

Does School Safety Conflict With Parental Rights?

As America works to make schools safer for children, how will we preserve parents' ability to have reasonable access to support their children in school?

Source: Edwin C. Darden, Phi Delta Kappan

School systems nationwide are taking greater precautions to secure schools against tragedy. In the process, however, parents and guardians—who shuttle in and out of schools regularly—hold no favored status and are just viewed as potential perpetrators, the enemy within.

Schools are struggling with the proper line to draw when it comes to parents and security. Fear of legal liability is certainly a major factor. Another is the comfort conferred by pursuing get-tough strategies to tout that schoolchildren are safe.

But parents, including those who act as a parent in relationship to a student, are a special category. They are not just visitors, but key stakeholders and a needed source of free help in constructing a quality public education. Research proves that parent involvement increases student achievement regardless of income, race, grade level, geographic location, family income, or other factors.

That mutually beneficial relationship can be severely damaged by unreasonable and invasive security procedures. So the situation calls for a delicate balance, pitting safety against school climate. It seems that schools should establish a lower hurdle for parents. Why? One reason is that the long-term loss of community support can be far more damaging than whatever small risk exists.

Parents can be petulant, vindictive, and, in the worst instances, violent. But, practicality, safety, and the need to manage legal liability require a school-parent relationship that is simultaneously arms distance and loving embrace.

Background Checks

Developing a district or school parent policy necessarily means pinpointing one's values. Following the December 2012 slaughter of innocents in Newtown, Conn., the nation has focused anew on school safety. While the hurt remains, educators and school boards must nonetheless give careful thought before acting. Only then can leaders be sure conclusions flow from true deliberation and are not a rash reaction to current events.

A knee-jerk response will undoubtedly cause bad policy. The harsh criticism of zero tolerance after the Columbine, CO shootings taught us that lesson. Admittedly, educators are ensnared in a catch-22: On the one hand, there is tragedy and lawsuits; on the other, a school in permanent lockdown.

Still, the law gives school districts a wide berth to choose.

In *Yvonne Meadows v. Lake Travis Independent School District*, two parents challenged a Texas district's policy of requiring parent volunteers to show identification — a means of checking sex crime status. Lake Travis passed the ID policy after a sex offender exposed himself to a child at school. The regulation requires scanning all visitors' identification cards for comparison against a nationwide sex offender database.

Yvonne Meadows, the mother of a student, arrived at Bee Cave Elementary School to visit, but refused to let school officials scan her license or enter the information manually. She was forced to meet her child's

teacher in a main office conference room. Similar clashes occurred when she visited the school to attend a musical, a volleyball game, and the annual Thanksgiving lunch.

Meadows labeled the policy unconstitutional for at least seven reasons. Primarily, however, she said the policy interfered with her ability to direct the upbringing of her child—a fundamental right established by the U.S. Supreme Court in the 1925 case *Pierce v. Society of Sisters*.

The 5th U.S. Circuit Court of Appeals ruled for the district, saying nothing in the U.S. Constitution gives “the unfettered right of a parent to visit all areas of a school campus while students are present.” The 2010 decision said, “The district obviously has a compelling interest in determining [among other things], whether a potential visitor to its school is a registered sex offender.”

To the Slippery Slope

Let’s go one step further: fingerprinting combined with background checks for all volunteers—parents included. While that approach is not new, the higher number of volunteers, the increased prowess of technology, and the growth in districts newly considering that option make this a timely exploration.

A school district may implement fingerprinting for volunteers with regular or “uncontrolled access” to students and who volunteer at least 40 hours each year. The school district could require a volunteer in a classroom on a regular basis in a supervised setting go through a commercial background check through [the school district] on an annual basis.

Some public schools automatically bar volunteers with either a drug conviction or certain other criminal offenses. However, they may agree to assess this position on a case-by-case based on such factors as the date of conviction, rehabilitative efforts, community involvement, character references, and experience with children.

Caution but not Paranoia

Stop for a moment to think how police investigative techniques have migrated to schools: field trip luggage searches, metal detectors, random drug testing, background checks and fingerprinting, and video cameras. It is feared that perfectly suited parents who have nothing to hide but value their privacy might reluctantly say “no” because they feel insulted by the policy. Often, the reasoning of well-meaning hard-liners is: “If I can just save one child...” But, that commonly means trampling on privacy, buying expensive, maybe needless equipment, and branding every visitor—parents included—as a suspect to be feared until proven otherwise.

The legal and societal rationale for caution is clear. But the balance between school security and a positive, nurturing school climate is tender and based on trust.

So, it comes down to knowing your local circumstances. What are the legitimate fears that parents could cause harm? What is the history in the district? Can parents and guardians afford to possibly pay an upfront cost for background checks/fingerprinting? What’s the effect of policies on low-income or immigrant communities? Are school districts that implement tough security measures somehow safer?

It is entirely reasonable for parental restrictions to be lower than restrictions on the general public. Outsiders with no connection to a school naturally warrant suspicion. The same is true for potential employees who will gain repeated and unsupervised access to students.

Instead of finding a middle ground, schools too often sacrifice the parent-school relationship and a good school climate for high-alert style security procedures. This much is clear: School security consultants can

advise educators on things like threat assessment and containment techniques, but cannot guide you on the effect of security techniques on the learning environment and parent relations.

While we can concede that with lawsuits lurking in the background and real threats, schools must take reasonable means to prevent harm to a single child anywhere. But a welcoming school climate also deserves equal weight. After all, how can students feel safe anywhere if the place they inhabit daily signals that their parents and guardians—the people they love most—cannot be trusted?