Policy KK: VISITORS TO DISTRICT PROPERTY AND EVENTS

Status: DRAFT

Original Adopted Date: 03/03/1997 **| Last Revised Date:** 06/08/2020

23D UPDATE EXPLANATION

MSBA has modified this policy to make it clear that visitors on district property or at district activities cannot possess, use, distribute, or be under the influence of marijuana even though Missouri law allows adults to possess and use marijuana. Districts may use this policy to prevent obviously impaired visitors from being on district property. It also allows the district to remove visitors who are openly using or sharing marijuana.

Even if a visitor using marijuana tells the district that the use is for a disability, the district can require the visitor to refrain from using marijuana on district property.

Marijuana is a controlled substance, and under federal law, the possession and use of controlled substances is a crime. Districts are not required to allow criminal activity on their property. The Missouri Constitution, art. XIV, § 2.3(1)(g), allows the district to prohibit possession or use of recreational marijuana on district property, and medical marijuana cannot be smoked in public places (art. XIV, § 1.7(2)(c)).

District Property

Parents/Guardians and others interested in the program of the Columbia Public School District are encouraged to visit district schools and attend district events.

In order to avoid disruption of the school program and to ensure that maximum benefits are derived from the visit, all visitors shall report to the office of the principal upon entering the school. All visitors during business hours must complete the registration process at the building office prior to entering elsewhere in the building. The building principal or designee ~~of each school building~~ will post appropriate signs to direct visitors to designated doors nearest the building office. It is the responsibility of all district employees to direct visitors to the office and report any person in violation of district rules.

Student Visitation

In general, visitors to district property are not allowed to speak directly with students unless it is part of the district's education program or a parent/guardian has given permission.

The district understands that parents/guardians sometimes need to briefly communicate with a student during the school day or during a school activity and will accommodate such communications when possible.

The superintendent or designee has the discretion to prohibit a parent/guardian or other relative from a visit if such a visit could interfere with the education program or be disruptive. However, the superintendent or designee may provide a time for the parent/guardian or other relative to visit a student when such visit will not interfere with the education setting or be disruptive, if such time exists.

Classroom Observations

Parental involvement with school activities is encouraged, and the district provides opportunities for such involvement. ~~However, b~~Because classroom visits can be disruptive to the educational process, ~~and can potentially violate the Family Educational Rights Privacy Act,~~ the district does not permit parents/guardians or others to visit classrooms during instructional time for the purpose of observing students unless the building principal has approved the visit in advance after consulting with the teacher.

Service Providers

The district does not permit outside entities to provide services to students on district property unless the service providers are working with the students in conjunction with the district's student health services program or pursuant to an agreement with the district.

Prohibited Items

Visitors to district property may not possess weapons, including concealed weapons, on district property, on district transportation or at any district function or activity sponsored or sanctioned by the district unless the visitor is an authorized law enforcement official or is otherwise authorized by board policy.

Visitors to district property may not possess or use alcohol or any substances that are illegal under state or federal law on district property, on district transportation or at any district function or activity sponsored or sanctioned by the district. This prohibition includes the distribution, possession, and use of marijuana even if the visitor has a valid, Missouri-issued medical marijuana card. Visitors who are under the influence will be asked to leave and may be removed from district property.

Appropriate Behavior

The district~~Columbia School District~~ believes that school and district events are a vital part of the total educational program and should be used as a means for developing positive social interaction, good sportsmanship and appropriate behavior, in addition to knowledge and skills. Well-organized and well-conducted programs contribute to the morale of the student body and strengthen school-community relations.

To this end, the board encourages district patrons to exhibit good sportsmanship, citizenship, ethics and integrity at all school and district events and at all times while on district property~~grounds~~. The district will work with the Missouri State High School Activities Association (MSHSAA) and other organizations to promote good behavior by patrons at athletic and other events. The board will work with parents/guardians, alumni associations and local service organizations to keep appropriate behavior a top priority. The superintendent will establish procedures for crowd control at district events consistent with this policy.

Registered Sex Offenders and Persons Prohibited on or Near District Property

Sex offenders required to be listed on the Missouri Highway Patrol's sex offender registry, or who have pled guilty, pled *nolo contendere* or been convicted of crimes for which the law currently requires offenders to be listed, regardless of when those crimes were committed, are not allowed on district property or transportation or at district activities, regardless of whether those activities are held on or off district property, unless access is required by law.

