

Procedures for Safe and Orderly Learning Environment

A. Visitors to District Property

1. Definitions

For the purpose of this Procedure, the following definitions apply:

- a. “Visitor” means a person entering District property who is not a student, employee, officer, or elected official of the District.
- b. The “school day” is the timeframe in each school building that begins with the start of the first instructional period and ends with the conclusion of the last instructional period.
- c. “Secondary schools” are the middle and high schools in the District.
- d. “Elementary schools” are all the District’s elementary schools.
- e. “Parents” are natural parents, adoptive parents, and guardians of students attending a particular District school.
- f. “Adult relatives” are adult relatives of students attending a particular District school, including grandparents and aunts and uncles, but excluding siblings and cousins.
- g. “Volunteers” are persons who volunteer their services in support of District programs with approval and supervision of District officials.
- h. “Invited guests” are those visitors to schools who are not parents or adult relatives of the students at the school or volunteers and who have been specifically invited to the school by school officials for the purposes of carrying out the educational program or administering the schools, including, but not limited to, contractors acting on behalf of the District, representatives of labor organizations, and personnel from law enforcement and other government agencies.
- i. “Other visitors” are those visitors to schools who are not parents, adult relatives, volunteers, or invited guests as defined above.
- j. A “private evaluator” is a consultant acting on behalf of a parent who has received District approval to observe a student’s classroom(s) and program.
- k. “Student groups” are groups of students attending a particular District school that have not obtained approval from the principal under Policy 2153.

2. Access to District Schools

- a. By Parents, Adult Relatives, Volunteers, and Invited Guests

During the school day, only parents, adult relatives, volunteers, and invited guests are allowed to visit any District school.

Parents, adult relatives, volunteers, and invited guests will continue to have access to all District schools before and after the school day in order to confer with and directly assist teachers, staff, and students; provide support for District programs; and observe or participate in school-sponsored activities.

Parents, adult relatives, volunteers, and invited guests visiting a school during the school day must register at the school's office upon arrival at the school, must comply with any safety procedures or directives indicated by the school principal or designee, and must not engage in any activity or behavior that is disruptive to the educational process.

Volunteers must provide their services in support of District programs with the approval and under the supervision of District officials.

b. By Other Visitors

i. Elementary schools:

Other visitors will not be permitted access to any District elementary school during the school day or at any time when students are present, including before or after the school day. They may visit before or after the school day when students are not present.

A private evaluator conducting an educational evaluation may be granted permission by the principal or designee to observe during the school day.

ii. Secondary schools:

Other visitors will not be permitted access to any District secondary school during the school day. Other visitors will be allowed access to the District's secondary schools before and after the school day, even when students are present, as follows.

Before and after the school day, other visitors may visit secondary schools in areas designated by school officials subject to the following conditions, which are designed to allow District officials to provide safety through proper, non-discriminatory supervision:

- 1) All such other visitors must check-in with the principal or designee when arriving on campus and comply with any safety procedures/directions indicated by the principal or designee.
- 2) The principal or designee may restrict such visits to specified location(s) within the school campus, and other visitors must comply with such designations.

- 3) Other visitors may meet informally with students before or after the school day if they do not promote products, solicit for commercial purposes, or engage in illegal or other prohibited activity.
- 4) The principal or designee may limit, withdraw, or revoke the access provided by this Subsection A.2.b.ii if the presence of any other visitor becomes disruptive or if any other visitor fails to comply with the restrictions specified in this subsection. If such a revocation occurs, the other visitor must immediately leave the school campus. The principal or designee may also make the revocation effective for a specified time period into the future.

Student groups that have not obtained principal approval under Policy 2153 have the right to initiate and conduct voluntary meetings at school facilities under District Policy 4260.

A private evaluator conducting an educational evaluation may be granted permission by the principal or designee to observe during the school day.

c. Events Open to the Public

None of the above requirements applies to attendance at events held at school buildings that the District opens to the public, such as concerts and sporting events.

All visitors to events on District property open to the public are expected to behave in a safe and respectful manner. Standards for visitor conduct are established in Section B, below.

3. Access to Other District Property

Visitors are not allowed in non-public areas of the District's non-school facilities unless invited by District officials.

B. Conduct of Visitors to District Property

All visitors to motor vehicles, buildings, parking areas, grounds, or other property that is owned, operated, or controlled by the District at any time are expected to behave in a safe and respectful manner. Visitors must not engage in, threaten to engage in, or incite another to engage in activities that disturb, interfere with, or obstruct District operations or its students, officials, employees, or visitors. Prohibited visitor conduct generally includes, but is not limited to:

1. Possessing or being under the influence of alcohol or drugs.
2. Verbally or physically threatening, harassing, or assaulting students, staff, parents, or other visitors.

