

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

COMMISSIONER OF EDUCATION

A. DOE

v.

BARRINGTON SCHOOL COMMITTEE

Decision

Held: School Committee policy providing for unlocked main entrance at Sowams Elementary School not shown to be unreasonable.

Date: March 19, 2010

Introduction

This appeal concerns the Barrington School Committee's policy of not locking the main entrance at Sowams Elementary School during school hours.¹

Background

Appellant is the parent of a child who attends Sowams Elementary School in Barrington. The front door, which is the main entrance to the School, is not locked during school hours. All other doors to the School are locked. There is no access control system for the front door.

The main office at Sowams is 10 to 15 feet away from the front door. The main office has a large glass window which provides a secretary with a clear view of the front door. It is part of the secretary's job to watch the front door. There is coverage for the secretary when she takes her lunch break. The principal also can see the front door from his office.

A sign informs visitors that they must report to the main office. Visitors must sign in as a visitor or volunteer and receive an identification badge. Visitors must sign out upon leaving the building.

The Sowams principal testified that the main office maintains visual contact with the front door at all times. In his opinion, the main office has a good grasp on who enters the building. There have not been any complaints about intruders.

The school district has received a grant which includes funds to hire a security consultant to review the district's building-safety measures. Appellant's concerns will be conveyed to the consultant. A report is not expected until the end of the year.

Evidence was presented concerning a September 2009 incident in which a young man gained access to the girls' locker room at Barrington High School after school hours.

Sowams Elementary School houses grades kindergarten through three.

¹ The Commissioner of Education designated the undersigned hearing officer to hear and decide the appeal. A hearing was held on February 16, 2010.

Positions of the Parties

As the basis for her appeal, Appellant cites the right of students and staff under Rhode Island General Law 16-2-17 to attend a safe and secure school, and the requirement under §16-21-24(a)(8) that school safety plans include policies and procedures relating to school building security. She contends that the School Committee is breaching its statutory duties by failing to lock the front door and install an electronic access control system. Such systems have become standard criteria and are necessary to protect students and staff from the ever-increasing risk of school violence. The September 2009 incident at the High School shows that school-access issues exist in Barrington. Safety is a top priority and it must not be dependent upon finances or parental approval. Immediate action needs to be taken to install a locked-door controlled access system.

The School Committee contends that the evidence in this case shows that Sowams is safe and secure. The district is in compliance with all specific statutory requirements, and school committees have the authority to determine the security measures that appropriately address local conditions. The door-monitoring and visitor-reporting policies at Sowams are appropriate and accepted by parents. Cost and logistical problems prevent immediate changes in district policy, but the grant-financed building-security review, which is part of the district's strategic plan, will provide a long-term solution.

Discussion

As noted by Appellant, Title 16 of the Rhode Island General Laws requires safe and secure schools. In terms of building security, §16-21-24(a) (8) states that school safety plans must include, where appropriate, policies and procedures regarding "security devices." There are no specific statutory or regulatory requirements concerning the admission to public school buildings. Consequently, this is a matter which falls within the School Committee's discretion. It is Appellant's burden to prove that the School Committee's exercise of its discretion in this case was unreasonable.

The building-access policy at Sowams is to lock all doors except the main entrance during school hours. A sign at the main entrance directs visitors to report to the

main office where they are required to sign in and receive an identification badge. The main entrance is close to and directly in sight of the main office. A secretary in the main office has a clear view of the front door. She and her lunchtime replacement are responsible for watching the front door. The door also is within view of the principal's office.

The parties in this case do not disagree about the need to monitor the main entrance to Sowams. Referencing the recent history of school shootings, Appellant maintains that effective monitoring requires a locked door and an electronic access control system. The School Committee does not believe it is necessary to lock the main entrance in light of the door's proximity and visibility to the main office and the observation duties that have been assigned to main-office staff.

We do not find that the evidence in this case shows that the School Committee's access policy at Sowam's Elementary School is unreasonable. The configuration of the Sowams building allows the main entrance to be monitored from the main office. The job duties of main-office personnel at Sowams provide for the observation of the front door. There is no evidence to suggest that the School Committee's policy has been ineffective at Sowams in the past. As for the future, the School Committee will have the benefit of the findings and recommendations of the building-safety assessment that is currently being commissioned.

Conclusion

The School Committee's policy providing for an unlocked main entrance at Sowams Elementary School has not been shown to be unreasonable. The appeal is denied.

Paul E. Pontarelli
Hearing Officer

Approved:

Deborah A. Gist
Commissioner of Education

Date: March 19, 2010