



SCHOOL BOARD OF BREVARD COUNTY, FLORIDA  
**School Board Policy Executive Summary**  
 Form D

<b>Policy Number:</b>	9160
<b>Title of Policy:</b>	Public Attendance at School Events
<b>Cabinet Member:</b>	Christine Moore, Assistant Superintendent, Student Services
<b>Purpose of Revisions:</b>	The purpose of the proposed revisions to the policy is to ensure compliance with all applicable federal and state laws, Florida State Board of Education Rules, Board policies, administrative rules, procedures, and guidelines. In addition, the proposed revisions promote transparency and accountability.
<b>Tentative Schedule:</b>	<ul style="list-style-type: none"> <li>• Cabinet – 12/16/19</li> <li>• Work Session – 1/14/20</li> <li>• Rule Development Workshop – 1/28/20</li> <li>• School Board Meeting Information – 1/28/20</li> <li>• School Board Meeting Approval – 2/11/20</li> <li>• Effective Date – upon approval</li> </ul>
<b>Summary of Proposed Policy Revisions:</b>	<ul style="list-style-type: none"> <li>• This policy is being revised to clarify the definition of service animal, clarify that service animals can be removed if their behavior poses a direct threat to the health and safety of others, and specify that trainers of service animals are liable for damages, and other changes in compliance with applicable state and federal law.</li> <li>• These proposed revisions encompass the suggested language from NEOLA.</li> </ul>
<b>Specific Authority:</b>	28 C.F.R. Part 35; 29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended; 34 C.F.R. Part 104; 42 U.S.C. 12101 et seq. Americans with Disabilities Act of 1990, as amended
<b>Next Steps:</b>	<ul style="list-style-type: none"> <li>• Revisions to internal procedures</li> <li>• Training for BPS employees regarding revisions to policy and revised procedures</li> </ul>

**Current  
Version**

BPS Current

## **9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS**

The School Board welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District.

### **Maintaining Order at School Events**

Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested.

In accordance with Board Policy [7440](#) and AP 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function sponsored by the District or at any function occurring on Board property.

### **Raffles and Similar Forms of Fund-Raising at School Events**

Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy [9211](#) - District Support Organizations and Policy [9700](#) - Relations with Special Interest Groups.

### **Individuals with Disabilities at School Events**

Individuals with disabilities shall have an equal opportunity to purchase tickets for accessible seating for a single event or series of events during the same hours; during the same stages of ticket sales, including, but not limited to, presales, promotions, lotteries, wait-lists, and general sales; through the same methods of distribution; in the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and under the same terms and conditions as other tickets sold for the same event or series of events.

Assistance animals used by persons with disabilities are permitted in all District facilities and at all school events. The person must provide evidence of the animal's certification for that purpose. If the animal is still in training, proof of liability insurance is to be provided.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the administrative in charge if they require a reasonable accommodation."

### **Audio and/or Video Recordings at School Events by Audience**

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events. Such recordings can be made if the performance is not of copyrighted material. If the performance is of copyrighted material, recordings can be made if the District secures the appropriate license authorizing such recordings in advance of the performance. If the performance is of copyrighted material and the necessary license is not secured in advance of the performance, the audience shall be advised before the performance begins that audio and/or video recordings are prohibited. At events when recordings are permitted, the audience will be reminded at the outset that their use of audio/video recording equipment may not interfere with the conduct of the particular activity nor impinge on the enjoyment of the event by other members of the audience. The Superintendent will establish rules and procedures governing the use of nondistrict audio/video recording equipment at any District-sponsored event or activity. Such rules should be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to the activity.

Any person or organization seeking to record students or a school activity which is not a public event must obtain prior permission from the Superintendent or his/her designee.

The District is not responsible for any distribution of recordings of student activities or performances outside of its approved media channels.

Revised 4/22/08  
Revised 12/5/11  
Revised 10/28/14

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# Neola Template

## Neola Template

### 9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The School Board welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AP 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

[ ] No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed

( ) at any function sponsored by the District.

( ) at any function occurring on Board property.

( ) Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups.

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

Individuals with disabilities shall have an equal opportunity to purchase tickets for accessible seating for a single event or series of events during the same hours; during the same stages of ticket sales, including, but not limited to, presales, promotions, lotteries, wait- lists, and general sales; through the same methods of distribution; in the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and under the same terms and conditions as other tickets sold for the same event or series of events.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See also AP 8390)

The Board is aware of the increasing desire of many parents and other members of an audience to make digital recordings of school events. Such recordings can be made if the performance is not of copyrighted material. If the performance is of copyrighted material, recordings can be made if the District secures the appropriate license authorizing such recordings in advance of the performance. If the performance is of copyrighted material and the necessary license is not secured in advance of the performance, the audience shall be advised before the performance begins that audio and/or video recordings are prohibited. At events when recordings are permitted, the audience will be reminded at the outset that their use of digital recording equipment may not interfere with the conduct of the particular activity or performance, nor impinge on the enjoyment of the event by other members of the audience. The Superintendent will establish rules and procedures governing the use of nondistrict digital recording equipment at any District-sponsored event or activity. Such rules should be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to the activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify \_\_\_\_\_ if they require a reasonable accommodation."