3. Acts of violence toward students, staff, parents, or other visitors.
4. Possession or display of a firearm or other dangerous weapon prohibited by Policy 4210.
5. Criminal activities as defined by federal or state law.
6. Other behavior expressly prohibited by federal, state, county, or city laws or regulations or District policies or procedures.
7. Entering the learning environment (including classrooms) or non-public areas of District facilities in violation of Section A of this Procedure 4200P.

Prohibited conduct does not include lawful exercise of freedom of speech, freedom of press, and the right to peaceably assemble and petition the government for redress of grievances, so long as such activity does not disturb, interfere with, or obstruct District operations or its students, officials, employees, or invitees.

Staff members are responsible for monitoring District facilities, including hallways and playgrounds at schools. Unfamiliar persons are to be directed to the building office. District staff will promptly report any actions by visitors in violation of the standards in this Procedure to the building administrator.

C. Directive to Leave District Property

In the event that any person is under the influence of drugs or alcohol or is committing, threatening to imminently commit, or inciting another to imminently commit any act that would disturb, interfere with, or obstruct any lawful task, function, process, or procedure of the District or of any of its students, officials, employees, or visitors, the staff member in charge will direct the person to leave the District motor vehicle, building, parking areas, grounds, or other property at issue pursuant to RCW 28A.635.020. If the person does not obey the directive, the staff member or his/her designee will immediately call for law enforcement assistance.

D. No-Trespass Warnings and Orders

In the event that the superintendent or his/her designee reasonably believes that the continued presence of any person on District property would interfere with or disrupt District operations or pose a risk of harm to District property, students, staff, or other people, the superintendent or his/her designee may issue a written no-trespass order to the person prohibiting him or her from entering District property.

Pursuant to RCW 28A.605.020, the parent or guardian of a District student may only be given a no-trespass order restricting access to his or her child's classroom and/or school-sponsored activities if that person's presence would be disruptive to classroom procedures or learning activities.

No-trespass orders will be issued in a nondiscriminatory manner. Such orders will not be issued on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a service animal.

Pursuant to Title II of the Americans with Disabilities Act and its implementing regulations (28 C.F.R. § 35.130, .139), the District may issue no-trespass orders to individuals with disabilities when

necessary for the safe operation of District facilities, services, programs, or activities. However, exclusion of an individual with a disability from District facilities, services, programs, or activities must be based on actual safety risks, not on mere speculation, stereotypes, or generalizations about individuals with disabilities. An individual with a disability may be given a no-trespass order under this Procedure for conduct related to his or her disability when he or she poses a direct threat to the health or safety of others. A direct threat means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices, or procedures, or by the provision of auxiliary services. In determining whether the individual poses a direct threat, District staff must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or the best available objective evidence, to determine: the nature, duration, and severity of the risk; the probability that a potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk.

The following procedures apply to issuance of all no-trespass warnings and orders:

1. Warnings Optional

Prior to issuing a written no-trespass order, the superintendent or his/her designee may choose, in his/her sole discretion, to first issue an oral or written warning identifying the person's disruptive or harmful behavior and stating that continuation of the behavior may result in a written no-trespass order. In no circumstances is a warning required prior to issuance of a written no-trespass order.

2. Contents of Written No-Trespass Orders

A written no-trespass order must include the following:

- a. The effective date of the order;
- b. The expiration date of the order;
- c. Which District motor vehicles, buildings, parking areas, grounds, or other property the subject of the order is prohibited from entering;
- d. A brief summary of the reason(s) for the order, including where known the date, time, and location of the behavior that was prohibited and any District employees who witnessed the behavior;
- e. Any exceptions to the no-trespass order;
- f. The potential consequences of violating the order, including notification of law enforcement and institution of criminal trespassing charges, including under RCW 9A.52.070 and RCW 9A.52.080;
- g. Notification of the subject's right to appeal a no-trespass order issued by the superintendent's designee to the superintendent and that the no-trespass order will remain in effect during the pendency of any appeals, as described below; and

- h. Notification of the subject’s right to appeal the superintendent’s decision to impose or uphold a no-trespass order to superior court under RCW 28A.645.010 within thirty (30) days.
- i. Contact information for the employee responsible for addressing any requests for disability accommodations or modifications to a no-trespass order.

In deciding the duration of a no-trespass order, the superintendent or his/her designee will consider the severity of the conduct, the subject’s history of prohibited conduct, and the likelihood of repetition.

If the subject of a no-trespass order is the parent or guardian of a District student, the superintendent or his/her designee will consider in making the order how to allow the parent or guardian to meet with school employees regarding the student’s education (including the student’s special education program, if any) before, during, or after the school day in a manner that will not disrupt District operations or District students, officials, employees, or visitors. The superintendent or his/her designee will also consider how to allow the parent or guardian to participate in school or community activities held on District property in a manner that is not disruptive.

