



SCHOOL BOARD ACTION REPORT

DATE: March 24, 2017
FROM: Dr. Larry Nyland, Superintendent
LEAD STAFF: Pegi McEvoy, Assistant Superintendent, Operations, pmcevoy@seattleschools.org; Larry Dorsey, Manager, Safety and Security, ladorsey@seattleschools.org

1. TITLE

Amend Policy 4200, Visitors to Schools; repeal Policy F44.00, Unauthorized persons on School Property, and Procedure F44.01

For Introduction: April 5, 2017
For Action: April 19, 2017

2. PURPOSE

This Board Action Report makes edits to Board Policy No. 4200, Visitors to Schools, renames it as Maintaining a Safe and Orderly Environment, and adds procedure 4200SP.C (formerly board procedure F44.01) in order to continue with Phase II of the board’s review of old school district policies.

3. RECOMMENDED MOTION

I move that the board amend Policy 4200, Visitors to Schools, as attached, and repeal policy F44.00 and board procedure F44.01, Unauthorized persons on school property.

4. BACKGROUND INFORMATION

The purpose of this action is to finalize the Phase II revisions to section 4000, Communications with the Public, align the title with the Washington State School Directions Association (WSSDA) policy 4200, and consolidate all procedures relating to visitors to schools under one policy.

There are no actual changes to practice involved in the implementation of this policy revision and procedural update. The first paragraph of the old board procedure F44.01, Unauthorized persons on district property, has been added to policy 4200. All policy references and cross references have also been updated, including relations with law enforcement.

The review of this action has been conducted by the Safety and Security Department and the Legal Department to ensure that the district is in compliance with state and federal law.

5. FISCAL IMPACT/REVENUE SOURCE

Fiscal impact to this action will be N/A. The revenue source for this motion is N/A.

Expenditure: One-time Annual Multi-Year N/A
Revenue: One-time Annual Multi-Year N/A

6. COMMUNITY ENGAGEMENT

Not applicable

7. EQUITY ANALYSIS

Not applicable

8. STUDENT BENEFIT

The consolidation of all policies and procedures related to adults visiting school campuses provides clarity to school community members, law enforcement, district leaders, and school leaders. It also supports one of the tenets of the district strategic plan of providing a safe and orderly learning environment for student success.

9. WHY BOARD ACTION IS NECESSARY

Adopting, amending, or repealing a Board policy

10. POLICY IMPLICATION

This board action aligns board policy and all procedures for management of adult access to schools in order to maintain a safe and orderly school environment, including:

- Policy 4200, renamed Maintaining a Safe and Orderly Environment, and updated to include unauthorized persons on school property
 - Superintendent Procedure 4200SP.A, Visitors to Schools
 - Superintendent Procedure 4200SP.B, Equal access for recruiters
 - New Superintendent Procedure 4200SP.C, Unauthorized persons on school property (replacing former board procedure F44.01)
- Policy F44.00, Unauthorized persons on school property, repealed
- Procedure F44.01, Unauthorized persons on school property, repealed

11. BOARD COMMITTEE RECOMMENDATION


This motion was discussed at the Operations Committee meeting on March 16, 2017. The Committee reviewed the motion and moved the item forward to the full Board for consideration.

12. TIMELINE FOR IMPLEMENTATION

There are no changes in practice or policy with the adoption of these revisions. Upon approval of the motion, the board policy manual will be updated immediately. A review of how the policies and procedures have been consolidated will be provided to principals at their May leadership day and with security specialists when they return to work for the 2017/18 school year.

13. ATTACHMENTS

- Policy 4200, Maintaining a Safe and Orderly Environment, clean (for approval)
- Policy 4200, Maintaining a Safe and Orderly Environment, tracked changes (for reference)
- Policy F44.00, Unauthorized persons on school property, for repeal
- Procedure F44.01, Unauthorized persons on school property, for repeal
- New Superintendent Procedure 4200SP.C, Unauthorized persons on school property (for reference - replacing former board procedure F44.01)

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It is the policy of the Seattle School Board to encourage school visitation by parents/guardians, family members, and adult members of the community in order to observe the educational program, provided that only minimal disruption of the program occurs. Such visitation shall occur in conformance with specific District and administrative procedures and is considered authorized.


