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New Jersey

Attorney: It's 'reasonable' for schools to prevent drop-ins by parents

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SUMMIT — Summit school administrators' decision to prevent parents from **dropping in unannounced** starting this fall may be controversial, but it's also reasonable, says a local attorney.

While **school officials say the intent** of the new rule is to promote safety and not to limit access, some have questioned whether the move is even legal.

The new rules on parent access "in my opinion would be upheld in a court of law," said Silvana Raso, managing partner of the local law firm Schepisi & McLaughlin. She provided some guidance on that aspect of the issue today.

The family law attorney said that essentially schools have the right to come up with rules and regulations that promote the safety of students and staff. The rule preventing parents from dropping in "could promote safety," she said, adding this caveat — how the rule is enforced will help to determine "if the rule is reasonable or unreasonable."

After examining the letter sent out by Superintendent of Schools Nathan Parker on July 19, Raso concluded that restrictions set by the school are "reasonable."

Measures include stopping parents from dropping in to bring forgotten items to their children; requiring that parents call the school to make appointments to see district employees; requiring calls a day in advance to let the school know a parent will be taking a child out of school or, in case of an emergency, before arriving at the school.

Not only does Raso think these changes will stand up in court, she said they "need not be codified into policy to be enforced." It's within the purview of the administration to "promulgate rules to help run the schools," she said, pointing out that school board policies are generally "not about the day-to-day running of the school" and the board would not ordinarily become involved in this type of issue.

Parent access to the schools “is in the nature of a traffic issue,” she said. Administrators frequently issue regulations about where parents can park to pick up and drop off children, and those are school-specific.

Still, she said, “I would not be surprised if the Board of Education took a position on this policy,” either supporting it or recommending the administration do something different, “because it has caused a lot of stress” in the community and on the administration.

If the schools permit a student to be taken out in an emergency, then the rule change, on its face, is reasonable, Raso said. Of course, “one person’s definition of an emergency is not another person’s definition,” she said.

Most people would agree that forgetting “homework is not an emergency,” Raso said. On the other hand, not having “medication would be considered an emergency.

“Whether the school district interprets (any specific) situation the way a parent does, remains to be seen. Realistically there are not going to be hundreds of emergencies; it’s more likely there will be hundreds of forgotten homework, sports gear,” instruments and lunch, Raso said.

One of the issues facing schools today is that they don’t want to have staff members assuming the role of security guards; that’s not their function. When there are hundreds of people, including parents, coming into a school, then there is a lot of staff time needed to check IDs, direct visitors or outside workers, deal with the forgotten items and make sure people sign in and out.

“With hundreds of people coming into the building taking away staff to manage them, in my opinion, (the rule change) would be upheld in a court of law,” Raso said. “The school district could articulate (for the court) a reason” for reducing the number of unannounced visits, she said.

Even though the district is “trying to do the right thing by promoting safety,” there will always be people who are unhappy because the rules have changed, she said.

Still, parents might find that “there is a silver lining” to these changes, Raso said — that “teaching children to bring things to school will let them know there is not always a safety net.”