

# EAST STROUDSBURG AREA SCHOOL DISTRICT

SECTION: COMMUNITY

TITLE: PUBLIC ATTENDANCE AT  
SCHOOL EVENTS

ADOPTED: August 19, 2002

REVISED: August 19, 2013

904. PUBLIC ATTENDANCE AT SCHOOL EVENTS	
1. Purpose	The Board welcomes the public at activities and events sponsored by the school district, but the Board also acknowledges its duty to maintain order and preserve school facilities during such events.
2. Definition 35 P.S. Sec. 1223.5	<p>For purposes of this policy, <b>tobacco includes</b> a lighted or unlighted cigarette, cigar, <u>cigarillo, little cigar</u>, pipe or other smoking product or material and smokeless tobacco in any form <u>including chewing tobacco, snuff, dip or dissolvable tobacco pieces</u>.</p> <p><u>For purposes of this policy, nicotine shall mean a product that contains or consists of nicotine in a form that can be ingested by chewing, smoking, inhaling or through other means.</u></p> <p><u>For purposes of this policy, a nicotine delivery product shall mean a product or device used, intended for use or designed for the purpose of ingesting nicotine or another substance. This definition includes, but is not limited to, any device or associated product used for what is commonly referred to as vaping or juuling.</u></p>
3. Authority SC 511, 775	The Board has the authority to prohibit at a school event the attendance of any individual whose conduct may constitute a disruption. The Board prohibits gambling and the possession and use of controlled substances, alcoholic beverages and weapons on school premises.
4. <u>Guidelines</u> <u>Delegation of</u> <u>Responsibility</u> <u>SC 510.2</u>	<p>A schedule of fees for attendance at school events shall be prepared by the Superintendent and approved by the Board.</p> <p><u>The Superintendent or designee shall ensure that this policy is posted on the district's publicly accessible website.</u></p> <p><u>Tobacco/Nicotine</u></p>
5. <u>Guidelines</u> 35 P.S. Sec. 1223.5 20 U.S.C.	The Board prohibits <u>use of</u> tobacco, <u>nicotine and nicotine delivery products</u> <del>use</del> by any persons in its school buildings and on any property, buses, vans and vehicles that are owned, leased or controlled by the school district.

<p>Sec. 7183</p> <p><del>— SC 1302.1-A, — 1303-A — Title 22 — Sec. 10.2, 10.22 — 18 Pa. C.S.A. — Sec. 6305 — Pol. 805.1</del></p> <p><del>— 35 P.S. — Sec. 1223.5</del></p> <p><u>SC1303-A Pol. 805.1</u></p> <p><u>SC 1302.1-A, 1303-A Title 22 Sec. 10.2, 10.22 18 Pa. C.S.A. Sec. 6305 Pol. 805.1</u></p> <p><del>— 43 P.S. — Sec. 953 — 28 CFR — Sec. 35.136 — Pol. 718</del></p>	<p><u>This policy does not prohibit the use of a nicotine patch, gum or lozenge as a smoking cessation product by adult members of the public in attendance at school events.</u></p> <p><del>The Superintendent or designee may report incidents involving the sale of tobacco to minors by any person on school property, at any school sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</del></p> <p><b><u>Reporting</u></b></p> <p><del>The school district shall annually notify staff, parents and members of the public about the school district's tobacco use policy by publishing such in handbooks, newsletters, posted notices, and other efficient methods.</del></p> <p><u>The Superintendent shall annually, by July 31, report all incidents of possession, use or sale of tobacco, nicotine and nicotine delivery products by any person on school property to the Office for Safe Schools on the required form.</u></p> <p><b><u>Additional Reports – Tobacco Only</u></b></p> <p><u>The Superintendent or designee may report incidents involving the sale of tobacco to minors by any person on school property, at any school-sponsored activity or on a conveyance providing transportation to or from a school or school-sponsored activity to the school policy or to the local police department that has jurisdiction over the school's property, in accordance with state law and regulations, the procedures set forth in the memorandum of understanding with local law enforcement and Board policies.</u></p> <p><b><u>Service Animals</u></b></p> <p>Individuals with disabilities may be accompanied by their service animals while on district property for events that are open to the general public in accordance with Board policy and state and federal laws and regulations.</p> <p><b><u>Public Behavior at School Events</u></b></p> <p><u>The district expects mutual respect, civility, and orderly conduct by all individuals attending school events on district property.</u></p>
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The Board establishes the following regulations with respect to the conduct of school events.

Violation of Law:

Whenever the conduct or action of any students, faculty members, staff or other person on school property constitutes a violation of any federal, state or local law or ordinance, or reasonably appears to constitute such a violation, the appropriate law enforcement agency may be summoned and asked to take such actions as are necessary pursuant to such law or ordinance.

Nothing in this section shall preclude additional administrative actions against any offender, nor shall acquittal in a court of law or dismissal of legal proceedings or charges preclude such administrative actions under any section of these rules or existing state laws.

