



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First and Final Reading of GKA (LOCAL): Community Relations – Conduct on School Premises

SUBMITTED BY: Gloria S. Rendon **OF:** Asst. to the Superintendent

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: November 19, 2014

RECOMMENDATION:

It is recommended that the Board of Trustees approve First and Final Reading of GKA (LOCAL): Community Relations – Conduct on School Premises.

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE

COMMUNITY RELATIONS
CONDUCT ON SCHOOL PREMISES

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Principals and other designated employees are authorized to:

1. Refuse entry onto school grounds to persons who do not have legitimate business at the school on District premises;
2. Request any unauthorized person or any person engaging in unacceptable conduct to leave the District school grounds premises;
3. Request assistance of law enforcement officers in cases of emergency including, but not limited to, the issuance of a criminal trespass notification; and
4. Seek prosecution for violations of law as permitted by statute.

DISTRICT POLICIES
APPLY AT ALL
CAMPUSES AND
DISTRICT PROPERTY

District administrators and other personnel shall endeavor to create a positive, courteous relationship with members of the community and maintain open communications in accordance with state and federal law. However, the welfare of students and employees shall be the guiding principle in all contacts with the community. Maintaining a safe, orderly educational environment on the campus/district property and in the classroom shall be the most important consideration when allowing access on campus/district property to the community.

Unless authorized by law, videotaping/audiotaping of staff and students is prohibited without the consent of the persons being videotaped/audiotaped or the consent of the parents/guardians of the persons being videotaped/audiotaped.

Persons who come onto UISD campuses/property must follow all District policies and procedures. Persons who do not follow District policies and procedures will be asked to leave the campus/property in accordance with board policy and state law.

CAMPUSES

The principal is responsible for maintaining discipline, safety and a pleasant working/learning environment of all persons in the school. The principal or other appropriate administrator may, therefore, enact District policy GKA in restricting the actions of persons on school property if those actions interfere with the orderly educational process.

If visitors to the campus refuse to comply with guidelines established by the Board of Trustees or the principal or other appropriate administrator, the principal or other appropriate administrator must warn the visitor that failure to comply with UISD Board policy and District guidelines regarding access to the campus will result in the principal or other appropriate administrator asking the visitor to

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	<p><u>leave the campus and that failure to do so may result in his or her arrest for criminal trespass.</u></p>
<p><u>REQUEST TO LEAVE PREMISES</u></p>	<p><u>If the warning is ignored, the principal or designee should ask the visitor to leave the premises. The principal or other appropriate administrator will immediately contact the UISD Police Department if the visitor fails to leave the premises. Upon the arrival of UISD police officers, the visitor will again be asked, in the presence of the police officers, to leave the premises.</u></p>
<p><u>REFUSAL TO COMPLY</u></p>	<p><u>If the visitor refuses to comply, the principal or other appropriate administrator may ask the police officers to arrest the visitor.</u></p>
<p>OFF-CAMPUS ACTIVITIES</p>	<p>Employees shall be designated to ensure appropriate conduct of participants and others attending a school-related activity at non-District or out-of-District facilities. Those so designated shall coordinate their efforts with persons in charge of the facilities.</p>
<p>WEAPONS / <u>ALCOHOL</u> PROHIBITED</p>	<p>The District prohibits the use, possession or display of any firearm, explosive weapons, illegal knife, club, prohibited weapon as defined at FNCG, and alcoholic beverages on District property at all times or on other property while under the jurisdiction of the school.</p>
<p>EXCEPTION</p>	<p>No violation of this policy occurs when the use, possession, or display of an otherwise prohibited weapon takes place as part of a District-approved activity supervised by proper authorities. [See also CONCEALED HANDGUNS below]</p>
<p>CONCEALED HANDGUNS</p>	<p>No person shall carry or possess a concealed handgun in any school building or school, in any parking area, or on any property whatsoever under control of the District. No person shall have a concealed handgun in any vehicle in any parking area, or on any property whatsoever under control of the District. This prohibition applies to all persons, whether licensed or not.</p> <p>No person shall carry or possess a concealed handgun, at any school-sponsored activity or event, regardless of whether the activity or event takes place on or off school property.</p> <p>Violation of this policy by visitors shall result in immediate expulsion from school grounds, or from the school activity or event.</p>
<p>EXCEPTION</p>	<p>Possession of firearms on any property owned or leased by the District shall be prohibited, except that possession shall be permitted by:</p> <ol style="list-style-type: none">1. A peace officer.2. Border Patrol agents, drug enforcement agents, authorized armored company agents, Immigration and Naturalization

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Service officers, and other federal or state law enforcement officers or agents.

3. A security officer commissioned by the Texas Board of Private Investigators and Private Security Agencies who:
 - a. Is wearing a distinctive uniform;
 - b. Wears the firearm in plain view; and
 - c. Has the written permission of the Superintendent or designee.
4. A security officer who:
 - a. Holds a personal protection authorization under the Private Investigators and Private Security Act, Article 4413 (29bb), Vernon's Texas Civil Statutes; and
 - b. Has the written permission of the Superintendent or designee.

