

# REFERENCE COPY

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Critical

## EXPLANATION: VISITORS TO DISTRICT PROPERTY/EVENTS

**Editor's Note:** In addition to MSBA's updates, MSBA has incorporated custom district language found in district policy KK during final review of the district's old manuals. This language is in the last sentence of the policy and is in orange highlight.

MSBA has revised this policy to specifically address situations where parents/guardians and other relatives use district property to visit with a student. This is particularly problematic in situations where there is a custody or visitation dispute. District employees should not be required to mediate family disputes regarding access to a student. This new language gives the superintendent or designee discretion to prohibit those visits.

MSBA has also modified this policy in response to district concerns that parents/guardians were requesting that counselors and other service providers meet with their child at school. The new language added by MSBA will not allow providers to meet with clients at school unless they are working with the district.

MSBA has also revised this policy to address medical marijuana, which is now legal in Missouri. MSBA has modified this policy to make it clear that drugs, including medical marijuana, are still not permitted on district property if they are considered illegal under either state or federal law.

*MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.*

	Board Secretary		Business Office		Coaches/Sponsors
	Facility Maintenance	X	Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
	Health Services	X	Counselor		Special Education
X	Transportation	X	Public Info/Communications		Technology

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## VISITORS TO DISTRICT PROPERTY/EVENTS

### District Property

Parents/Guardians and patrons of the district are welcome to visit district schools and attend district events; however, all visitors during business hours, including Board members, must sign or check in at the building office prior to proceeding elsewhere in the building. ~~The district discourages parents/guardians or others from using district property or events as places for visiting students and may refuse the use of district property for that purpose.~~

The 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.

~~The Board and administration will not tolerate any person whose presence disturbs classes or district activities or hinders the instructional process. 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.~~

### 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. However, the district refuses to mediate visitation and custody disputes among parents/guardians and other relatives or accommodate visits that the district determines could be distracting to a student. The district discourages parents/guardians, grandparents and other relatives from visiting students during school hours or school activities.

The superintendent or designee has the discretion to prohibit a parent/guardian or other relative from, for example, eating lunch with a student, attending class parties or field trips or pulling a student out of class if such a visit could interfere with the education program or be disruptive; if one of the parents/guardians objects; if there is a current dispute regarding custody or visitation of the student; or if district employees are uncertain as to whether a person may legally have contact with a student.

### **Classroom Observations**

Parental involvement with school activities is encouraged, and the district provides opportunities for such involvement. However, because classroom visits can be disruptive to the educational process, the district does not permit parents/guardians or others to visit classrooms during instructional time for the purpose of observing students unless the 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.

### **Appropriate Behavior**

The St. Joseph School District believes that 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 district events and at all times while on district 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.

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## 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 inform the visitor that he or she is not welcome back on district property or at district events indefinitely or for a specific period of time. 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.

### **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 the person of the district policy prohibiting his or her 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 **Boardsuperintendent or designee** in writing but will not be allowed back onto district property unless allowed by the **Boardsuperintendent or designee**.

\* \* \* \* \*

***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

Adopted: 01/28/2019

Revised:

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Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation  
AH, Use of Tobacco Products and Imitation Tobacco Products  
BDDH, Public Participation at Board Meetings  
ECA, Building and Grounds Security  
ECD, Traffic and Parking Controls  
ECG, Animals on District Property  
INC, Speakers at District Events  
JEDB, Student Dismissal Precautions  
**JHCD, Administration of Medication to Students**

Legal Refs: Mo. Const. art. IX, § 1(a), **art. XVI § 1**  
§§ 566.149, 589.400, RSMo.  
*U.S. Postal Serv. v. Greenburgh Civic Ass'ns.*, 453 U.S. 114 (1981)  
*Embry v. Lewis*, 215 F.3d 884 (8th Cir. 2000)  
*Lovern v. Edwards*, 190 F.3d 648 (4th Cir. 1999)  
*Vukadinovich v. Board of Sch. Trustees of Mich. City*, 978 F.2d 403 (7th Cir. 1992)  
*Miller v. Montgomery County R-II Sch. Dist.*, 2011 WL 1299536 (April 1, 2011)

St. Joseph School District, St. Joseph, Missouri