



Administrative Regulation 1520

TRESPASS FROM DISTRICT PROPERTY

Responsible Office: -School Police Department

PURPOSE

This administrative regulation provides guidance related to the issuance of trespass warnings, as well as the appeal process, on the properties of the Washoe County School District ("District" or "WCSD").

REGULATION

1. In accordance with Nevada state law, actions which are prohibited and may result in the issuance of a trespass warning include, but are not limited to:
 - a. To willfully and maliciously injure, mark or deface any District/school property;
 - b. To commit any nuisance on District/school property;
 - c. To loiter on or near District/school grounds;
 - d. To purposely and maliciously commit any trespass upon the grounds attached to District/school property, to include the fixtures on that property or the enclosures or sidewalks along that property; or
 - e. To bully~~ing~~, threaten, intimidate, or harass an individual on District/school property; and/or
 - f. In conjunction with other criminal activities.
2. Trespassing Procedures:
 - a. An individual found to be engaging in the above-prohibited behaviors shall be given a trespass warning. The issuance of a trespass warning shall generally occur prior to the taking of any criminal action.
 - b. Trespass Warning ~~Form. Card.~~ A trespass warning ~~shall~~ may be issued in writing on a WCSD Police Department Trespass Warning ~~Form. m-Card.~~ Information indicated on the ~~card-Form~~ shall include any and all locations the individual is barred from attending, the dates of the trespass, and be acknowledged by the individual receiving the trespass. If the individual refuses to sign the warning, it will be noted on the ~~card~~ Form.

~~b.~~

- c. A trespass warning shall remain in place for (1) one calendar year from the date issued. The authority issuing the trespass may have modifications made to the trespass conditions at any time during the active period of the trespass. The individual trespassed must be notified in writing of any change in conditions to the trespass.
 - d. An individual who has been issued a trespass warning who wishes admittance to the trespassed property must contact the authority that issued the trespass warning and request in writing or by electronic communication permission to enter the property. Such request must be submitted a minimum of 72 hours in advance of the request. The issuing authority shall respond in writing or electronic communication within 48 hours notifying the individual if the request is approved or denied.
3. Public Meetings
- a. The District shall not bar members of the general public from attending meetings of the Board of Trustees, to include public meetings of committees of the Board of Trustees, without the knowledge and approval of the Board of Trustees. Such notice shall be made to the District's Board Services Department, who shall forward the information to the President of the Board of Trustees.
4. Trespass Authority:
- a. The following individuals have the authority to have a person trespassed from a District property:
 - i. Superintendent
 - ii. Deputy Superintendent
 - ~~iii. Chief of Staff~~
 - iii. District Chief
 - iv. Area Superintendent
 - v. Site Principal or their designee
 - ~~v.1.~~ The Site Principal/designee only has authority to request a trespass for their school site. If the Site Principal/designee reasonably believes a trespass should be issued for all District property, they must get written approval from their Area Superintendent.
 - vi. Building Site Administrator/Department Head or their designee

~~vi.1.~~ The Building Site Administrator/Department Head or designee only has authority to request a trespass for their building site. If the Building Site Administrator/Department Head or designee reasonably believes a trespass should be issued for all District property, they must get written approval from a District Chief.

vii. School Police

viii. District Legal Counsel

~~viii.b.~~ If any of the foregoing individuals request to have a person trespassed from a District property, they shall provide with the request a description of the circumstances warranting the trespass.

~~ix. Chief Ombudsman and Strategies Officer~~

5. Trespass Appeal Process:

a. Questions related to the issuance of a trespass warning should be directed to the District's School Police Department.

b. A person who is the subject of the trespass warning may request an appeal within 30 calendar days of receipt of the Trespass Warning Form.
To appeal the issuance of a trespass warning, the following procedures shall be followed:

i. Notice of intent to appeal shall be submitted in writing to the School Police Department, who shall conduct the appeal process.

1. If the individual filing the appeal ("Appellant") requires assistance in completing this form due to a disability or a language barrier that would hinder his/her ability to complete the complaint form, the District shall provide such assistance.

ii. Once an appeal is initiated, School Police shall work in conjunction with the Office of the General Counsel and any applicable District staff, as follows, to schedule and conduct an appeal hearing:

1. If school site based: ~~Office of School Leadership and the School Administrator~~Area Superintendent or District Chief; or

2. If non-school site based: ~~Office of the Chief of Staff and the Department head~~District Chief and/or Deputy Superintendent.

- iii. The appeal hearing shall be scheduled to be heard within 10 working days from the date the notice of intent to appeal is received by the ~~WCSD-District~~ School Police Department.
- iv. The District shall empanel a 3-person appeal hearing from the above-listed offices/departments. In reaching a decision, the panel may consider information provided by the appellant and any other relevant documents or information they believe may help resolve the issue.
- v. A written response shall be provided to the Appellant within ~~five~~ ~~ten~~~~10~~ (105) working days from the hearing date. The written response shall constitute a final resolution of the matter.

~~DESIRED OUTCOMES~~

- ~~1. Through this regulation, individuals on District property will be made aware of the process through they may be trespassed and/or appeal that trespass.~~

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

~~IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS~~

1. This document reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:
 - a. Board Policy 1505, Visitors to District Property.
2. This document complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC), to include:
 - a. Chapter 207, Miscellaneous Crimes, and specifically:
 - i. NRS 207.200, Unlawful trespass upon land; warning against trespassing
 - b. Chapter 393, School Property, and specifically:
 - i. NRS 393.400, Surreptitious electronic surveillance; exceptions
 - ii. NRS 393.410, Damage to school property; nuisance; loitering; trespass; penalties

~~REVIEW AND REPORTING~~

- ~~1. This document shall be reviewed as part of the bi-annual review and reporting process for the corresponding policy.~~

REVIEW HISTORY

Date	Revision	Modification
3/11/2014	1.0	Adopted
11/13/2014	2.0	Revised
8/28/2018	3.0	Revised: to clarify appeals process
<u>TBDA</u>	<u>4.0</u>	<u>Revised: clarify school site trespass and appeals process</u>