

## Article V.C.7. Unlawful Acts in or about Schools and School Trespass

### A. Purpose

As a legal entity, the Board of Education owns and manages property. The Board of Education has the right, and recognizes the need, to manage its property to safeguard students, patrons, and staff in addition to protecting Granite School District property. This policy cites applicable statutory references and provides guidelines for the safe and orderly operation of District property.

### B. Authority

#### 1. Salt Lake County Ordinance 10.32. Unlawful Acts in or about Schools, Colleges or Universities

Salt Lake County Ordinance 10.32 reads:

- A. It is unlawful for any person to annoy, disturb or otherwise prevent the orderly conduct of the activities, administration or classes of any school . . .
- B. It is unlawful for any person to annoy, disturb, assault or molest any student or employee of any school . . . while in or on such school . . . building, or on the grounds thereof.
- C. It is unlawful for any person to loiter, idle, wander, stroll or play in, about, or on any school . . . grounds or building, either on foot or in or on any vehicle, without having some lawful business therein or thereabout, or in connection with such school . . . or the employees thereof.
- D. It is unlawful for any person to conduct him or herself in a lewd, wanton or lascivious manner in speech or behavior in, about or on any school . . . buildings or grounds.
- E. It is unlawful for any person to park or move a vehicle in the immediate vicinity of or on the grounds of any school . . . for the purpose of annoying or molesting the students or employees thereof, or in an effort to induce, entice or invite students or employees into or on the vehicle for immoral purposes.

#### 2. Utah Code §76-9-106. Disrupting the Operation of a School

Utah Code §76-9-106 reads:

- (1) 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. . . .
- (2) For the purposes of this section, “school property” includes property being used by a public . . . school for a school function.

3. Utah Code §76-9-102. Disorderly Conduct

Utah Code §76-9-102 reads:

- (1) A person is guilty of disorderly conduct if:
- (a) he refuses to comply with the lawful order of the police to move from a public place, or knowingly creates a hazardous or physically offensive condition, by any act which serves no legitimate purpose; or
  - (b) intending to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, he:
    - (i) engages in fighting or in violent, tumultuous, or threatening behavior;
    - (ii) makes unreasonable noises in a public place;
    - (iii) makes unreasonable noises in a private place which can be heard in a public place; or
    - (iv) obstructs vehicular or pedestrian traffic.

4. Utah Code §53A-3-503. Criminal Trespass upon School Property

Utah Code §53A-3-503 reads:

- (1) A person is guilty of criminal trespass upon school property if the person does the following:
- (a) enters or remains unlawfully upon school property, and:
    - (i) intends to cause annoyance or injury to a person or damage to property on the school property;
    - (ii) intends to commit a crime; or
    - (iii) is reckless as to whether the person's presence will cause fear for the safety of another; or
  - (b) enters or remains without authorization upon school property if notice against entry or remaining has been given by:
    - (i) personal communication to the person by a school official or an individual with apparent authority to act for a school official;
    - (ii) the posting of signs reasonably likely to come to the attention of trespassers;
    - (iii) fencing or other enclosure obviously designed to exclude trespassers; or
    - (iv) a current order of suspension or expulsion.

5. Utah Code §76-9-107. Unauthorized Entry of School Bus

Utah Code §76-9-107 states:

- (2) A person is guilty of a class B misdemeanor if the person:
- (a) enters a school bus with the intent to commit a criminal offense;
  - (b) enters a school bus and disrupts or interferes with the driver; or

- (c) enters a school bus and refuses to leave the bus after being ordered to leave by the driver and the person:
  - (i) is not a peace officer acting within the scope of his or her authority as a peace officer;
  - (ii) is not authorized by the school district to board the bus as a student or as an individual employed by the school district or volunteering as a participant in a school activity;
  - (iii) causes or attempts to cause a disruption or an annoyance to any passenger on the bus; or
  - (iv) is reckless as to whether the person's presence or behavior will cause fear on the part of any passenger on the bus.

6. Utah Code §76-5-102.3. Assault against school employees

Utah Code §76-5-102.3 states:

(1) Any person who assaults an employee of a public or private school, with knowledge that the individual is an employee, and when the employee is acting within the scope of his authority as an employee, is guilty of a class A misdemeanor.

(2) As used in this section, "employee" includes a volunteer.

C. Statement of Policy

Under the direction of District administration, the building principal or principal's designee is authorized to secure, manage, and control school buildings, grounds, and other District property, including school busses, to promote safety and orderly operation. This authority includes the discretion to evaluate the conduct of individuals in light of the forgoing statutes and ordinances as well as other factors the principals or principals' designee reasonably believes to be relevant. Upon concluding that an individual's presence or conduct either threatens the safe and/or orderly operation of a school or school activity or poses a unreasonable or substantial risk of disruption, the principal is authorized to take appropriate action to prevent disruption and to maintain or restore a safe and orderly environment. Reasonable action includes, but is not limited to, directing individuals to leave District property or any school function or activity; ordering unsafe, disruptive, or disorderly conduct to cease; and limiting access to all or portions of District property and/or to employees and students. Principals and principals' designees may request assistance from law enforcement personnel as needed.

The superintendent shall designate individuals to serve as building administrators in nonschool, District facilities and to exercise the same authority and discretion as principals.