Unauthorized persons on district property are considered trespassers. District property includes, but is not limited to, district buildings, school buildings, school grounds, school sports facilities, school buses, and other premises being used for a school-sponsored event.

Visitors whose purpose is to influence or solicit students shall not be permitted on the school grounds unless the principal or designee has determined that the visit furthers the educational program of the District or the career or educational aspirations of the student. Persons recruiting for post-secondary options, including colleges, employers, and the military are not considered solicitors for the purposes of this policy.

When high schools permit military recruiters to speak with students regarding military career opportunities, the school must provide equal access for organizations that wish to counsel alternatives to, or provide additional information about, military service. If literature encouraging military service is displayed for students to read or pick up, groups counseling alternatives to military service may similarly display their literature.

If any person is under the influence of illegal and/or controlled substances, including marijuana (cannabis), or alcohol or is disrupting or obstructing any school program, activity, or meeting, or threatens to do so or is committing, threatening to imminently commit or inciting another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure of any student, official, classified or certificated staff member or invitee of the school district, the Superintendent or staff member in charge shall direct the person to leave immediately. If such a person refuses to leave, the Superintendent or staff member shall immediately call for the assistance of a law enforcement officer.

Persons removed from campus or whose presence on campus has been limited or restricted by the Superintendent or staff member in charge shall have the right to

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appeal that removal via the district’s complaint process, outlined in Board Policy 4220. Persons aggrieved by the final decision of the district following the complaint process outlined in Board Policy 4220, may appeal the decision to the King County Superior Court.

The Superintendent is authorized to develop procedures to implement this policy, as necessary.

Adopted: February 2012

Revised: January 2014; (April 2017)

Cross Reference: 2331; 3124; 3510; 4220; 4310; 4314

Related Superintendent Procedure: 4200SP.A, 4200SP.B, 4200SP.C; 4310SP; 4314SP

Previous Policies: F44.00; F44.01

Legal References: RCW 28A.635.020 Willfully disobeying school administrative personnel or refusing to leave public property, violations, when — Penalty; RCW 28A.635.030 Disturbing school, school activities, or meetings; RCW 28A.635.090 Interfering by force or violence — Penalty; RCW 28A.635.100 Intimidating any administrator, teacher, classified employee, or student by threat of force or violence unlawful — Penalty; RCW 28A.605.020 Parents' access to classroom or school sponsored activities; RCW 28A.230.180 Requiring equal access for college, occupational and military recruiters; 20 U.S.C. § 9528 No Child Left Behind Act, Military Recruiter Provision

	<p>VISITORS TO SCHOOLS <u>MAINTAINING A SAFE</u> <u>AND ORDERLY</u> <u>ENVIRONMENT</u></p>	<p>Policy No. 4200 [DATE] Page 1 of 2</p>
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If any person is under the influence of illegal and/or controlled substances, including marijuana (cannabis), or alcohol or is disrupting or obstructing any school program, activity, or meeting, or threatens to do so or is committing, threatening to imminently commit or inciting another to imminently commit any act which would disturb or interfere with or obstruct any lawful task, function, process or procedure of any student, official, classified or certificated staff member or invitee of the school district, the Superintendent or staff member in charge shall direct the person to leave immediately. If such a person refuses to leave, the Superintendent or staff member shall immediately call for the assistance of a law enforcement officer.

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Previous Policies: F44.00; F44.01

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Management Resources: ~~Policy News, February 2013~~

	<p style="text-align: center;">UNAUTHORIZED PERSONS ON SCHOOL PROPERTY</p>	<p style="text-align: center;">F44.00 Revised <u>Repeal</u> DEC 3, 2008</p> <p style="text-align: center;">Page 1 of 1</p>
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POLICY

~~It is the policy of the Seattle School Board that unauthorized persons on school property can be considered trespassers.~~

Cross References: F44.01 Unauthorized Persons on School Property - Procedure
E14.00 Visitors to Schools - Policy
E14.01 Visitors to Schools – Procedure

References: RCW 28A.320.015 School Board Powers
RCW 28A.635.020 Willfully Disobeying Order of School Personnel
SMC 12A.08.040 Criminal Trespass
SMC 12A.12.030 Disruption of School Activities



