

Purpose

To define the circumstances and conditions under which individuals are allowed access to school property, to define the circumstances and conditions under which access may be denied, to define the procedures for denying future access, and to establish the procedures for responding to an incident of trespassing or willful disturbance.

Definitions

1. Authorized Employee – Superintendent, principal, school security coordinator, school resource officer, school security employee, the Board Attorney, or any person designated in writing by any of these persons as an agent of the school system for purposes of this policy.
2. Building Administrator – The employee responsible for a particular school system property. The building administrator for the school is the principal. The building administrator for a non-school building is the building manager.
3. Denial-of-Access Letter – A written notice served on or mailed to a person (or the person's parent) by the building administrator or the Superintendent/designee stating that the person is not permitted on school property or permitted to participate in a school-sponsored event for a defined period of time.
4. Parent – Any one of the following, recognized as the adult(s) legally responsible for the student:
 - A. Biological Parent – A natural parent whose parental rights have not been terminated.
 - B. Adoptive Parent – A person who has legally adopted the student and whose parental rights have not been terminated.
 - C. Custodian – A person or agency appointed by the court as the legal guardian of the student and granted parental rights and responsibilities.
 - D. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 - E. Caregiver – An adult resident of Allegany County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian, as long as the person satisfies the requirements of the Education Article, §7-101(c) (Informal Kinship Care) or has a U.S. Department of Health and Human Service's Office of Refugee Resettlement (ORR) issued Verification of Release form entering into custodial arrangement with the federal government.
 - F. Foster Parent – An adult approved to care for a child who has been placed in the home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
5. School Property – Any property owned or leased by the Allegany County Public School System (ACPS) or used by ACPS for school-related activities. The concept of property extends to school activities such as field trips, use of parks and recreation facilities, proms at hotels, etc. School buses and facilities scheduled by the school system for student use are considered an extension of school property.
6. School Resource Officer (SRO) – A law enforcement officer who has been assigned to a school in accordance with the SRO Memorandum of Understanding between the Allegany County Sheriff's Department, Cumberland City Police Department, or Frostburg City Police Department and the ACPS.
7. School Security Employee - an individual who is not a school resource officer and is employed by the Board of Education of Allegany County to provide safety and security-related services at a public school.

8. School-Sponsored Event – An activity, event, or meeting developed or organized by the ACPS, with the knowledge and approval of the associated school principal, that is under the direction and control of an authorized ACPS employee working within the scope of one's duties, where the ACPS assumes full responsibility and liability for the program, event, or action.
9. Trespassing – Entrance onto school property or participation in a school-sponsored event by an individual who is not identified as an authorized user of the property, and who has been given prior legal notice that entry onto or use of the property has been denied or who remains on the property once notified of the request to leave.
10. Willful Disturbance – Conduct by an individual who:
 - A. Willfully disturbs or otherwise willfully prevents the orderly conduct of activities, administration, or classes at a school.
 - B. Molests or threatens with bodily harm any student, employee, or other individual lawfully on school property, on a school bus, or at a school-sponsored event off school property.
 - C. Threatens with bodily harm any employee at home by any means, including in-person, by telephone, or by electronic means if the threat arises out of the scope of the employee's employment.

Standards

1. An authorized employee may deny access to ACPS property to any person who:
 - A. Is not a bona fide, currently registered student at the property or an ACPS employee assigned to the property and who does not have lawful business to pursue at the site; or
 - B. Is a bona fide, currently registered student at the school and has been suspended or expelled from the property, for the duration of the suspension or expulsion; or
 - C. Is an employee or student who has been denied access to the property as a result of administrative action; or
 - D. Creates a willful disturbance.
2. Employees of the ACPS, contracted security officers, school security employees, and school resource officers may demand identification and evidence of a lawful and authorized use of the property from any person who desires to enter school property, participate in a school-sponsored event, or use school property.
3. In accordance with any Memorandum of Agreement between the local police and the ACPS, a police officer may demand identification and evidence of a lawful and authorized use of ACPS property and may deny access to ACPS property when the school system official authorized to carry out these actions are not on the school property.
4. Criminal charges may be filed against a person for trespassing or willful disturbance.
5. An individual must be warned by an authorized employee not to enter school property or a school-sponsored event before a criminal charge of trespass can be sought. This may be done orally, through signs designating restricted areas, through written notification, or through published guidelines for appropriate use of the property.
6. An individual who receives a denial-of-access letter may appeal the matter to the Superintendent.
7. Violation of a denial-of-access letter constitutes trespassing.

Responsibilities

1. Building administrators will establish procedures for admitting only authorized users to school property.
2. Building administrators will investigate instances of alleged violations of this policy and take appropriate action, except when it may be appropriate to deny access to multiple properties, in which case the Superintendent/designee will be responsible.
3. Building administrators will issue denial-of-access letters in substantially the same form as KFA-E, maintain a file of issued letters, and forward copies of all letters to the Superintendent/designee.

4. When issuing a denial of access letter, the Building Administrator will consult with the School Security Coordinator, who will advise as the scope and duration of the denial of access to issue, including but limited to denial of access to other school properties.
5. The Superintendent/designee will maintain a list of all persons who have received denial-of-access letters and disseminate such information as appropriate.
6. The Superintendent/designee will serve as the liaison to local law enforcement in matters related to the implementation of this policy.
7. Building administrators will review denial-of-access letters annually.

Legal Reference			
Policy History	Adopted	Reviewed	Revised – Aug. 11, 2024, 1 st Reading Sept. 10, 2024, 2 nd Reading