

<b>DESCRIPTOR TERM:</b> <b>School – Community Relations</b>	<b>Millard District Policy</b> <b>File Code: 7160</b> <b>Approved: 07-08-21</b>
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## CONDUCT ON SCHOOL PREMISES

### **A. Modified Public Forum**

All school buildings have been designated as modified public forums after school hours. However, during school hours all school buildings are dedicated to the sole and exclusive purpose of providing education to school students then attending school. No visitor, whether a student's parents or other persons, shall have access to a school unless express permission is granted as provided below.

### **B. Campus Visitors**

1. All persons who are not students or District employees who visit or enter upon school property shall report immediately to the school administrative offices for authorization by the principal of his or her designee to be present at the school.
2. Authorization shall not be given if the principal of his or her designee determines in his or her discretion that one of the following is true:
  - a. The person's presence will likely cause fear for the safety of another.
  - b. The person intends to cause annoyance or injury to a person or damage to property on the school property.
  - c. The person intends to participate in or instigate conduct or activity which constitutes a crime.
3. Each school shall, through the use of signs and fences or other enclosures, exclude trespassers from the school ground.
4. In the absence of express permission, all visitors to the school shall be deemed to be trespassers on school property and subject to immediate removal by the school district.
5. Students from schools outside the Millard School District may not attend district schools, except as provided in policy 6220.

6. Children under school age may not visit in any classroom except by special invitation from the principal or his/her designee.

**C. Definitions**

For purposes of this provision, “school property” means real property owned or occupied by a school, including real property temporarily occupied for a school activity or program.

[Utah Code § 53G-8-603\(2\)\(c\) \(2018\)](#)

**D. Trespassing**

1. The board, a school official, or an individual with apparent authority to act for a school official may refuse to allow persons having no legitimate business to enter on property under the board’s control and may eject any undesirable person from the property on his or her refusal to leave peaceably on request. Identification may be required of any person on the property.
2. An individual is guilty of criminal trespass upon school property if the individual does either of the following:
  - a. Enters or remains without authorization on school property if notice against such entry or remaining has been given by (a) personal communication by a school official or an individual with apparent authority to act for a school official, or (b) the posting of signs reasonably likely to come to the attention of a trespasser, or (c) fencing or other enclosure obviously designed to exclude trespassers, or (d) a current order of suspension or expulsion.
  - b. Enters or remains unlawfully upon school property and (a) intends to cause injury or annoyance to a person or damage to property, or (b) intends to commit a crime, or (c) is reckless as to whether the person’s presence will cause fear for the safety of another.

Criminal trespass on school property is a class B misdemeanor.

[Utah Code § 53G-8-603 \(2018\)](#)

**E. Disruption of Classes**

1. No person shall be permitted, on school property, to willfully disrupt, alone or in concert with others, the conduct of classes or other school activities.

[Utah Code § 53G-8-603 \(2018\)](#)

2. Conduct which disrupts the educational activities or a school includes:
  - a. Emissions by any means of noise of an intensity which prevents or hinders classroom instruction.
  - b. Enticement or attempted enticement of students away from classes or other school activities which students are required to attend.
  - c. Prevention or attempted prevention of students from attending classes or other school activities which students are required to attend.
  - d. Entrance into a classroom without consent of either the principal or teacher and either through acts of misconduct and/or use of loud or profane language causing disruption of class activities.
  - e. Pursuant to state law, parents and legal guardians may visit classes to observe their student(s) on a limited basis. Parents and legal guardians should recognize that frequent observations will detract from classroom instruction, and the school must consider the privacy rights of the other students in the class. Therefore, observations shall only be allowed by appointment and preferably with the accompaniment of an administrator.

**F. Disruption of School Operation**

1. No person may disrupt the operation of a school. A person is guilty of disrupting the operation of a school if the person, after being asked to leave by a school official, remains on school property for the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.  
[Utah Code § 76-9-106 \(1992\)](#)
2. Examples of disrupting operation of a school include:
  - a. Obstructing or restraining the passage of persons in an exit, entrance, or hallway of any building, or while on school property, without authorization from school administration.
  - b. Seizing control of any building or portion of a building for the purpose of interfering with any administrative, educational, research, or other authorized activity.

**G. Disruption of Meeting or Gathering**

No person may disrupt a lawful meeting or gathering on the property of any school in the district. A person is guilty of disrupting a meeting if, intending to prevent or disrupt a lawful meeting or gathering, he or she obstructs or interferes with the meeting or gathering by physical action, verbal utterance, or any other means.

[Utah Code § 76-9-103 \(1973\)](#)

**H. Disorderly Conduct at Official Meeting**

“Official meeting” includes a meeting of the Board of Education or of a school community council. No person may, with intent to cause or recklessly creating a risk of causing public inconvenience, annoyance, or alarm, make unreasonable noises in a public meeting, or in a private place which can be heard in an official meeting. No person may, with intent to cause or recklessly creating a risk of causing public inconvenience, annoyance, or alarm, obstruct pedestrian traffic in an official meeting. No person may refuse to comply with the lawful order of a law enforcement officer to move from an official meeting. Such actions constitute disorderly conduct and may be reported to law enforcement.

[Utah Code § 76-9-102\(1\), \(2\) \(2020\)](#)

**I. Intoxicants**

Except as approved by the board as part of the curriculum, no person may possess any intoxicating beverage for consumption, sale, or distribution, or be under the influence of alcohol while on the grounds or in a building of any school in the district or while entering or inside any building, park, or stadium which are being used for an activity sponsored by or through any part of the district.

