

Students

Access to District Campuses

The California Constitution declares that: "All students and staff of public primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful." (Art. 1, S. 28 (c)). Nevertheless, in recent years incidents of abduction and violence against pupils while on school campuses have multiplied throughout the state.

This policy, and its accompanying rules, implements the mandate of the State Constitution to provide safe schools by formalizing rules and procedures regulating access to the campuses of the District's elementary, middle and high schools. Consistent with this policy, the Board of Education affirms, with the exception of high school campuses which shall be limited public forums unless the site principal designates otherwise, that district property is a non-public forum during school hours.

Various statutes impose criminal penalties on persons convicted of trespassing or unlawfully disrupting the operation of a public school. Violation of this policy, while not necessarily constituting a violation of criminal statutes punishable through the criminal justice system, will be enforced against any person by civil injunction or other civil remedy, where acts which violate this policy do not also constitute criminal behavior.

It is not the intent of the Board of Education by adopting this policy and rules to raise any legal standard of care applicable to the District and its officers, employees and agents, or to otherwise affect existing law relating to liability of the District or its officers, employees and agents.

Legal References: California Constitution, Art. 1 S. 28
 Education Code Section 35160
 Education Code Sections 32210, 32211
 Penal Code Section 627 et seq.
 Penal Code Sections 626.6, 626.8, 653g
Matter of Rudolfo Q.A. (1980) 168 Cal. Rptr. 338
In Re Oscar R. (1984) 161 Cal.App.3d 770

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