

Superintendent Procedure 4200SP.C Unauthorized Persons on School Property

Approved by: s/Larry Nyland Date: 4/19/17

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.

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.
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.

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 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.

Approved: April 2017

Revised:

Cross Reference: Board Policy 4200; Superintendent Procedure 4200SP.A, 4200SP.B