

Visitors/Outsiders

The Solano County Office of Education (SCOE) believes it is important for parents/guardians and community members to take an active interest in the issues affecting its local schools, educational program sites, and students. Therefore, SCOE encourages interested parents/guardians and community members to visit the schools and participate in SCOE's educational programs.

Visits are welcomed as long as such visitation does not, in the opinion of the principal, interfere with the instructional program. To ensure the safety of students and staff and minimize interruption of the instructional program, the following procedures have been established by the County Superintendent or designee to facilitate visits during regular school days. Visits during school hours should be arranged within a reasonable timeframe and in advance with the teacher and principal or designee. When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during non-instructional time.

No outsider, which is defined in law and administrative regulation as any person who is not a student or staff member, and which includes immigration enforcement officers, shall enter or remain on school grounds of SCOE sites during school hours without having registered with the principal or designee. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the following information to the principal or designee:

- Name, address, occupation;
- Age, if less than 21;
- Purpose in entering school grounds;
- Proof of identity; and
- Any other information as required by law

SCOE shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices.

The County Superintendent or designee shall post at every entrance to each SCOE school grounds a notice describing visitor/outsider registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. Posted registration signs pertain to both visitors and outsiders, including immigration enforcement officers.

SCOE personnel shall report entry by immigration enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.

For purposes of school safety and security, the principal or designee shall provide a visible means of identification for all visitors/outsiders while on school premises. The principal or designee may waive this requirement for regularly-scheduled, school-sponsored events (e.g., graduation ceremonies, etc.).

A staff member may accompany visitors/outsiders while they are on school grounds, at the discretion of the principal or designee.

In such instances where the SCOE operated program is located on a school district campus, reference shall be made to that district's policies regarding classroom visitations.

Policy 1250 (Continued)

During a visit, it is expected that no electronic listening or recording device will be used by any person in a classroom without permission from the teacher and principal. Students who violate this prohibition shall be subject to disciplinary action, and other persons who do so shall be guilty of a misdemeanor.

SCOE encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing SCOE's complaint processes if they have a concern with any SCOE program or employee. In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Definitions

A visitor is:

- a current student, in good standing with the school, on campus during non-school hours
- a parent or guardian of a current student
- a SCOE officer or employee who does not work at the site
- an officer or employee of the school district that maintains the school (if not a SCOE facility)
- a public employee whose employment requires him/her to be on school grounds (e.g., law enforcement, firefighter, city water/sewer employee, etc.)
- any person who is on school grounds at the request of the school (e.g., contractor, repair person, etc.)
- a representative of a school employee organization who is engaged in activities related to the representation of school employees
- an elected public official
- a person who comes within the provisions of Evidence Code section 1070 by virtue of his/ her current employment or occupation (e.g., media, etc.)

An outsider is:

- a student of the school who is currently suspended
- any person other than those listed as visitors above
- an immigration enforcement officer

School grounds are the buildings and grounds of the school.

School hours extend from one hour before classes begin until one hour after classes end.

Principal is the chief administrative officer of the school.

County Superintendent is the chief official of the Solano County Office of Education that maintains the school.

Designee is a person whom the principal has authorized to register visitors/outsideers pursuant to this regulation or the person whom the county superintendent has authorized to establish this regulation, post visitor/outsideer registration notices, and conduct hearings pursuant to Penal Code 927.5.

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a SCOE student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the County Superintendent or designee anytime s/he gives such written permission. The principal shall indicate on the written permission the date(s) and time(s) for which permission has been granted. (Penal Code 626.81)

Registration Procedure

In order to register, visitors/outsideers shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. Name, address, and occupation
2. Age, if less than 21 years old
3. Purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

The following provisions of law shall apply to outsiders. Outsiders do not include students, parents/guardians, SCOE employees, elected public officials, or other persons listed in Penal Code 627.1.

1. The principal or designee may refuse to register any outsider if s/he reasonably concludes that the outsider's presence or acts would disrupt the school, students, or employees; result in damage to property; or result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke an outsider's registration if s/he has a reasonable basis for concluding that the outsider's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)
2. When an outsider fails to register, or when the principal or designee denies or revokes an outsider's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When an outsider is directed to leave, the principal or designee shall inform him/her that if s/he reenters the school within seven days, s/he will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)
3. When necessary, the principal is authorized to exempt individual outsiders from the requirements of Penal Code 627.2, but the exemption must be in writing, signed, and dated, and must specify the person exempted and the expiration date of the exemption. (Penal Code 627.9)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the County Superintendent, principal, or designee by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why s/he believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the County Superintendent, principal, or designee shall promptly mail a notice of the hearing to the person requesting it. A hearing before the County Superintendent, principal, or designee shall be held within seven days after receipt of the request. (Penal Code 627.5)

Legal Reference:

EDUCATION CODE

- 234.7 Pupil Protections Relating to Immigration and Citizenship Status
- 32210 Willful disturbance of public school or meeting
- 32211 Threatened disruption or interference with classes; misdemeanor
- 32212 Classroom interruptions
- 35021 Volunteer aides
- 35160 Authority of governing boards
- 35292 Visits to schools (board members)
- 49091.10 Parental right to inspect instructional materials and observe school activities
- 51101 Parent Rights Act of 2002
- 51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

- 1070 Refusal to disclose news source

LABOR CODE

- 230.8 Discharge or discrimination for taking time off

PENAL CODE

- 290 Sex offenders
- 626-626.10 Schools
- 627-627.10 Access to school premises, especially:
 - 627.1 Definitions
 - 627.2 Necessity of registration by outsider
 - 627.7 Misdemeanors; punishment

COURT DECISIONS

- Reeves v. Rocklin Unified School District*, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

- 95 Ops.Cal.Atty.Gen. 509 (1996)
- Promoting a Safe and Secure Learning Environment for All (2018)

Policy Cross-Reference:

- 1112 Media Relations
- 1240 Volunteer Assistance
- 1312.1 Complaints Concerning Employees
- 1312.2 Complaints Concerning Instructional Materials
- 1312.3 Uniform Complaint Procedures
- 1312.4 Williams Uniform Complaint Procedures
- 3515.2 Disruptions
- 5020 Parent Rights and Responsibilities
- 5144 Discipline
- 6020 Parent Involvement