3. Appeal of No-Trespass Order to Superintendent

The subject of a no-trespass order issued by the superintendent’s designee may appeal to the superintendent by submitting a statement in writing of the reasons for appeal within five (5) school business days of receipt of the order. The superintendent will schedule a meeting with the appellant within five (5) school business days after receiving the appeal to hear the appellant’s reasons that the order should be overturned or modified.

Within two (2) school business days of meeting with the appellant, the superintendent will inform the appellant in writing whether the order is upheld, reversed, or modified and the reason(s) therefore. The superintendent’s decision shall be final. This written notice will include notification of the subject’s right to appeal the superintendent’s final decision to superior court under RCW 28A.645.010. The superintendent will not review no-trespass orders issued by the superintendent in the first instance; any such orders may be appealed directly to superior court, as described below.

The no-trespass order will remain in effect during the duration of an appeal to the superintendent.

For purposes of this Procedure 4200P, “school business day” means each day that school is in session (or during the summer break, each day that the District office is open for business).

4. Appeal of Superintendent’s Final Decision to Court

The subject of a no-trespass order issued by the superintendent or his/her designee may appeal the superintendent’s final decision to superior court pursuant to Chapter

28A.645 RCW. The subject must file the notice of appeal within thirty (30) days after the superintendent's final decision, as specified in RCW 28A.645.010.

The no-trespass order will remain in effect during the duration of the appeal, unless otherwise ordered by the court.

E. Public Use of Outside District Property

Members of the public may use outside school grounds for outdoor recreation before or after school hours. Use by the public is permitted in areas normally used for recreational activity (e.g., athletic fields, running tracks, playgrounds) when those facilities are not being used by District students or by outside groups that have reserved the space. Public use of outside District property at facilities not normally used for recreational activity is prohibited unless specifically authorized by the superintendent.

Members of the public who use outside District property are subject to the following conditions of use:

1. Outside District property is available for public use except:
 - a. During school hours;
 - b. When used by District students;
 - c. When reserved by outside groups; and
 - d. From dusk until dawn.
2. All persons on outside District property must comply with all federal, state, and local laws, regulations, and ordinances.
3. All persons on outside District property must comply with all District policies, procedures, and school rules.
4. District properties are Drug-Free Zones. The use or possession of illegal drugs, tobacco, and alcohol is prohibited. Possession by an adult (over the age of 21) of an unopened container of alcohol in a locked motor vehicle is not prohibited.
5. District properties are Weapons-Free Zones. The use or possession of firearms or dangerous weapons is prohibited.
6. The use of unmanned aircraft systems (drones) is prohibited unless approved in advance by the superintendent or designee.
7. The use of any radio, audio speaker, musical instrument, record player, or any other machine or device producing or reproducing sound at a volume that is audible at a distance of 50 feet therefrom is prohibited.
8. Camping is prohibited unless approved in advance by the superintendent or designee.
9. Open fires, open flames (including camp stoves), fireworks, cigarettes, and e-cigarettes are prohibited.
10. Overnight parking on District property is prohibited unless approved in advance by the superintendent or designee.

F. Designation of Areas Closed to the Public; No-Trespassing Signs

When the superintendent or designee reasonably believes that entry by members of the public into certain areas of District property would interfere with or disrupt District operations or pose a risk of harm to District property, students, staff, or other people, he or she will designate such areas as closed to the public. Areas may be closed in their entirety, or during certain times or for specific

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purposes, provided any restrictions on public use are consistent with District policy and procedure. For example, the superintendent or designee may prohibit public access onto vacant portions of District property where the terrain poses a safety hazard.

The superintendent or designee may post signs informing the public of such areas that are closed to public use (i.e., no-trespassing signs). No-trespassing signs will be placed in such locations and intervals as to provide reasonable notice to the public that entry is prohibited. Such signs will state that entering or remaining in closed areas is prohibited, and that individuals who knowingly enter or remain in those areas may be charged with criminal trespassing.

If the superintendent or designee determines that one or more persons has entered an area closed to the public, he or she may issue a no-trespass order, as described above. However, in the event it is not feasible to provide such an order, either because the subject is evading receipt of the order or the area of District property where the subject is located contains health hazards, the superintendent or designee may contact law enforcement and request removal of the individuals and/or prosecution for criminal trespass. The determination to contact law enforcement or seek charges will not be made on the basis of race, color, creed, national origin, sex, marital status, sexual orientation, age, honorably discharged veteran or military status, or the presence of any sensory, mental, or physical disability.

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