Other Existing Remedies:

Whenever the conduct or action of any students, faculty or staff members or other employees is such as to justify disciplinary proceedings such as are provided for under Civil Service Law and/or Education Law and such other provisions of federal or state law as may provide for the filing of charges, disciplinary proceedings and punishment thereunder, the Board, or other proper administrative authority may proceed. No proceeding or penalty assessed under the within rules and regulations shall be a bar to, or prohibit in any manner whatsoever, the right of the school district or its staff and officers to proceed pursuant to the aforesaid state laws and any others which may be applicable as a result of such conduct or action.

~~Prohibited Behavior:~~

~~The following behavior, caused by action or inaction shall be prohibited to students, employees, and all other persons lawfully or unlawfully upon school owned property:~~

- ~~1. Willful physical injury to any person.~~
- ~~2. Willful damage to or misuse of property.~~
- ~~3. Willful obstruction or disruption of the orderly conduct of classes, functions, Board meetings, ceremonies, athletic events or other authorized activities.~~
- ~~4. Entry upon any portion of the school premises for any purpose other than its authorized uses.~~
- ~~5. Failure to comply with the lawful directions of school officials acting in the~~

	<p><del>performance of their duties.</del></p> <p><del>6. Willful interference with the lawful and authorized activities of others.</del></p> <p><del>7. Unauthorized parking in designated parking areas.</del></p> <p><u>Individuals attending school events on district property will not:</u></p> <ol style="list-style-type: none"><li><u>1. Injure, threaten, harass or intimidate a district employee, sports official or coach or any other person.</u></li><li><u>2. Act in an unsafe manner that could threaten the health or safety of others.</u></li><li><u>3. Use vulgar or obscene language or gestures.</u></li><li><u>4. Fight, strike or injure another person.</u></li><li><u>5. Damage, deface or threaten to damage district property.</u></li><li><u>6. Damage, deface or threaten to damage another individual's property.</u></li><li><u>7. Engage in any activity that violates any federal or state law or regulation or any local policy, regulation or ordinance.</u></li><li><u>8. Violate any Board policy or district administrative regulation.</u></li><li><u>9. Use any tobacco, nicotine or nicotine delivery product, except in an area designated and posted by the district. These rules do not prohibit the use of nicotine gum, patch or lozenge as a smoking cessation product by adults attending school events.</u></li><li><u>10. Consume, possess, distribute or be under the influence of alcoholic beverages or illegal drugs.</u></li><li><u>11. Possess or use weapons or dangerous devices prohibited by the district.</u></li><li><u>12. Impede, delay, disrupt or interfere with any school activity or event, including using cellular telephones in a disruptive manner.</u></li><li><u>13. Enter upon any portion of district or school premises at any time for purposes other than those that are lawful and authorized by the Board.</u></li><li><u>14. Operate a motor vehicle in a risky manner, in excess of posted traffic signage, unauthorized parking in designated parking areas, or in violation of an authorized district employee's directive.</u></li></ol>
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15. Engage in any risky behavior, such as roller skating, roller blading or skateboarding.

16. Fail to obey the directive of an authorized district employee, security officer, school police officer, school resource officer (SRO) or local law enforcement official.

As circumstances warrant, the administrator in charge will take appropriate action, including warning the person in violation, requesting the person to immediately leave district property, contacting law enforcement officials, and seeking to deny future admission to school events.

Continuation or escalation of prohibited behavior after a warning will result in ejection from the event premises.

Behavior that is unlawful or in violation of Board policy or administrative regulations may result in immediate ejection of the person in violation from the event premises.

Disruptive behavior by a group when individual persons cannot be identified may result in the ejection of offending areas of spectator seating.

A district employee may request identification from any individual on district grounds and in district buildings. Refusal to provide such information is a criminal act and may result in a request to leave district property.

An employee involved in an incident with an attendee at a school event will complete an incident report and submit it to the building principal or immediate supervisor, who will report the incident to the Superintendent.

### **Crowd Control**

A designated administrator will be assigned responsibility for monitoring and supervising the orderly conduct of students and spectators attending school events on district property. Crowd control procedures may include the following:

1. The administrator will ensure that enough authorized district personnel are assigned to provide adequate supervision.
2. The administrator may request law enforcement officials to be present if s/he anticipates the crowd may pose a behavior or safety problem, and may direct the placement of the officers.

3. The admissions gate and/or entrances will be regulated, and admission will be limited to eligible students, spectators and other authorized attendees. No one under the influence of alcohol or drugs will be admitted.

4. If a disturbance occurs, the administrator will determine if the event needs to be concluded, and s/he may close the event and direct those in attendance to immediately leave school grounds.

References:

School Code – 24 P.S. Sec. 510.2, 511, 775, 1302.1-A, 1303-A

State Board of Education Regulations – 22 PA Code Sec. 10.2, 10.22, ~~403.1~~

Sale of Tobacco – 18 Pa. C.S.A. Sec. 6305

School Tobacco Control – 35 P.S. Sec. 1223.5

Pennsylvania Human Relations Act – 43 P.S. Sec. 953

Pro-Children Act of 2001 – 20 U.S.C. Sec. 7181 et seq., 7183

Nondiscrimination on the Basis of Disability, Title 28, Code of Federal Regulations – 28 CFR Part 35, 35.136

Board Policy – 718, 805.1

~~PSBA Revision 4/13~~