

 TUCSON UNIFIED SCHOOL DISTRICT GOVERNING BOARD POLICY	POLICY TITLE: Public Conduct on School Property
	POLICY CODE: KFA

The purpose of this policy is to establish a standard of conduct upon the school properties within the School District that will provide the best possible educational climate for the students; promote a free and constructive interchange of ideas among students, faculty members, staff personnel, and the general public; encourage participation in the educational process by the general public; protect the investment of the public in both the educational process and the physical plant in which it is conducted; and honor and protect the rights of all individuals within the community.

Standard of Conduct

The standard of conduct required of all persons upon the property of the School District shall be simply that no person shall act in such a manner as to deny or interfere with the lawful use and enjoyment of such property by others, or in such a manner as to interfere with the peaceful conduct of an educational institution.

Definitions of the Purpose of this Policy

Authorized party. Any member of the faculty or administrative staff of the District delegated by the Superintendent of the District or by any school principal within the District, or any other person or persons so designated by the Superintendent to administer the provisions of these policies.

General public. All persons not students, employees, or members of the faculty, staff, or Governing Board of the District.

Removal. A direct order by an authorized party to any person to leave and vacate the school property of the School District.

Penalties

The commission of any act by any person upon any School District property that is prohibited by federal law, state statute, city or county ordinance, or the ordinances of any municipality having legal jurisdiction shall constitute good cause for the immediate arrest or removal of said person from such property by an authorized party.

Reasonable belief of an authorized party that a criminal act has been committed or attempted, or is about to be committed, shall be sufficient cause to justify immediate removal from School District property of the person suspected of committing or attempting or about to commit a criminal act.

Any person who knowingly goes upon or remains upon any School District property in violation of any rule, regulation, or policy of the District or any school therein, or for the purpose of interfering with the lawful use of such property by others or in such manner as to

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deny or interfere with the lawful use of such property by others, or who refuses to obey a lawful order to leave School District property given by an authorized party shall be in violation of District policy and state statute and shall be subject to arrest and prosecution for interference with the peaceful conduct of educational institutions.

Weapons on School Campus

No person shall bring, carry, or possess any deadly weapon, whether concealed or not, into or on any campus of the School District, except that this shall not apply to:

- Members of any law enforcement agency
- Persons who:
 - Are on campus to attend, teach, or otherwise participate in a weapons safety or use course; and
 - Have been authorized by appropriate District personnel to carry such a weapon.

The school administrator or designee of the school campus or school-sponsored activity will make a reasonable request of the person to remove the weapon from the person or vehicle and place it in the custody of the school administrator or designee. Should that request be refused, the school administrator or designee shall contact the appropriate law enforcement agency for assistance.

The school administrator will advise the parents and general public of the District’s policy concerning the above prohibition, informing them that this is in accordance with A.R.S. §13-3102, which specifies that, unless specifically authorized by law, a person commits misconduct involving weapons by knowingly entering any public school facility or attending any public school event while carrying a deadly weapon on one’s person or within one’s vehicle.

Prohibited Activities

The following recreational activities are prohibited on all District campuses: skateboarding, roller-skating, rollerblading, bicycle riding, golfing, exercising dogs, and the operation of motorized vehicles off of designated roadways and parking lots or while District facilities are closed or for purposes other than going safely to and from a parking space.

Reservation of Right to Regulate All Campus Ingress and Egress

If, in the judgment of the Superintendent and/or any principal, particular circumstances justify regulation of all campus ingress and egress, then, and in such event, the

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Superintendent and principals are hereby empowered to restrict such ingress and egress to students having class or other regularly scheduled school function upon the property so restricted, staff members and faculty members employed to perform services upon the restricted property, and any member of the general public bearing a standardized form of campus pass issued by the Superintendent or the principal of the restricted school.

Interpretation and Enforcement of Standard of Conduct – Persons Authorized

The Superintendent and the principal of each of the several schools within the District are hereby authorized and empowered to interpret and enforce the standards and sanctions of the policy concerning standard of conduct and are further empowered to designate members of their staffs and faculties as authorized parties to act in their stead.

If, in the judgment of the Superintendent, and/or any principal, an emergency exists in which additional authorities are required to prevent unreasonable interference with the use and enjoyment of school property by other persons, the Superintendent is hereby empowered to designate third persons not herein otherwise described as authorized parties.

Terms of Removal/Expulsion from School Property and Appeals

It is the intent of this policy and the standard of conduct described herein to regulate the activities of all persons upon property of the District within the framework of Title 13 of the Arizona Revised Statutes. Unless otherwise specifically noted by the authorized party, the term of any removal from school property as herein authorized shall be for a period not more than twenty-four (24) hours.

Since provisions exist within the policies of the District for expulsion of students and removal of faculty members, staff personnel, and employees from school property upon a long-term basis, any appeal from such long-term expulsion of a student, employee, staff member, or faculty member shall be governed by such other regulations as exists within the policies of the District. If, however, a member of the general public is aggrieved by any short-term removal under the authority of this policy or long-term exclusion from school property authorized hereunder, such party shall be entitled to an appointment with the Superintendent within two (2) business days following the request, at which time such party shall be entitled to an explanation of the reason or cause of such exclusion from school property. Following such meeting with the Superintendent, any member of the general public still aggrieved with the order of the removal/expulsion issued hereunder shall be entitled to appear before the Governing Board at its next regular meeting and request a

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public discussion of the reason and/or “good cause” for the expulsion or exclusion from school property.

Any member of the general public considered by the Superintendent to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey said instruction may subject the person to criminal proceedings pursuant to A.R.S. §13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

Interference with or Disruption of an Educational Institution

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of a school or educational program by doing any of the following:

- A. Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of a school or educational program by either:
 1. Threatening to cause physical injury to any employee or student of a school or educational program or any person on the property of a school or educational program.
 2. Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.

B. Intentionally or knowingly entering or remaining on the property of a school or educational program for the purpose of interfering with or denying lawful use of the property to others.

C. Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. 13-2911.

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A person may also not interfere with or disrupt the District function by committing any of the following:

- A. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
- B. Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
- C. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- D. Illicit use, possession, distribution, display, promotion, or sale of tobacco, alcohol, drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- E. Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- F. Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
- G. Knowing violation of a District policy and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such policies and regulations shall be sufficient proof that the violation was done knowingly.
- H. Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
- I. Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- A. No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- B. Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the

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person to criminal proceedings pursuant to A.R.S. 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

- C. Persons attending special functions shall confine themselves to the specific part of the facility assigned for the function as described in the permit.
- D. Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- E. The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- F. No person shall possess or engage in the use of medical marijuana on District property, at a District event, or in a District vehicle.

Adopted: February 8, 2005
Revision: July 27, 2010
Revision:

LEGAL REF.:

A.R.S. 13-290513-2911
13-3102
15-341
15-507
36-2801 *et seq.*
36-2801

CROSS REF

GBEB - Staff Conduct
JK - Student Discipline
KHB – Distribution/Display of Communications of School Related Organizations
KHC – Distribution/Display of Promotional Materials of Outside Organizations and Vendors
KI – Visitors to School
KF – Community Use of School Facilities

Replaces TUSD Policy # 1350 Conduct Expected of All Persons on or Using School District Property; 1430 City Ordinance Regarding Vendors; 1440 Repealed policy – Vagrancy near School Grounds

Replace TUSD Regulation # 1130 Visits to School