

**Board of Education Policy**

**PUBLIC CONDUCT ON SCHOOL PROPERTY**

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The District is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of an environment, it is necessary to regulate public conduct on school property and at school functions. For purposes of this section of this Policy, “public” shall mean all persons when on school property or attending a school function including, but not limited to students, teachers, District staff, residents, members of the general public and/or invitees.

The restrictions on public conduct on school property and at school functions contained within this Policy are not intended to limit freedom of speech or peaceful assembly. The District recognizes that free inquiry and free expression are indispensable to the objectives of the District. The purpose of this Policy, is to maintain public order and prevent abuse of the rights of others.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose for which they are school property.

**A. Prohibited Conduct**

No Person, either alone or with others, shall:

1. Intentionally injure any person or threaten to do so;
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other District employee, or any person lawfully on school property, including the use of graffiti or arson;
3. Disrupt the orderly conduct of classes, school programs, or other school activities;
4. Distribute or wear materials on school grounds or at school functions that are obscene, advocate prohibited and/or illegal action, appear libelous, may reasonably incite violence and/or riots, obstruct the rights of others, and/or are disruptive to the school program and/or environment;
5. Intimidate, harass, or discriminate against any person on the basis of actual or perceived race, color, creed, national origin, religion, religious practice, political affiliation, age, gender (including identity and expression), sex, sexual orientation, disability, weight, marital status, military status or veteran status;
6. Enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed;
7. Obstruct the free movement of any person in any place to which this Policy applies;
8. Violate the traffic laws, parking regulations, or other restrictions on vehicles;

**Board of Education Policy**

**PUBLIC CONDUCT ON SCHOOL PROPERTY**

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9. Possess, consume, sell, offer, manufacture, distribute, or exchange tobacco (including, but not limited to, electronic cigarettes), alcohol and/or alcohol beverages, controlled and/or illegal substances (or any synthetic versions, whether or not specifically illegal or labeled for human consumption), or be under the influence of any of these substances on school property or while at a school event or function as such terms are defined by the District's Code of Conduct;
10. Possess or use weapons in or on school property or at a school function except in the case of law enforcement officers or except as specifically authorized by the school district;
11. Loiter on or about school property;
12. Gamble on school property or at school functions;
13. Refuse to comply with any reasonable order of identifiable school district officials performing their duties;
14. Willfully incite others to commit any of the acts prohibited by this Policy; and
15. Violate any Federal or State statute, local ordinance, or Board policy while on school property or while at a school function.
16. Smoke a cigarette, cigar, pipe, electronic cigarette, vaporizer, vapor pen/e-cigarette, liquid nicotine, or using chewing or smokeless tobacco.

**B. Penalties**

Persons who violate this Policy, shall be subject to the following penalties:

1. **Visitors** – their authorization, if any, to remain on school grounds or at the school function shall be withdrawn and they shall be directed to leave the premises. If they refuse to leave, they will be considered trespassers and local enforcement authorities shall be contacted. A no-trespass letter may be issued to the visitor prohibiting them from entering school property;
2. **Students** – will be directed to leave the premises and shall be subject to disciplinary action as the facts may warrant, in accordance with the due process requirements;
3. Tenured faculty members – will be directed to leave the premises and shall be subject to disciplinary action as the facts may warrant in accordance with Section 3020-a of the Education Law or any other legal rights that they may have;
4. **Staff members in the classified service of the civil service entitled to the protection of Section 75 of the Civil Service Law** – they shall be subject to immediate ejection and to disciplinary action as the facts may warrant in accordance with Section 75 of the Civil Service Law or any other legal rights they may have; and

**Board of Education Policy**

**PUBLIC CONDUCT ON SCHOOL PROPERTY**

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5. **Staff members other than those described in subdivisions 3 & 4 hereof** – they shall be subject to warning, reprimand, suspension, or dismissal as the facts may warrant in accordance with any legal rights they may have.

**C. Enforcement**

The Building Principal and/or designee shall be responsible for enforcing the conduct required by this Policy.

When the Building Principal and/or designee sees an individual engaged in prohibited conduct, which in his or her judgment does not pose any immediate threat of injury to persons or property, the Principal and/or designee shall tell the individual that the conduct is prohibited and attempt to persuade the individual to stop. The Principal and/or designee shall also warn the individual of the consequences for failing to stop. If the person refuses to stop engaging in the prohibited conduct, or if the person’s conduct poses an immediate threat of injury to persons or property, the Principal and/or designee shall have the individual removed immediately from school property or the school function. If necessary, local law enforcement authorities will be contacted to assist in removing the person.

The District shall initiate disciplinary action against any student or staff member, as appropriate, with regard to the “Penalties” section above. In addition, the District reserves its right to pursue a civil or criminal legal action against any person violating the District’s Code of Conduct.

***Cross-Ref:***

***Adopted:*** 03/25/2015

***Reviewed:*** 01/23/2019

***Revised:*** 02/27/2019