

Conduct on School Premises - GCA

Modified Public Forum

All school buildings have been designated as modified public forums after school hours. However, during school hours all school buildings are dedicated to the sole and exclusive purpose of providing education to school²s students then attending school. No visitor, whether a student's parents, guardians, or other persons, shall have access to a school unless express permission is granted as provided below.

Campus Visitors and/or School Volunteers

All persons who are not students or District employees who visit or enter upon school property shall report immediately to the school administrative offices for authorization by the Principal or his or her designee to be present at the school.

Authorization shall not be given if the Principal or his or her designee determines in his or her discretion that one of the following is true:

1. The person's presence will likely cause fear for the safety of another.
2. The person intends to cause annoyance or injury to a person or damage to property on the school property.
3. The person intends to participate in or instigate conduct or activity that constitutes a crime.

Each school shall, through the use of signs and fences or other enclosures, exclude trespassers from the school ground.

In the absence of express permission, all visitors to the school shall be deemed to be trespassers on school property and subject to immediate removal by the school district.

Definitions

For purposes of this provision, "school property" means real property owned or occupied by a school, including real property temporarily occupied for a school activity or program.
Utah Code Ann. §53A-3-503 (2) © (1990)

Trespassing

The Board, a school official, or an individual with apparent authority to act for a school official may refuse to allow persons having no legitimate business to enter on property under the Board's control and may eject any undesirable person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property.

An individual is guilty of criminal trespass upon school property if the individual does either of the following:

1. Enters or remains without authorization on school property if notice against such entry or remaining has been given by (a) personal communication by a school official or an individual with apparent authority to act for a school official, or (b) the posting of signs reasonably likely to come to the attention of the trespasser, or (c) fencing or other enclosure obviously designed to exclude trespassers, or (d) a current order of suspension or expulsion.

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2. Enters or remains unlawfully upon school property and (a) intends to cause injury or annoyance to a person or damage to property, or (b) intends to commit a crime, or (c) is reckless as to whether the person's presence will cause fear for the safety of another.

—Criminal trespass on school property is a class B misdemeanor.

Utah Code Ann. § 53A-3-503 (1990)

Disruption of Classes

No person shall be permitted, on school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities.

Utah Code Ann. § 53A-3-503 (1990)

Conduct that disrupts the educational activities of a school includes:

1. Emissions by any means of noise of an intensity that prevents or hinders classroom instruction.
2. Enticement or attempted enticement of students away from classes or other school activities that students are required to attend.
3. Prevention or attempted prevention of students from attending classes or other school activities that students are required to attend.
4. Entrance into a classroom without consent of either the principal or teacher, and either through acts of misconduct and/or use of loud or profane language, causing disruption of class activities.

Definitions

~~For purposes of this provision, "school property" means real property owned or occupied by a school, including real property temporarily occupied for a school activity or program.~~

~~*Utah Code Ann. § 53A-3-503 (2)(c)*~~

Disruption of ~~lawful assembly~~ School Operation

~~No person(s) may willfully engage in disruptive activity or disrupt a lawful assembly on the property of any school in the District.~~

~~*Utah Code Ann. § 76-9-103*~~

No person may disrupt the operation of a school. A person is guilty of disrupting the operation of a school if the person, after being asked to leave by a school official, remains on school property for the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.

Utah Code Ann. § 76-9-106 (1992)

~~Disruptive activity includes:~~

Examples of disrupting operation of a school include:

1. Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building, or while on school property, without authorization from school administration.
2. Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity.
3. ~~Preventing, attempting to prevent, or disrupting by force or violence or the threat of violence any lawful assembly authorized by the school administration.~~

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~~A lawful assembly is disrupted when any person in attendance is rendered incapable of participating in the assembly due to the reasonable fear or use of force or violence.~~

Disruption of meeting or gathering

No person may disrupt a lawful meeting or gathering on the property of any school in the District. A person is guilty of disrupting a meeting if, intending to prevent or disrupt a lawful meeting or gathering, he or she obstructs or interferes with the meeting or gathering by physical action, verbal utterance, or any other means/

Intoxicants

Except as approved by the Board as part of the curriculum, no person may possess any intoxicating beverage for consumption, sale, or distribution, or be under the influence of alcohol while on the grounds or in a building of any school in the District or while entering or inside any building, park, or stadium that are being used for an activity sponsored by or through any part of the District.

Utah Code Ann. § 53A-3-501 (1998)

Utah Code Ann. § 76-9-701 (2009)

Weapons or Dangerous Materials

No person shall possess a dangerous weapon that in the manner of its use or intended use is capable of causing death or serious bodily injury or a firearm on or about school premises except:

1. Persons exempt from weapons laws by state statute (law enforcement officers and others)
Utah Code Ann. § 76-10-523 (2009)
2. Persons authorized to possess a concealed firearm by state statute (concealed weapons permit holders).
Utah Code Ann. § 53-5-704 (2013) and -705 (2010)
3. Persons whose possession has been previously approved by the responsible school administrator or where the person responsible for the possession or use of the weapon is in possession or control of the weapon and it is present or to be used in connection with a lawful, approved activity.

~~“On or about school premises” means (a) in or on the grounds of any District school, or (b) in those parts of a building, park, stadium, or other structure that are being used for an activity sponsored by or through the District, or within 1,000 feet of either (a) or (b). However, possession within 1,000 feet of (a) is permissible if the possession is at the person’s place of residence, on the person’s real property, or in a vehicle lawfully under the person’s control (other than a vehicle owned by the school or used for the transport of students). Possession within 1,000 feet is also permissible if the possession is at a person’s place of business not located in or on the grounds of any District school. However, possession on or about school premises is permissible if the possession is at the person’s place of residence, on the person’s real property, or in a vehicle lawfully under the person’s control (other than a vehicle owned by the school or used for the transport of student).~~

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Possession of a dangerous weapon on or about school premises is a class B misdemeanor.
Possession of a firearm on or about school premises is a class A misdemeanor.

Utah Code Ann. § 76-10-505.5 (2013)

No person shall possess an explosive, chemical, or incendiary device or parts, as defined in Utah Code Ann. § 76-10-306, dangerous to persons or property on any District property or in those parts of a building, park, stadium, or other structure that are being used for an activity sponsored by or through the District. Unlawful possession of the items or materials in the circumstances prohibited by this section is a criminal offense punishable under state law.

Utah Code Ann. § 76-10-~~505.5~~-306 (2010)