
SENATE BILL 5323

State of Washington 53rd Legislature 1993 Regular Session

By Senators Talmadge, Pelz, Moyer, McDonald, Winsley and Oke

Read first time 01/22/93. Referred to Committee on Education.

1 AN ACT Relating to the protection of students in kindergarten
2 through twelfth grades; amending RCW 28A.635.020; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.635.020 and 1981 c 36 s 1 are each amended to read
6 as follows:

7 (1) It shall be unlawful for any person to willfully disobey the
8 order of the chief administrative officer of a public school district,
9 or of an authorized designee of any such administrator, to leave any
10 motor vehicle, building, grounds or other property which is owned,
11 operated or controlled by the school district or approved private
12 school if the person so ordered is under the influence of alcohol or
13 drugs, or is committing, threatens to imminently commit or incites
14 another to imminently commit any act which would disturb or interfere
15 with or obstruct any lawful task, function, process or procedure of the
16 school district or approved private school or any lawful task,
17 function, process or procedure of any student, official, employee or
18 invitee of the school district or approved private school. The order
19 of a school officer or designee acting pursuant to this subsection

1 shall be valid if the officer or designee reasonably believes a person
2 ordered to leave is under the influence of alcohol or drugs, is
3 committing acts, or is creating a disturbance as provided in this
4 subsection.

5 (2) It shall be unlawful for any person to refuse to leave public
6 property immediately adjacent to a building, grounds or property which
7 is owned, operated or controlled by a school district or approved
8 private school when ordered to do so by a law enforcement officer if
9 such person is engaging in conduct which creates a substantial risk of
10 causing injury to any person, or substantial harm to property, or such
11 conduct amounts to disorderly conduct under RCW 9A.84.030.

12 (3) It shall be unlawful for any person to interfere with school
13 activities. Interfering with school activities means conduct committed
14 while school is in session and the person is on public premises
15 adjacent to or on the grounds of any public or approved private school
16 and the person:

17 (a) Makes any noise or diversion that disturbs or tends to disturb
18 the peace or good order of a school session or a class or a school
19 session and the person is requested to leave by a school authority; or

20 (b) Fails to leave the premises or immediate vicinity of the public
21 or approved private school while the school is in session at the
22 request of a school authority if the person is committing, threatens to
23 commit, or is initiating the commission by another of an act that would
24 disrupt, impair, interfere with, or obstruct the lawful mission,
25 process, procedures, or functions of the public or approved private
26 school.

27 (4) Nothing in this section shall be construed to prohibit or
28 penalize activity consisting of the lawful exercise of freedom of
29 speech, freedom of press and the right to peaceably assemble and
30 petition the government for a redress of grievances: PROVIDED, That
31 such activity neither does or threatens imminently to materially
32 disturb or interfere with or obstruct any lawful task, function,
33 process or procedure of the school district, or any lawful task,
34 function, process or procedure of any student, official, employee or
35 invitee of the school district: PROVIDED FURTHER, That such activity
36 is not conducted in violation of a prohibition or limitation lawfully
37 imposed by the school district upon entry or use of any motor vehicle,
38 building, grounds or other property which is owned, operated or
39 controlled by the school district.

1 (~~(4)~~) (5) Any person guilty of violating this section shall be
2 deemed guilty of a misdemeanor and, upon conviction therefor, shall be
3 fined not more than five hundred dollars, or imprisoned in jail for not
4 more than six months or both so fined and imprisoned.

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