In accordance with law, the district also prohibits all persons who have pled guilty or *nolo contendere* to or who have been convicted of or found guilty of violating the following provisions from being on or within 500 feet of any school building, district property, district activity, or any vehicle used to transport students:

1. Any of the provisions in Chapter 566 of the Missouri Revised Statutes.
2. Incest, § 568.020, RSMo.
3. Endangering the welfare of a child in the first degree, § 568.045, RSMo.
4. Use of a child in a sexual performance, § 573.200, RSMo.
5. Promoting a sexual performance by a child, § 573.205, RSMo.
6. Sexual exploitation of a minor, § 573.023, RSMo.
7. Promoting child pornography in the first degree, § 573.025, RSMo.
8. Furnishing pornographic material to minors, § 573.040, RSMo.
9. Any offense committed in another state, a foreign country, or under tribal, federal or military jurisdiction that, if committed in this state, would be a violation listed above.

Despite the prohibitions in this section, the superintendent may grant permission for a parent, guardian or custodian of a student to be on district property for the limited purpose of attending meetings with district staff or in other situations where the student may benefit. Permission will be granted sparingly, if ever, and only in situations where the parent, guardian, or custodian will be supervised at all times or will not be alone with a child. If the superintendent does not grant permission, the parent, guardian, or custodian may seek permission from the board. The superintendent will inform the principal and other relevant district staff of the scope of the permission granted.

This section may not apply to a student entitled by law to be on district property for educational services if the

student's presence is necessary to obtain those services and the student is not otherwise prohibited by law from being on district property. The exceptions cited in this section do not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

Disruptive Conduct

If a visitor's conduct becomes disruptive, threatening or violent, the superintendent, principal, or a designee of either may require the visitor to leave. The superintendent or designee may prohibit~~inform~~ the visitor ~~that he or she is not welcome back on~~from district property or ~~at~~ district events indefinitely or for a specific period of time. When this occurs, the visitor will be notified in writing and the notice will include the length of time the person will be prohibited from district property or district events as well as any other restrictions or conditions for accessing district property or events, when applicable.

During any period of prohibition, the visitor will not be allowed on district property. The superintendent may make exceptions for parents, guardians or custodians of students enrolled in the district if the person's presence is necessary to transport the student or may benefit the student educationally, or in situations where the parent, guardian, or custodian will be supervised at all times. The superintendent may make an exception for visitors to attend a meeting of the board or its committees, but is not obligated to do so. This paragraph does not apply if the person is otherwise prohibited or banned from district property by other sections of this policy.

The district will not restrict or prohibit access to district property or events because a parent, guardian, student or other individual exercised his or her rights or engaged in any protected activity in accordance with the anti-discrimination and anti-retaliation laws enforced by the Office for Civil Rights. The board prohibits retaliatory actions including, but not limited to, acts of intimidation, threats, coercion or discrimination against those who make complaints of prohibited discrimination or harassment, report prohibited discrimination or harassment, or participate in an investigation, formal proceeding or information resolution, whether conducted internally or outside the district, concerning prohibited discrimination or harassment.

Enforcement

If a visitor prohibited from district property or events under this policy is on district property, district staff will contact law enforcement and/or escort the person from district grounds and inform them ~~person~~ of the district policy prohibiting ~~his or her~~their presence.

The superintendent, principal, or a designee of either may file a report or sign a complaint with law enforcement on behalf of the district. The board grants the superintendent or designee the authority to consult an attorney for guidance or to seek a court order banning the visitor from district property. A visitor denied access to district property may communicate with the board in writing but will not be allowed back onto district property unless allowed by the board.

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Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
§ 566.149, RSMo.	State Statute
§ 589.400, RSMo.	State Statute
Mo. Const. art. XIV §§ 1-2	State Statute
Mo. Const. art. XIV §§ 21	State Statute
Mo. Const. art.IX § 1(a)	State Constitution

Federal References	Description
21 U.S.C. §§ 841, 844, 860	Federal Statute
FEDERAL COURT	Embry v. Lewis, 215 F.3d 884 (8th Cir. 2000)

Federal References	Description
FEDERAL COURT	Lovern v. Edwards, 190 F.3d 648 (4th Cir. 1999)
FEDERAL COURT	Miller v. Montgomery County R-II Sch. Dist., 2011 WL 1299536 (E.D. Mo. 2011)
FEDERAL COURT	Vukadinovich v. Board of Sch. Trustees of Mich. City, 978 F.2d 403 (7th Cir. 1992)

Cross References	Description
AC	PROHIBITION AGAINST ILLEGAL DISCRIMINATION, HARASSMENT AND RETALIATION
AH	USE OF TOBACCO AND VAPING PRODUCTS
BDDH-1	PUBLIC PARTICIPATION AT BOARD MEETINGS
EBBC	LACTATION SUPPORT
ECA-1	BUILDING AND GROUNDS SECURITY
ECD	TRAFFIC AND PARKING CONTROLS
ECG	ANIMALS ON DISTRICT PROPERTY
IKFB	GRADUATION EXERCISES
INC	SPEAKERS AT DISTRICT EVENTS
JEDB	STUDENT DISMISSAL PRECAUTIONS
JHCD	ADMINISTRATION OF MEDICATIONS TO STUDENTS