[Utah Code § 53G-8-602 \(2018\)](#)

[Utah Code § 76-9-701 \(2017\)](#)

**J. Tobacco Products and Electronic Cigarettes**

The use of tobacco products and electronic cigarette products is prohibited on school property or at school activities. (Electronic cigarette products are defined in [Utah Code § 76-10-101.](#))

**K. Weapons or Dangerous Materials**

1. No person shall possess a dangerous weapon that in the manner of its use or intended use is capable of causing death or serious bodily injury or a firearm on or about school premises except:

- a. Persons exempt from weapons laws by state statute (law enforcement officers and others).  
[Utah Code § 76-10-523 \(2019\)](#)
- b. Persons authorized to possess a concealed firearm by state statute (concealed weapons permit holders). (However, persons under age 21 with a concealed firearm permit are not permitted to carry a concealed firearm on or about school premises.)

[Utah Code § 53-5-704 \(2013\)](#)  
[Utah Code § 53-5-705 \(2010\)](#)  
[Utah Code § 53-5-710\(2\) \(2017\)](#)

- c. Persons whose possession has been previously approved by the responsible school administrator, or where the person responsible for the possession or use of the weapon is in possession or control of the weapon and it is present or to be used in connection with a lawful, approved activity.

2. "On or about school premises" means in or on the grounds of any district school. However, possession on or about school premises is permissible if the possession is at the person's place of residence, on the person's real property, or in a vehicle lawfully under the person's control (other than a vehicle owned by the school or used for the transport of students).
3. Possession of a dangerous weapon on or about school premises is a class B misdemeanor. Possession of a firearm on or about school premises is a class A misdemeanor.

[Utah Code § 76-10-505.5 \(2013\)](#)

4. No person shall possess an explosive, chemical, or incendiary device or parts, as defined in [Utah Code § 76-10-306](#), dangerous to persons or property on any district property or in those parts of a building, park, stadium, or other structure which are being used for an activity sponsored by or through the district. Unlawful possession of the items or materials in the circumstances prohibited by this section is a criminal offense punishable under state law.

[Utah Code § 76-10-306 \(2010\)](#)

5. An employee's decision to carry, use or threaten the use of a weapon is unequivocally outside of the scope of the employee's employment. Any and all demands, liabilities, claims, damages, actions, or proceedings in law or equity, including attorney's fees and costs of suit, relating to or arising out of an employee's decision to carry, use or threaten the use of a weapon will be the sole responsibility of the employee without any recourse to or liability protection from or through the district.

6. State law defines a “concealed weapon” as one that is “covered, hidden, or secreted in a manner that the public would not be aware of its presence and is readily accessible for immediate use.” [Utah Code § 76-10-501-\(2\)\(a\)](#). Employees who carry a concealed dangerous weapon may not use district property to cover, hide or secret a dangerous weapon and it is unremediable, immediately terminable, improper conduct to carry a concealed dangerous weapon anywhere other than readily accessible for immediate use.
7. An employee’s rights relating to freedom of speech do not include discussion regarding an employee’s carrying of a firearm or holding a permit to do so while the employee is acting in the employee’s official capacity or during school hours or activities when students are present. Such discussion constitutes improper conduct. The foregoing notwithstanding, an employee may respond in an appropriate and restrained manner to questions regarding whether or not the employee holds a permit.

**L. Restrictions on Use of Electronic Devices**

1. The following definitions apply for this section:
  - a. “Electronic device” means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including:
    - i. a smart phone;
    - ii. a smart or electronic watch;
    - iii. a tablet; or
    - iv. a virtual reality device.
  - b. “Guest” means an individual who is not a student, employee, or designated volunteer of a district school who is on school property or at the site of a school-sponsored activity or event.
  - c. “Inappropriate matter” means pornographic or indecent material as defined in [Utah Code § 76-10-1235\(1\)\(a\)](#).

[Utah Admin. Rules R277-495-2\(2\), \(3\), \(4\) \(April 8, 2019\)](#)  
[Utah Admin. Rules R277-495-4\(1\)\(a\) \(April 8, 2019\)](#)

2. Guest use of an electronic device on school premises, at a school-sponsored activity, or by use of school connectivity to access inappropriate matter is prohibited. It is also illegal, may have criminal consequences, and shall be reported to law enforcement.

[Utah Admin. Rules R277-495-4\(1\)\(c\), \(3\)\(a\) \(April 8, 2019\)](#)  
[Utah Code § 76-10-1235 \(2007\)](#)

3. Guests are prohibited from using any electronic device on school premises or at a school-sponsored event in any way which would cause invasions of the reasonable privacy expectations of others. Guests are specifically prohibited from making any type of recording (still photo, video, or audio) in private areas such as locker rooms, washrooms, and dressing areas. The prohibition against using an electronic device in a way that invades the reasonable privacy interests of others also includes using an electronic device carried by a student that allows a guest or parent to monitor the student and those around the student through audio or video means. Such monitoring is prohibited.

[Utah Admin. Rules R277-495-4\(4\)\(a\) \(April 8, 2019\)](#)  
[Utah Code § 77-23a-4 \(2011\)](#)

4. While on school premises, as a school-sponsored activity, or when using school connectivity, guests are prohibited from using an electronic device to bully, humiliate, harass, or intimidate students, school employees, or other guests, and from using electronic devices in any way which violates local, state, or federal laws.

[Utah Admin. Rules R277-495-4\(1\)\(b\) \(April 8, 2019\)](#)