

August 2017

School Barring Notice Procedures

Chancellor's Directive #261
INTERNAL DCPS GUIDANCE
Version 3.0

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I. Barring Notices and Procedures

Introduction

The District of Columbia Public Schools (DCPS) seeks to ensure the safety and security of school grounds and premises. In this regard, principals are granted authority by the Chancellor to request permission to deny a person's request to enter a school building or to be present on school premises in certain instances and after following the barring notice procedures set forth below. The ability to enter the school building or premises, or to remain on the school grounds, may be revoked for the following reasons:

1. A person has posed a disruption to school activities, school events, or classroom instruction.
2. A person has attempted to pose a disruption to school activities, school events, or classroom instruction.
3. A person poses, has posed, or attempted to pose a threat to any student or staff or otherwise compromise student or staff safety.
4. A person has endangered or intentionally caused destruction to school property.

A person's privilege to enter the school building or premises may be revoked by the issuance of a Barring Notice. Violation of the terms of a Barring Notice or a verbal order to leave the school grounds or premises may result in the person being subject to arrest and prosecution.

A. Procedures for Issuing a Barring Notice

1. To initiate issuance of a Barring Notice, the principal or designee must submit a written request to the school's Instructional Superintendent (see Appendix I for *Request for Barring Notice*).
2. The written request must specify the reasons for the Barring Notice and include any documentation that supports the proposed barring. Such documentation includes, but is not limited to, security incident reports, police reports, witness statements, and video footage.
3. Requests for Barring Notice must be approved by the Instructional Superintendent before being submitted, as applicable, to the Chief, Elementary Schools or the Chief, Secondary Schools for approval.
4. Once the Chief approves the Request for Barring Notice, it is then sent to DCPS Office of General Counsel (OGC) for review and approval.
5. After OGC approves the Request for Barring Notice, it is sent to the Chancellor for final review and approval.
6. The finalized and approved Barring Notice may be provided to the barred individual in person or by mail, **but it shall not be enforceable until then.**
7. The School Security Team or its designee shall be responsible for serving and enforcing the Barring Notice, in conjunction with MPD when deemed appropriate.

8. Instructions for how to seek review of the barring notice shall be provided to the individual being barred at the time the Barring Notice is delivered, along with a copy of *How To Seek Review of a DCPS Barring Notice* (see Appendix for reference copy).

B. Scope and Duration of the Barring Notice

1. The Barring Notice shall indicate from which school the individual has been barred.
2. A principal may only request the issuance of a Barring Notice for the school for which the principal is responsible. Only the Chancellor or a designee may bar an individual from entering all other DCPS buildings and facilities, including all DCPS property if necessary.
3. Barring Notices must include a term or expiration date.
4. The duration of the Barring Notice shall relate to the threat of disruption or threat to security, but shall not include a term that extends beyond the current school year.
5. The duration of a Barring Notice may be increased or decreased depending on changes in the circumstances of the threat to disruption or threat to security caused by the barred individual. If a Barring Notice is set to expire and the barred individual's behavior has not changed, the duration of the Barring Notice may be extended. If a principal believes that a Barring Notice should be given a shorter duration due to a change in circumstances, the principal may request that the duration of the Barring Notice be decreased or that the Barring Notice be rescinded.
6. All decisions to rescind, extend or reduce a previously-issued Barring Notice must be reviewed and approved by the Chief, Elementary Schools or the Chief, Secondary Schools, and the Chancellor (or a designee), in consultation with OGC.
7. The school principal may temporarily suspend the Barring Notice for a specific event (e.g. parent teacher conference, school graduation, school program) provided the barred individual does not pose a specific threat during that event. The principal must inform the Chancellor's Office and OGC of the temporary barring notice suspension by e-mail at dcps.barringnotices@k12.dc.gov. The principal must also notify the Instructional Superintendent of the temporary suspension.