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## Legal

28 C.F.R. Part 35

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

## Cross References

po7440 - PLANT SECURITY

po9211 - PARENT ORGANIZATIONS, BOOSTER CLUBS, AND OTHER OUTSIDE SUPPORT ORGANIZATIONS

po9700 - RELATIONS WITH SPECIAL INTEREST GROUPS

ap7440B - METAL DETECTOR SEARCH PROCEDURES

ap8390 - USE OF SERVICE ANIMALS

ap9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

ap9160A - ACCESSIBILITY OF DISTRICT FACILITIES

# **Redline Draft**



**BPS Current**

**9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS**

~~The School Board welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District.~~

**A. Maintaining Order at School Events.**

1. The Board welcomes and encourages members of the community to attend athletic and other public events held by the school in the District.
2. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event.
3. If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.
4. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested.
5. In accordance with Board Policy ~~7440~~ and ~~AP 7440B~~, - Building and Grounds Security, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.
6. No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function sponsored by the District or at any function occurring on Board property.

**B. Raffles and Similar Forms of Fund-Raising at School Events.**

Raffles and ~~similar forms of other~~ activated of chance are generally prohibited by Florida Law. Fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Board Policy 9211 - District Support Parent Organizations, Booster Clubs, and Other Fund-Raising Activities, and Board Policy 9700 - Relations Working with Special Interest Groups, Board Policy 5830 - Student Fund-Raising, and in accordance with Florida law.

**C. Individuals with Disabilities at School Events.**

1. No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.
2. The District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents/legal guardians with disabilities who desire access to their child's educational program or meetings pertinent thereto.
3. Individuals with disabilities shall have an equal opportunity to purchase tickets for accessible seating for a single event or series of events during the same hours; during the same stages of ticket sales, including, but not limited to, presales, promotions, lotteries, wait-lists, and general sales; through the same methods of distribution; in the same types and numbers of ticketing sales outlets, including telephone service, in-person ticket sales at the facility, or third-party ticketing services, as other patrons; and under the same terms and conditions as other tickets sold for the same event or series of events.

~~Assistance animals used by persons with disabilities are permitted in all District facilities and at all school events. The person must provide evidence of the animal's certification for that purpose. If the animal is still in training, proof of liability insurance is to be provided.~~

- ~~4. Further, in accordance with the provisions of the ADA, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs, or activities, or as invitees, are allowed to go. See also Policy 8390.~~
5. All notices, signs, schedules, and other communications about school events must contain the following statement:

~~"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the administrative in charge if they require a reasonable accommodation."~~

#### D. Audio and/or Video Recordings at School Events by Audience.

1. The Board is aware of the increasing desire of many parent/legal guardians and other members of an audience to make audio and/or video recordings of school events. Such recordings can be made if the performance is not of copyrighted material. If the performance is of copyrighted material, recordings can be made if the District secures the appropriate license authorizing such recordings in advance of the performance. If the performance is of copyrighted material and the necessary license is not secured in advance of the performance, the audience shall be advised before the performance begins that audio and/or video recordings are prohibited.
2. At events when recordings are permitted, the audience will be reminded at the outset that their use of audio/video recording equipment may not interfere with the conduct of the particular activity nor impinge on the enjoyment of the event by other members of the audience.
3. The Superintendent will establish rules and procedures governing the use of nondistrict audio/video recording equipment at any District-sponsored event or activity. Such rules should be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to the activity.
4. Any person or organization seeking to record students or a school activity which is not a public event must obtain prior permission from the Superintendent or his/her designee.

E. The District is not responsible for any distribution of recordings of student activities or performances outside of its approved media channels.

Revised 4/22/08  
Revised 12/5/11  
Revised 10/28/14  
Revised \_\_\_\_\_

#### Legal

28 C.F.R. Part 35

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

#### Cross References

po7440 BUILDING AND GROUNDS SECURITY

po9211 PARENT ORGANIZATIONS, BOOSTER CLUBS, AND OTHER OUTSIDE SUPPORT ORGANIZATIONS  
po9700 WORKING WITH SPECIAL INTEREST GROUPS  
po8390 ANIMALS ON DISTRICT PROPERTY

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**Clean  
Version**

## **9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS**

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6. No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed at any function sponsored by the District or at any function occurring on Board property.

### **B. Raffles and Similar Forms of Fund-Raising at School Events.**

Raffles and other activated of chance are generally prohibited by Florida Law. Fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Board Policy [9211](#) - Parent Organizations, Booster Clubs, and Other Fund-Raising Activities, Board Policy [9700](#) – Working with Special Interest Groups, Board Policy [5830](#) - Student Fund-Raising, and in accordance with Florida law.

### **C. Individuals with Disabilities at School Events.**

1. No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.
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