

MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY

These regulations are adopted in compliance with Article 55 of the Education Law and shall govern the conduct of students, faculty and other staff, licensees, invitees and other persons, whether or not their presence is authorized, upon any property and other premises, vehicles or property under the control of the Board of Education, used in its teaching, transportation, administration, service, cultural, recreational, athletic and other programs and activities.

A. PROHIBITED CONDUCT

No person, either singly or in concert with others, shall:

1. Willfully cause physical injury to any other person, or threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he has a lawful right to do or to do any act which he has a lawful right not to do.
2. Physically restrain or detain any other person, or remove such person from any place where he is authorized to remain.
3. Willfully damage or destroy property of the School District or property under its jurisdiction, or remove or use such property without authorization.
4. Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty, staff member, or members of the Board of Education.
5. Enter upon and remain in any building or facility for any purpose other than its authorized use or in such manner as to obstruct its authorized use by others.
6. Without authorization, remain in any building or facility after it is normally closed.
7. Refuse to leave any building or facility after being required to do so by an authorized administrative officer or staff member or member of the Board of Education.
8. Obstruct the free movement of persons and vehicles in any place to which these rules apply.
9. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, student halls, lectures and meetings or deliberately interfere with the freedom of any person to express his views, including invited speakers.
10. Knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon.
11. Willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so.

B. PENALTIES

A person who violates any of the provisions of these rules shall:

1. If s/her is a licensee or invitee, have his authorization to remain upon School District property or other property withdrawn and shall be directed to leave the premises. In the event of this failure or refusal to do so, he shall be subject to ejection.

2. If s/he is a trespasser or visitor without specific license or invitations, be subject to ejection and/or arrest.
3. If s/he is a student, be subject to such disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning, such disciplinary action to be taken pursuant to the terms of the Education Law and such other laws and policies as may apply.
4. If s/he is a faculty member having a probationary or permanent appointment, be guilty of misconduct and be subject to dismissal or termination of his/her employment or such less disciplinary action as the facts may warrant, pursuant to the terms and procedures of the Education law and such other laws and as may apply.
5. If s/her is a staff member in the classified service of the civil service, described in Section 75 of the Civil Service Law, be guilty of misconduct, and be subject to dismissal or termination of his/her employment or such lesser disciplinary action as the facts may warrant, pursuant to the terms and procedures of the Education Law, Civil Service Law and such other laws as may apply.
6. If s/he is a staff member other than one described in Paragraphs (4) and (5), be subject to dismissal, suspension without pay, censure, or other disciplinary action, under such laws as may apply.

C. PROCEDURE

1. The Chief administrative officer or his/her designee, shall inform any licensee or invitee who shall violate any provisions of these rules that his/her license or invitation is withdrawn and shall direct him/her to leave the school grounds or other property of the School District. In the event of his/her failure or refusal to do so, such officer shall cause his/her ejection from such school grounds or property.
2. In the case of any other violator, who is neither a student or faculty or other staff member, the chief administrative officer or his/her designee, shall inform him/her that s/he is not authorized to remain on the school grounds or other property of the District, and direct him/her to leave such premises. In the event of his/her failure or refusal to do so, such officer shall cause his/her ejection from such school grounds or property. Nothing in this paragraph shall be construed to authorize the presence of any such person at any time prior to such violation nor to affect his/her liability to prosecution for trespass or loitering as prescribed in the Penal Law.
3. In the case of a student, charges for violation of any of these rules shall be presented and shall be heard and determined in the manner established by the Education Law for the disposition of such charges.
4. In the case of a faculty member having a probationary or permanent appointment, charges of misconduct in violation of these rules shall be made, heard and determined in accordance with the Education Law or such other laws as may apply.
5. In the case of any staff member who holds a position in the classified civil service, described in Section 75 of the Civil Service Law, charges of misconduct in violation of these rules shall be made, heard and determined as prescribed in the Civil Service Law or such other law as may supply.

6. Any other faculty or staff member who shall violate any provision of these rules shall be dismissed, suspended or censured by the appointing authority prescribed in the policies of the Board of Education, or such laws as may apply.

D. ENFORCEMENT PROGRAM

1. The chief administrative officer shall be responsible for the enforcement of these rules, and he shall designate the other administrative officers who are authorized to take appropriate action in accordance with these rules when required to carry them into effect.
2. It is not intended by any provision herein to curtail the right of students, faculty or staff to be heard upon any matter affecting them in their relations with the School District. In the case of any apparent violation of these rules by such persons, which, in the judgment of the chief administrative officer or his/her designee, does not pose any immediate threat of injury or person or property, such officer may make reasonable effort to learn the cause of the conduct in question and to persuade those engaged therein to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, such officer shall warn such person of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the School District, where their continued presence and conduct is in violation of these rules.
3. In any case where violation of these rules does not cease after such warning and in other cases or willful violation of these rules, the chief administrative officer or his/her designee, shall cause the ejection of the violator from any premises which s/he occupies in such violation and shall initiate disciplinary action as hereinbefore provided.

Adoption Date: November 21, 2011