C. Factors to Consider When Issuing a Barring Notice

1. When determining whether or not an individual should be barred from a school, a principal should give greater consideration to whether the individual to be barred is a parent/guardian with a child enrolled in the school.
2. If a parent or guardian is barred, school staff must still ensure that the parent/guardian has access to their child's education records and data. Parent-teacher conferences may be held by conference call and communication may also occur through email. If the parent or guardian can only receive education records or information in person by visiting the school (e.g. the individual does not have access to email), the school must make reasonable efforts to accommodate a visit to the school of limited duration by the barred individual for the limited purpose of picking up the records. The visit must be coordinated with school officials and school security and be scheduled on a specific date and time.

3. The principal must be able to clearly articulate the facts that justify the need to issue the Barring Notice. A principal must consider whether the behavior threatens the educational environment or safety of students, staff, or faculty. The conduct of the individual being barred must be consistent with one of the four reasons stated in the Introduction section of this directive. Principals should exhaust all options to resolve concerns before requesting a barring notice.
4. A request for a Barring Notice should be approved by the Instructional Superintendent and submitted to the Chief, Elementary Schools or the Chief, Secondary Schools for approval no later than 2 school days after the occurrence of the incident that the request is based on. If the request is based on a series of incidents, it should be approved by the Instructional Superintendent and submitted to the Chief, Elementary Schools or the Chief, Secondary Schools for approval no later than 2 school days after the most recent incident.
5. Barring Notices are not to be used as punishment. Their purpose is to protect the educational environment from threat of disruption, threat to the safety of students or staff or threat of personal injury.

D. Review Process

An individual who has received a Barring Notice may request that the Chancellor reconsider issuance of the Notice. A request to reconsider a Barring Notice must be submitted within 10 school days of receiving the barring notice.

1. The individual shall be given an opportunity to submit arguments for modifying or rescinding the Barring Notice.
2. The Chancellor or the Chancellor's designee will review the Barring Notice and the barred individual's arguments against issuing the Barring Notice, and may affirm, modify or rescind the Barring Notice within 7 school days of receiving the request for review. The review may relate to the reasons giving rise to the Barring Notice, as well as the scope and duration of the Notice.
3. The individual may request that the Chancellor's decision be reviewed by the Deputy Mayor for Education or a designee.
4. The Deputy Mayor for Education or a designee may approve, modify or reverse the Chancellor's decision.
5. An individual who has received a Barring Notice issued by the Chancellor may also request that the Deputy Mayor for Education review the Notice, without seeking any initial reconsideration by the Chancellor. The request must be submitted within 10 school days of receiving the Barring Notice.
6. The Deputy Mayor for Education may affirm, modify, or rescind the Barring Notice.

II. Completing a Barring Notice Request

School Administration must submit completed requests and supporting documentation to the Instructional Superintendent (IS) assigned to the school. The IS submits approved requests and supporting documentation to the Chief, Elementary Schools or the Chief, Secondary Schools for secondary approval. Approved requests are then submitted to the Office of General Counsel (OGC) for OGC approval and processing before being sent to the Chancellor or a designee for final approval and signature. Electronic signatures are accepted on the request form. Contact OGC with questions at dcps.barringnotices@k12.dc.gov.

Basic Information	
School Name	<ul style="list-style-type: none"> INSERT FULL NAME OF SCHOOL
Name of Individual Being Barred	<ul style="list-style-type: none"> INSERT FULL NAME OF INDIVIDUAL BEING BARRED
Address of Individual Being Barred	<ul style="list-style-type: none"> The Notice will be served to the person at this address If the person being barred is a parent the address may be found on the Student Enrollment Form If the person being barred is not a parent you will need to make efforts to obtain their most recent known address
Individual's Relationship to School (Parent, guardian, visitor, former employee, etc.)	<ul style="list-style-type: none"> The individual's relationship is a key consideration in the approving and determining the length of the Notice It is an important detail that will be included in the description of the events
Event(s) Details	
Date & Time	<ul style="list-style-type: none"> The date and time of every incident are required for approval of the Notice The date and approximate time of the incident are key details to be included in the description of events
Actions that give rise to barring notice (Summary of events)	<p>For every incident giving rise to the barring notice:</p> <ul style="list-style-type: none"> Include a detailed description of the incident Describe the nature (ex. verbal/physical altercation, threats, harassment) and mode of the actions (ex. phone calls, text messages, social media) Include the names and titles of all witnesses and parties involved Include statements made by the parties, particularly the person being barred
Locations of incidents (classroom, hallway, cafeteria, playground, etc.)	<ul style="list-style-type: none"> Include a detailed description of the location of the incidents If the actions took place in more than one location include a timeline outlining the series of events in each location
Were any children/students present and or affected? (If yes, how?)	<ul style="list-style-type: none"> The impact on student safety, classroom instruction, and school operation is a key consideration in approving and determining the length of the Notice