UNAUTHORIZED PERSONS
ON SCHOOL PROPERTY
PROCEDURE

F44.01
~~Revised~~
~~DEC 3, 2008~~
Repeal

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**BOARD ADOPTED
PROCEDURE**

~~School Board Policy F44.00 provides that unauthorized persons on school property are considered trespassers. School property includes, but is not limited to, school buildings, school grounds, school sports facilities, school buses, and other premises being used for a school sponsored event.~~

~~Persons authorized to be on school property include the following:~~

- ~~1. District staff and School Board members during normal school hours, participating in school sponsored events, or performing a job related function.~~
- ~~2. Students enrolled at the school during normal school hours, participating in a school sponsored event, or participating in an extracurricular event. Students who are suspended or expelled from a school are not authorized to go on or into any school building, school grounds, or other premises being used for a school sponsored event without the prior consent of the principal or his or her designee, the program manager, or the supervisor in charge.~~
- ~~3. Parents/guardians of students during normal school hours who proceed directly to the school's main office and obtain permission to be on school property from the school's principal or his or her designee, the program manager, or supervisor in charge. See E14.00 and E14.01.~~
- ~~4. Members of the public during normal school hours with permission of the school's principal or his or her designee, the program manager, or supervisor in charge. Members of the public may be on campus during the school day to visit a school pursuant to the District's Visitors to Schools Policy and Procedure. See E14.00 and E14.01.~~
- ~~5. Students, staff, parents/guardians, and members of the public who are observing or participating in school sponsored or sanctioned activities, such as artistic performances or athletic events.~~
- ~~6. People who have permission to be on school property pursuant to a lease, a vendor contract, a building use permit, or a joint use permit.~~



UNAUTHORIZED PERSONS
ON SCHOOL PROPERTY
PROCEDURE

F44.01
~~Revised~~
~~DEC 3, 2008~~
Repeal

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- ~~7. Law enforcement officers, emergency responders, or utility providers in the exercise of their duties.~~
- ~~8. People with a legitimate reason for being on school property who proceed directly to the school's main office and secure permission to be on school property from the principal or his or her designee, the program manager, or supervisor in charge.~~
- ~~9. Members of the public, before or after school hours, may use outside school grounds for outdoor recreation, i.e., athletic tracks and fields. Use by the public is permitted in areas normally used for recreational activity when those facilities are not being used by District students or by outside groups that have reserved the space.~~

~~All other persons present on school property are unauthorized and are considered trespassers.~~

~~All people on school property must comply with all federal, state, and local laws. All people on school property must also comply with all District policies, procedures, and school rules.~~

~~The Superintendent or his or her designee, school principals, school administrators, school security specialists, central office security staff, certificated staff, program managers, a supervisor in charge, and law enforcement officers are all authorized to deliver an exclusion or trespass admonishment notice to any person on District property who violates any provision of this procedure, violates any school or District rule, or violates any federal, state, or local law, such as the Seattle Municipal Code. The notice of exclusion or trespass can be hand delivered or mailed and it shall be in writing and contain the date of issuance. The notice shall specify the reason for exclusion, the length and places of exclusion, inform the person of the consequences for non-compliance, and inform the person of their appeal rights.~~

~~The person given the exclusion or trespass admonishment notice need not be charged, tried, or convicted of any crime or infraction in order for a notice to be issued or effective. The exclusion may be based upon observations by the individuals listed above or upon a report that would ordinarily be relied upon in administrative hearings pursuant to RCW 34.05.452.~~

~~A person may be given an exclusion or trespass admonishment for a first offense. For a first offense, a person may be excluded from 1 day up to 1 year, depending upon the~~



UNAUTHORIZED PERSONS
ON SCHOOL PROPERTY
PROCEDURE

F44.01
~~Revised~~
~~DEC 3, 2008~~
Repeal

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~~severity of the rule violation, where the rule violation takes place, and whether the person is on school property for a legitimate reason (e.g., student, parent, vendor, authorized visitor). For a second violation for the same offense, a person may be excluded for a longer period of time. For a first offense, the following categories shall guide the length of exclusion:~~

- ~~• District Rule Violations Inside a School Building — 6 months to 1 year.~~
- ~~• District Rule Violations Outside a School Building — 1 day to 6 months.~~
- ~~• Criminal Rule Violations on School Property — 6 months to 1 year.~~
- ~~• District Rule Violations on School Property — 1 day to 6 months.~~
- ~~• People With No Legitimate Business on School Property — 6 months to 1 year.~~
- ~~• People With Legitimate Business on School Property — 1 day to 6 months.~~


