

# REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** COA, COA-RA, COB-RA, COC-EA, COD-RA, ECD, ECH-RA, ECH-EA, ECJ-RA, ECJ-EA

**Responsible Offices:** Deputy Superintendent; Office of School Support and Well-being; Office of District Operations, Department of Systemwide Safety and Emergency Management

## Trespassing or Willful Disturbance on MCPS Property

### I. PURPOSE

To outline the steps to be taken in the event that someone trespasses or willfully disturbs activities on Montgomery County Public Schools (MCPS) property

### II. BACKGROUND

It is against state law for anyone to willfully disturb or otherwise prevent the orderly conduct of the activities, administration, or classes of any elementary or secondary institution. (*Annotated Code of Maryland, Education, Section 26-101.*)

Furthermore, a principal/director/designee and authorized employees may demand identification from anyone who desires to use or enter the premises and may deny access to anyone who –

- A. is not a currently registered student at that school and who does not have lawful business to pursue at the institution, or
- B. is a currently registered student and has been suspended or expelled, and/or
- C. acts in a manner that disrupts or disturbs the normal educational functions of the institution (*Annotated Code of Maryland, Education, Section 26-102.*)

### III. DEFINITIONS

- A. *MCPS property* means any school or other facility, including grounds owned or operated by MCPS, MCPS buses, and other MCPS vehicles, and the facility and/or the grounds of any MCPS-sponsored activity involving students.

- B. The *principal/director/designee* means the administrator responsible for a school or office or their designee, as appropriate.

#### IV. PROCEDURES

- A. MCPS may issue a letter prohibiting a person from being present on MCPS property.
- B. The principal/director/designee may deny access to an MCPS property, as set forth in section II above.
- C. Any person trespassing or causing a disturbance on any part of MCPS property or having no lawful business on MCPS property may be notified by the principal/director/designee that the person's presence is contrary to the law and will be asked to comply with the law.
- D. Students may be disciplined for trespassing or willful disturbance. Trespassing may be considered an aggravating factor that elevates the level of disciplinary response set forth in the *Student Code of Conduct in MCPS* for other incidents that include, but are not limited to, fighting, an attack on another student, attack on a staff member, disruption, or drug possession.
- E. In those instances when the individual refuses to comply with the law, the police will be notified. As soon as possible, the principal/director/designee will notify by telephone the Department of Systemwide Safety and Emergency Management (DSSEM).
- F. Within 24 hours of the oral report, the principal/director/designee will report the incident, consistent with procedures established in MCPS Regulation COB-RA, *Incident Reporting*.
- G. If such a trespassing/disturbance incident, as set forth in this regulation, occurs at an MCPS property other than a school, the director/designee will immediately notify DSSEM and file a report, as directed in MCPS Regulation COB-RA, *Incident Reporting*, within 24 hours.

**Related Sources:** Annotated Code of Maryland, Education Article, 26-101 and 26-102.

**Administrative History:** Formerly Regulation No. 230-15, March 6, 1981; directory information updated, January 1983; revised 1989; revised June 11, 1993; revised May 2, 2023.

# MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.\*\*

<b>For inquiries or complaints about discrimination against MCPS students*</b>	<b>For inquiries or complaints about discrimination against MCPS staff*</b>
Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 850 Hungerford Drive, Room 55, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
<b>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</b>	<b>For staff requests for accommodations under the Americans with Disabilities Act</b>
Section 504 Coordinator Office of Academic Officer Resolution and Compliance Unit 850 Hungerford Drive, Room 208, Rockville, MD 20850 240-740-3230 RACU@mcpsmd.org	ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
<b>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff*</b>	
Title IX Coordinator Office of District Operations Student Welfare and Compliance 850 Hungerford Drive, Room 55, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*\*Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mCCR@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.*

*\*\*This notification complies with the federal Elementary and Secondary Education Act, as amended.*

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.