Attach additional documents	<ul style="list-style-type: none">• Statement of events (submitted by principal)• Witness statements: should be typed or written legibly, signed, dated, and provide enough description and detail to support the Summary of Events• Security Incident report(s) : should be written legibly, be free of grammatical errors, and provide enough description and detail to support the Summary of Events• Court orders (if applicable)• Police Report or CCN # (if applicable)
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Appendices

Appendix I: Request for Barring Notice Blank Form

REQUEST FOR BARRING NOTICE

Basic Information	
School Name	
Name of Individual Being Barred	
Address of Individual Being Barred	
Individual's Relationship to School (Parent, guardian, visitor, former employee, etc.)	
Event(s) Details	
Date & Time	
Actions that give rise to barring notice (Summary of events)	
Locations of incidents (classroom, hallway, cafeteria, playground, etc.)	
Were any children/students present and or affected? (If yes, how?)	
Attach additional documents	<ul style="list-style-type: none"> • Statement of events (submitted by principal) • Witness statements • Security Incident report(s) • Court orders (if applicable)

/s/_____ APPROVED _____ DENIED DATE _____
Signature of Instructional Superintendent

/s/_____ APPROVED _____ DENIED DATE _____
Signature of Chief

/s/_____ APPROVED _____ DENIED DATE _____
OGC Signature

***Final approval and signature by the Chancellor's Office is provided on the Barring Notice itself.**

Appendix II: How to Seek Review of a DCPS Barring Notice



To: Individuals Who Have Received a DCPS Barring Notice

From: DC Public Schools

RE: How to Seek Review of a DCPS Barring Notice

Date: August 2017

Any individual who has received a Barring Notice from a DC Public School may request that the Chancellor and/or the Deputy Mayor of Education review and reconsider the Notice.

Review by the Chancellor (or Designee)

1. The individual who has received the Barring Notice may first request that the Notice be reviewed by the Chancellor (or the Chancellor's designee). The individual must submit the request to reconsider a Barring Notice within 10 school days of receiving the Notice. The request can be e-mailed to dcps.barringnotices@k12.dc.gov. In the request for review, the individual may submit arguments for modifying or reversing the Notice.
2. The Chancellor or (designee) will review the Barring Notice and the barred individual's arguments. The Chancellor (or designee) may affirm, modify, or reverse the Barring Notice within 7 school days of receiving the request for review. The Chancellor (or designee) may consider and review the initial reasons for the Barring Notice, as well as the scope and duration of the Notice.
3. After receiving the decision following the Chancellor's review of the Barring Notice, the barred individual may request an additional review by the Deputy Mayor for Education (or a designee). Requests to seek a review of a Barring Notice from the Deputy Mayor may be sent to the following address:

Office of the Deputy Mayor for Education
1350 Pennsylvania Avenue, NW
Suite 303
Washington, DC 20004
Phone: (202) 727-3636
Fax: (202) 727-8198
Email: dme@dc.gov

4. The Deputy Mayor for Education (or a designee) may approve, modify, or reverse the Chancellor's decision.

Review by the Deputy Mayor of Education (or Designee)

1. Any individual who has received a Barring Notice issued by the Chancellor may also request that the Deputy Mayor for Education review the Notice, without seeking any initial reconsideration by the Chancellor. The request must be submitted within 10 school days of receiving the Barring Notice.
2. The Deputy Mayor for Education may affirm, modify, or reverse the Barring Notice.