~~Nothing in this procedure prohibits a court or law enforcement personnel from excluding a person for a first offense for a longer period of time. In addition, the Superintendent or his or her designee may exclude a person for a first offense for greater than 1 year for actions that fit into two or more categories that carry a 6 month to 1 year exclusion. For example, a non student who enters a school building with a weapon may be excluded from school property for longer than 1 year.~~

~~A person who receives an exclusion or trespass admonishment notice may seek a hearing before the Manager of the District's Safety and Security Department or his or her designee. The request for a hearing shall be delivered to the District's Safety and Security Department or postmarked no later than seven (7) days after the issuance date of the exclusion notice. The request for a hearing shall be in writing, be accompanied by a copy of the exclusion notice, and request that either the exclusion notice be rescinded or that the period of exclusion be shortened. The hearing should occur within seven (7) days after the Safety and Security Department receives the request for a hearing. To uphold the exclusion, the District must establish a rule violation by a preponderance of the evidence. The decision of the Manager of the District's Safety and Security Department or his or her designee is final.~~

~~The Superintendent or his or her designee is authorized to sign trespass enforcement authorizations with local law enforcement agencies to assist in keeping unauthorized people off school property.~~

~~The Superintendent or his or her designee shall cause a notice to be posted, at each school, warning unauthorized persons that they will be considered trespassers.~~

~~Cross References: E14.00 Visitors to Schools Policy~~

 <p>SEATTLE PUBLIC SCHOOLS</p>	<p>UNAUTHORIZED PERSONS ON SCHOOL PROPERTY PROCEDURE</p>	<p>F44.01 Revised DEC 3, 2008 <u>Repeal</u></p> <p>Page 4 of 4</p>
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~~E14.01 Visitors to Schools – Procedure~~

~~References: RCW 28A.320.015 School Board Powers~~
~~RCW 28A.635.020 Willfully Disobeying Order of School Personnel~~
~~SMC 12A.08.040 Criminal Trespass~~
~~SMC 12A.12.030 Disruption of School Activities~~

Superintendent Procedure 4200SP.C

Unauthorized Persons on School Property

Approved by: _____ Date: _____

Dr. Larry Nyland, Superintendent



Unauthorized persons on school property are considered trespassers. School property includes, but is not limited to, school buildings, school grounds, school sports facilities, school buses, and other premises being used for a school-sponsored event.

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4. Members of the public during normal school hours with permission of the school's principal or his or her designee, the program manager, or supervisor in charge. Members of the public may be on campus during the school day to visit a school pursuant to the District's Visitors to Schools Policy and Procedure
5. Students, staff, parents/guardians, and members of the public who are observing or participating in school-sponsored or sanctioned activities, such as artistic performances or athletic events.
6. People who have permission to be on school property pursuant to a lease, a vendor contract, a building use permit, or a joint use permit.
7. Law enforcement officers, emergency responders, or utility providers in the exercise of their duties.

8. People with a legitimate reason for being on school property who proceed directly to the school's main office and secure permission to be on school property from the principal or his or her designee, the program manager, or supervisor in charge.
9. Members of the public, before or after school hours, may use outside school grounds for outdoor recreation, i.e., athletic tracks and fields. Use by the public is permitted in areas normally used for recreational activity when those facilities are not being used by District students or by outside groups that have reserved the space.

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The person given the exclusion or trespass admonishment notice need not be charged, tried, or convicted of any crime or infraction in order for a notice to be issued or effective. The exclusion may be based upon observations by the individuals listed above or upon a report that would ordinarily be relied upon in administrative hearings pursuant to RCW 34.05.452.

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Superintendent or his or her designee may exclude a person for a first offense for greater than 1 year for actions that fit into two or more categories that carry a 6-month to 1-year exclusion. For example, a non-student who enters a school building with a weapon may be excluded from school property for longer than 1 year.

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The Superintendent or his or her designee shall cause a notice to be posted, at each school, warning unauthorized persons that they will be considered trespassers.

Prepared by: Pegi McEvoy

Approved: XXXX

Revised:

Superintendent Procedure 4200SP.C

Cross Reference: School Board Policy No. 4200; superintendent procedures 4200SP.A, 4200SP.B

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