

Visitors on Campus and Dealing with Disruptions

Schools welcome parent and community involvement and schools are often centers for the surrounding community. However, the main purpose of schools is providing an education to students. Under the law, schools are not considered open to the public, or a public forum, such as a public park or sidewalk. Instead, schools are considered a “limited public forum” and may limit public access in accordance with reasonable regulations set by the school.

Under federal and state laws, parents have a number of rights with regard to their children’s education. For example, Education Code section 51101 (a) (1) and (2) give parents and legal guardians the right to a classroom observation or a teacher conference “within a reasonable time of the request.” Schools should consider this reasonableness standard in reviewing and adopting Visitor Policies (see Bulletin 1325 for general guidelines and topics to include). These policies can clarify items such as sign in procedures, classroom observation requests, and authorization to access to different areas on campus. A School Visitor Policy might include a reference to Board Rule 1265, which states that “No person shall visit or audit a classroom or other school activity, nor shall any person remain on Los Angeles Unified School District premises, without the approval of the principal or authorized representative.” Another Board Rule that might be referenced in the School Visitor Policy is Board Rule 1265, which prohibits photographs from being taken on District premises, particularly of students, without prior authorization.

If a disruption to the educational program or school operations occurs, school administrators have legal support in responding. The California Constitution requires schools to ensure a safe, secure and peaceful environment for students and employees (Article I, Section 28). Several Education Code and Penal Code provisions, along with Board Rules and policies, allow school administrators to set additional limitations on campus access when an individual, including a parent, is disruptive. For example, California Education Code sections 44810 and 44811 prohibit disruption of school activities by visitors, including parents. Should a disruption occur, the school administrator has the authority to demand that the disruptive party stop the behavior and/or leave the campus. If the disruptive party fails to leave the campus at the direction of the principal, the principal may contact law enforcement and the disruptive party may face criminal charges under Education Code sections 44810 and 44811, California Penal Code sections 626.6 and/or 626.8, as well as charges under applicable municipal codes. In addition, the principal may follow up after an incident of substantial disruption with a letter limiting access to campus. Principals may contact the Office of the General Counsel for additional assistance.

This LAUSD Legal Brief is for information only and does not constitute legal advice. Please contact the Office of the General Counsel to determine how this information may apply to your school's specific facts and circumstances.