SEARCHES FOR
WEAPONS / ALCOHOL
ON SCHOOL
PREMISES

Notice shall be given to all visitors that all vehicles parked on District premises or worksites shall be subject to random inspection by trained drug dogs, which may result in a search of that vehicle upon reasonable suspicion of the presence of any prohibited drugs or weapons.

If the dog alerts to the visitors' belongings or automobiles, reasonable suspicion shall be found to exist and a District law enforcement officer shall have the authority to search the belongings or automobile.

Reasonableness of a search shall depend on all circumstances. Except as otherwise authorized by law or policy, any search shall be justified initially by a reasonable suspicion, and the scope and conduct of the search shall be reasonably related to the circumstances that gave rise to a search. If the visitor refuses to allow a search of his or her belongings or automobile, the District may take appropriate measures up to and including refusing to allow the visitor onto school property.

SOLICITATION

For purposes of preserving the academic environment and preventing interruption of the employees' workday commercial solicitation shall not be permitted on District property except as approved in advance by the Superintendent or designee or as otherwise permitted by Board policy.

For purposes of this policy, "commercial solicitation" shall mean:

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1. Selling or attempting to sell products or services for personal profit on behalf of a commercial enterprise or for a purpose not related to the school or District;
2. Requesting contributions, pledges, or donations for a purpose not related to the school or District; or
3. Providing items or making an announcement that endorses or markets a personal or commercial enterprise or a product or service not related to the school or District.

FOOD VENDORS

Vendors of sealed, prepackaged food items and "raspas" shall comply with the City of Laredo ordinances including, but not limited to, obtaining and displaying all required permits and licenses and displaying or selling food items within 600 feet from the property line of any school only if the vendor has a valid special event vendor's permit for that location.

USE OF DISTRICT
EQUIPMENT

The use of District equipment and supplies for purposes unrelated to the school or District shall be prohibited. Posting, displaying images, or making announcements on or with District equipment shall be prohibited except as permitted by District policy. [See CPAB and FNCB]

CRIMINAL TRESPASS
NOTIFICATIONS

Unless withdrawn or otherwise modified, a criminal trespass notification shall be effective for one year from the date of its issuance.

WITHDRAWAL /
MODIFICATIONS

Any person who has been issued a criminal trespass notification warning by the District may make a request to the Superintendent or designee to withdraw or modify the warning, if the person believes the warning is not necessary or unwarranted, by engaging in the following process:

1. The person must contact the Superintendent or designee in writing, requesting that the warning be withdrawn or modified, explaining the reason(s) for the request, and providing a copy of all supporting documentation, if any.
2. The person shall provide the Superintendent or designee with contact information, including a current mailing address and telephone number.
3. If requested, the person shall be available for a telephone interview by the Superintendent or designee or a District police officer.
4. The Superintendent or designee shall review the person's request and, based on the written request and other available information, provide a written decision within ten days.

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APPEAL TO BOARD

If the individual did not receive the relief requested from the Superintendent or designee, or if the time for a response has expired, he or she may appeal the decision to the Board.

The appeal notice must be on the FNG (local) Level Three (3) form provided by the District and filed with the Superintendent's office within ten days of the date of actual receipt of the written decision or when received by mail at the person's address, whichever is earlier; or, if no response was issued, within ten days of the decision deadline.

The Superintendent or designee shall inform the individual of the date, time, and place of the Board meeting at which the complaint will be on the agenda for presentation to the Board.

RECORD ON
APPEAL

The Superintendent or designee shall provide the Board the record leading to the decision being appealed. The individual may request a copy of the record.

The record shall include:

1. The written request and reasons for withdrawal or modification of the warning, including the supporting documentation, if any;
2. The written notice of appeal to the Board;
3. The initial complaint and any supporting documentation leading to the decision to issue the warning; and
4. All other documents relied upon by the Superintendent or designee in reaching the decision appealed to the Board.

BOARD HEARING

The Board shall provide a stop, look, and listen hearing and provide the person who is appealing the decision with an opportunity to be heard. If at the Board hearing the person appealing the decision or administration intends to rely on evidence not included in the written record, the party wishing to rely on such evidence shall provide the other party with notice of the nature of the evidence at least three days before the hearing.

The District shall determine whether the appeal will be presented in open or closed meeting in accordance with the Texas Open Meetings Act and other applicable law. [See BE]

The presiding officer may set reasonable time limits and guidelines for the presentation, including an opportunity for the individual and administration to each make a presentation and provide rebuttal and an opportunity for questioning by the Board. The Board shall hear the appeal and may request that the administration provide an explanation for the decision being appealed.

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In addition to any other record of the Board meeting required by law, the Board shall prepare a separate record of the presentation before the Board. The presentation, including the presentation by the individual or his or her representative and any presentation from the administration, shall be recorded by audio recording, video/audio recording, or court reporter.

The Board shall consider the appeal. It may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. If the Board does not make a decision regarding the appeal by the end of the next regularly scheduled meeting, the lack of a response by the Board upholds the decision by the Superintendent or designee.