendance at school or any scheduled class or school activity where attendance is required shall be identified as truant from school regardless of any prior or subsequent approval or cognizance by their parents of their act of noncompliance, boycott or truancy.

#### Disruption of Flag Ceremony

The Board of Trustees has the legal responsibility to cause the Flag Salute to be conducted as prescribed in Education Code 52720. It has no legal responsibility or right to require each and every student to participate actively therein, but it does have the right and the duty to see that the students show no disrespect to the Flag of the United States and that they do nothing to disrupt the ceremony.

A student may not disrupt the Flag Ceremony or show disrespect for the Flag of the United States. Specifically:

- a. S/He may not influence others.
- b. S/He may not make overt gestures.
- c. S/He may not turn his back to the Flag.
- d. S/He may not continue walking.
- e. S/He may not deride others.
- f. S/He must remain quiet, attentive and respect the rights of others during the ceremony.
- g. S/He may be seated during the ceremony.

Legal References:

Education Code

32210	Willful Disturbance, Public School
32211	Persons Requested to Leave School Grounds
32212	Legislative Intent
44811	Disruptions
52720	Patriotic Exercises; Pledge of Allegiance

Penal Code

626.6	Misdemeanor to Reenter Campus
626.8	Visitors; Disturbance

Case Law

Cox v. Louisiana, 379 U.S. 536, 555 (1965)

Board of Trustees

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