

Category:	Procedure:	
School Board Operations	Issuance and Maintenance of No Trespass Orders	
Descriptor Code:	Issued Date:	Revised Date:
AP-B-230	August 2023	August 2026

This procedure only applies to letters issued on or after August 2023.

In accordance with Tennessee law and Knox County Board of Education Policy B-230 “Civility Code,” actions that are prohibited and may result in an individual receiving either a provisional no trespass letter or a permanent no trespass letter include, but are not limited to:

1. Willfully and maliciously damaging, marking, or defacing any KCS property;
2. Committing any nuisance on any property owned or controlled by KCS or any event in which a KCS school is participating;
3. Loitering on or near KCS grounds;
4. Purposely and maliciously committing any trespass upon the grounds attached to KCS property, to include the fixtures on that property;
5. Habitually demonstrating disruptive or offensive behavior;
6. Disrupting school or school district operations;
7. Bullying, threatening, intimidating, or harassing an individual on KCS property or within the school community;
8. Any other conduct which interferes with the educational process; and/or
9. In conjunction with criminal activities.

Conduct reflective of any of the above-listed actions is subject to the issuance of either a provisional or permanent no trespass letter.

REQUESTING TRESPASS AUTHORITY

The following individuals may request that a no trespass letter be issued:

1. Director of Schools
2. Assistant Superintendents
3. Regional Directors
4. Chief of Safety or designee
5. Site Principals or designee*

Site principals and their designees shall obtain written approval from their assigned Regional Director prior to requesting a provisional or permanent no trespass letter.

PROVISIONAL NO TRESPASS LETTERS

An individual who engages in the aforementioned actions may be given a provisional no trespass letter. The issuance of a provisional no trespass letter shall generally occur prior to legal prosecution. Provisional no trespass letters may be issued for a period of no less than 6 months from the date of the inciting incident and must expire within one (1) year of its issuance.

Information indicated in the letter shall include any and all locations from which the individual is barred, the date of issue, and the signature of the Chief of Safety or designee along with that of the trespassing authority. Provisional no trespass letters may not be rescinded, altered, or modified without written notice issued by the Office of the Chief of Safety or Director of Schools. The individual to whom the letter was issued must be notified in writing of any change in the conditions stated in the provisional no trespass letter.

Issuance of a Provisional No Trespass Letter

To issue a provisional no trespass letter, the following procedures shall be followed:

1. Requests shall be submitted by the trespass authority, in writing, along with supporting documentation, facts, or evidence to the School Safety Department.
2. The School Safety Department shall then review the request, supporting documentation, facts, or evidence to determine if there is a preponderance of evidence to support the claim that the aforementioned actions have occurred.
3. If approved, the School Safety Department will draft a provisional trespass letter, obtain trespass authority signature(s), and send it via mail to the individual.
4. If denied, the School Safety Department will notify the trespass authority, in writing, and if requested, may draft, sign, and send a civility code letter via mail to the individual.

Behavior or criminal acts of individuals who pose an imminent danger to the safety of students and staff may warrant the immediate issuance of a provisional or permanent no trespass letter.

PERMANENT NO TRESPASS LETTERS

Generally, repeated or more severe violations of Knox County Board of Education Policy B-230 "Civility Code" or criminal acts of individuals who pose a danger to the safety of students, staff, and members of the school community may warrant the issuance of a permanent no trespass letter. The foregoing is not exhaustive, and other conditions may warrant a permanent no trespass letter. A permanent no trespass letter shall remain in place for no less than five calendar years from the date of issuance before a request for rescission review will be considered.

Issuance of a Permanent No Trespass Letter

To issue a permanent no trespass letter, the following procedures shall be followed:

1. Requests shall be submitted by the trespass authority, in writing, along with supporting documentation, facts, or evidence to the School Safety Department.
2. The School Safety Department shall then review the request, supporting documentation, facts, or evidence to determine if there is a preponderance of evidence to support the claim that the aforementioned conduct has occurred.
3. If approved, School Safety Department shall then impanel a three-person review committee from the previously listed trespass authority to consider the request.
4. A majority of the members of the review committee must agree in order for a written request of permanent no trespass to be granted.
5. If approved, the School Safety Department will draft a permanent no trespass letter, obtain trespass authority signature(s), and send via mail to the individual.
6. If denied, the School Safety Department will notify the trespass authority, in writing. If the trespass authority requests a provisional no trespass letter, the steps for requesting a provisional no trespass letter shall be followed.

PROCESS FOR APPEAL, REVIEW, OR RESCISSION

Recipients of provisional and permanent no trespass letters may file an appeal, in writing, to the School Safety Department. Appeals of provisional and permanent no trespass letters must be filed within 2 weeks from the date of issuance.

Recipients of permanent no trespass letters may file a subsequent appeal five (5) years after the date of issuance. Should the appeal be denied, the recipient will not be eligible for another appeal for two (2) years.

Appeals may be requested on any of the following grounds:

1. A procedural error that significantly affected the decision to issue a trespass letter (i.e. insufficient evidence to support findings, substantiated bias, material deviation from established procedures).
2. New evidence that was unknown or unavailable, that could have substantially impacted the decision to issue the no trespass letter, and the written review request must include the new evidence to be considered.
3. A significant change in the circumstance of the individual to whom the letter was issued mitigates the need for the letter to remain in effect.

To appeal the issuance of a no trespass letter, recipients must:

1. Submit a request for review in writing, along with supporting documentation, facts, or evidence to the School Safety Department.
2. The School Safety Department shall then review the request, supporting documentation, facts, or evidence to determine if there is a preponderance of evidence to support the claim that one or more of the grounds for rescission has been met.

3. If approved, the School Safety Department will empanel a three-person review committee from the above-listed no trespass authorities and schedule and conduct a recession review.
4. A majority decision by the review committee must be reached and all requirements must be met in order to rescind the no trespass letter.
5. If rescission is approved, the review committee shall provide a date for the no trespass letter to expire. The School Safety Department will then draft a rescission letter and send it via mail to the recipient indicating the original trespass letter is rescinded and an effective date.
6. If rescission is denied, the school Safety Department will notify the trespass authority. He/she will then draft a letter to the recipient notifying them of the denial. The no trespass letter will then remain in effect as issued.

PUBLIC MEETING

KCS shall not bar members of the public from attending meetings of the Board of Education, Board committees, or any other public gathering of members of the Board of Education.