

NOTE: Colorado school boards are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the board should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Public Conduct on District Property

Persons using or upon school district property, including all district buildings, parking lots, and any district vehicle used to transport students, shall not engage in the conduct described below.

Any person considered by the superintendent or designee to be in violation of this policy shall be instructed to leave district property and law enforcement may be contacted. Any person who has engaged or district officials reasonably believe will engage in conduct prohibited by this policy may be excluded from district property.

The following conduct by any person is prohibited:

1. Any conduct that obstructs, disrupts or interferes with or threatens to obstruct, disrupt or interfere with district operations or any activity sponsored or approved by the district.
2. Physical abuse or threat of harm to any person or school district property.
3. Damage or threat of damage to district property regardless of the location, or property of a member of the community when such property is located on district property.
4. Forceful or unauthorized entry to or occupation of district facilities, including both buildings and grounds.
5. Use, possession, distribution or sale of drugs and other controlled substances, alcohol and other illegal contraband on district property, at district or school-sponsored functions or in any district vehicle transporting students. For purposes of this policy, "controlled substances" means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine). If, however, the administration of medical marijuana is in accordance with state law regarding the administration of medical marijuana to qualified students, such possession shall not be considered a violation of this policy.
6. Distribution, manufacture or sale of controlled substances or the possession of controlled substances with intent to distribute them within 1,000 feet of the perimeter of school grounds.
7. Entry onto district buildings or grounds by a person known to be under the influence of alcohol or a controlled substance.
8. Unlawful use of any tobacco product.

9. Unlawful possession of a deadly weapon, as defined in state law, on school property or in school buildings.
10. Profanity or verbally abusive language.
11. Violation of any federal, state or municipal law or Board policy.

Adopted: August 20, 1998

Revised: May 2011, September 2014, October 2017

LEGAL REFS.: 21 U.S.C. 860 (*crime to distribute or manufacture controlled substances within 1,000 feet of a school*)
C.R.S. 18-1-901 (3)(e) (*definition of deadly weapon*)
C.R.S. 18-9-106 (*disorderly conduct*)
C.R.S. 18-9-108 (*disrupting lawful assembly*)
C.R.S. 18-9-109 (*interference with staff, faculty or students of educational institutions*)
C.R.S. 18-9-110 (*public buildings – trespass, interference*)
C.R.S. 18-9-117 (*unlawful conduct on public property*)
C.R.S. 18-12-105.5 (*unlawful carrying/possession of weapons on school grounds*)
C.R.S. 18-12-214 (3)(a) (*person with valid concealed handgun permit may have a handgun on school property as long as hand gun remains in his or her vehicle and if, while the person is not in vehicle, the gun is kept in a compartment and the vehicle is locked*)
C.R.S. 18-18-407 (2) (*crime to sell, distribute or possess with intent to distribute any controlled substance on or near school grounds or school vehicles*)
C.R.S. 22-1-119.3 (3)(c), (d) (*no student possession or self-administration of medical marijuana, but school districts must permit the student's primary caregiver to administer medical marijuana to the student on school grounds, on a school bus or at a school-sponsored event*)
C.R.S. 25-1.5-106 (12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)
C.R.S. 25-14-103.5 (*boards of education must adopt policies prohibiting tobacco and retail marijuana use on school property*)
C.R.S. 25-14-301 (*Teen Tobacco Use Prevention Act*)

CROSS REFS.: ADC, Tobacco-Free Schools
GBEB, Staff Conduct (And Responsibilities)
GBEC, Alcohol and Drug-Free Workplace
JICH, Drug and Alcohol Involvement by Students
JICI, Weapons in School
KI, Visitors to Schools

NOTE: The exceptions in state law that permit possession of a deadly weapon on school property are that the person:

- a. has legal authority to carry or possess a deadly weapon. C.R.S 18-12-105.5 (3).*
- b. is presenting an authorized public demonstration or exhibition for the school or an organized class. C.R.S. 18-12-105.5 (1).*
- c. is carrying out duties for the school district which require the use of a deadly weapon. C.R.S 18-12-105.5 (1).*
- d. is participating in an authorized extracurricular activity or on an athletic team. C.R.S. 18-12-105.5 (1).*
- e. has possession of the weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons. C.R.S. 18-12-105.5 (3)(h).*
- f. is a school resource officer or peace officer on duty. C.R.S. 18-12-105.5 (3)(e).*