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ACCESS TO CLASSROOMS: STRIKING A DELICATE BALANCE

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With increasing frequency, parents of public school students are requesting the ability to visit the schools during instructional time. In particular, parents of students identified for special education services, are explicitly permitted access to the classrooms of their children:

"Parents shall have reasonable access to their child's classrooms, within the parameters of local educational agency policy." -22 Pa. Code § 14.108.

While it is certainly reasonable for parents to request the opportunity to observe the educational settings in which their children are educated, unfettered access to public schools would greatly compromise schools' ability to educate pupils without undue disruption. Further, as is often the case, both heavy-handed and wide-open approaches to such requests are not advisable.

Notably the Pennsylvania special education regulations allows for public school districts in the commonwealth to set policies governing classroom access. For these reasons, we recommend school districts develop a measurable policy that allows access to classrooms while imposing reasonable time, place, and manner restrictions upon such access. This allows for the school districts to strike a balance between reasonable access and educational disruption. Reasonable restrictions may include, but are not necessarily limited to:

- Limiting visitations to parents or professionals with educational expertise who are selected by the parents;
- Limiting visitations to classrooms the student is currently attending or classrooms that have been proposed by the school district for the student;
- Requiring reasonable advance written notice from the parents for any planned visit;
- Reasonably limiting the length of each of visit;
- Requiring the visitor to remain silent and refrain from interacting with students, teachers, and paraprofessionals during the observation;
- Limiting the total number of visits for each school or calendar year;
- Requiring a school district staff member to accompany the visitor during the visit, and/or;
- Allowing school district personnel the discretion to end an observation if the visitor is not complying with the district's policy.

School districts should adopt a policy that clearly delineates guidelines for classroom visitations, which may include some or all of the provisions above in addition to any other reasonable provisions that the school district believes are necessary to maintain minimal disruption to the learning environment. Our firm is able to assist clients in the development of such policies; please do not hesitate to contact us for assistance in that regard.

Clients who have questions regarding issues discussed in this article, or any education law matter, should feel free to call us at 215-345-9111.

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