

Superintendent's Regulation 1520-R


Approved upon Superintendent's Initials

8/7/19
Date

PUBLIC CONDUCT ON SCHOOL PROPERTY

The following rules apply to all school, educational and other facilities of the Board of Education. These rules govern the conduct of students, teachers and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon district property, and also upon or with respect to any other premises or property under the control of the district and used in its teaching programs and activities, and in its administrative, cultural, recreational, athletic, and other programs and activities.

Penalties for violations include withdrawal of authorization to remain upon the property; ejection; arrest; suspension or other disciplinary action for students; and dismissal or other disciplinary action for employees.

It is the duty of staff members to report violations and to make reasonable efforts to stop the prohibited conduct. The Principal or Administrative Officer is responsible for the enforcement of these rules in each facility.

Prohibited Conduct

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

1. obstruct or disrupt the teaching, research, administration, disciplinary procedures or other school district activities, including Board of Education meetings;
2. willfully cause physical injury to any other person nor threaten to do so, for the purpose of compelling or inducing such other person to refrain from any act which he/she has a lawful right to do, or to do any act which he/she has a lawful right not to do;
3. physically restrain or detain any other person, nor remove such person from any place where he/she is authorized to remain, except that students may be restrained as permitted under Policy 5314, Corporal Punishment Complaints, or when the person is acting in lawful defense of him/herself or another person;
4. willfully damage or destroy property of the district or property under its jurisdiction, nor remove or use such property without authorization;
5. without permission, express or implied, enter into any private office of an administrative officer, teacher or staff member;
6. enter upon or remain in any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others;

7. without authorization, remain in any building or facility after it is normally closed, nor without permission, enter any building or facility prior to its normal opening;
8. refuse to leave any building or facility after being directed to do so by a Principal or an authorized administrative officer or his/her designee;
9. obstruct the free movement of persons and vehicles in any place which these rules apply;
10. deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers;
11. have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or knife, chain club or other, whether or not a license to possess the same has been issued to such person. It is the duty of the Principal or chief administrative officer to inform the police of the presence or use of any such weapons or implements used as weapons on school or educational facility property (peace officers are excluded from this prohibition);
12. use, possess, sell or distribute alcohol, controlled substances or drug paraphernalia, as defined in Board of Education policy 5312.1, Drug and Alcohol Abuse. In addition, no person may possess, with intent to drink or consume, an open container containing an alcoholic beverage on any grounds or premises under the control of the Board of Education which are used for school purposes;
13. commit acts which threaten the safety and welfare of persons on school or educational facility property;
14. be insubordinate or use abusive language to and/or refuse to obey the reasonable directions of an administrative officer, teacher or staff member of a school or educational facility;
15. refuse to identify himself/herself to school personnel;
16. willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so; and/or
17. violate any federal or state statute, local ordinance, or Board policy.

Public Conduct at Board of Education and other Public Meetings

1. An individual shall register in advance to speak at any meeting of the Board of Education, pursuant to Board Policy 2300
2. The time limit per speaker will be communicated by the President (or designee) at the commencement of the agenda recognizing speakers

3. If a speaker ignores the time limit or is disruptive so as to interfere with the orderly conduct of a meeting, depending on the circumstance, the following procedure is suggested:
 - a. The President, meeting chair, or designee will interrupt the speaker and ask the speaker to conclude
 - b. If the speaker continues to speak, the President, meeting chair, or designee will interrupt again, and ask the speaker to submit a written statement
 - c. If the speaker continues to speak, the President, meeting chair, or designee will signal the staff to turn off the cameras and microphones
 - d. If the speaker refuses to return peacefully, the President, meeting chair, or designee will direct the speaker to return to his/her seat and warn the speaker that failure to do so will result in the police being called to remove the speaker as a trespasser
 - e. If the speaker still refuses to return to his/her seat, then the staff will call the police to assist with removal of the speaker from the building

Penalties and Procedures

A person who violates any of the provisions of these rules shall be subject to the following penalties and procedures:

1. If a licensee or invitee, his/her authorization to remain upon the grounds or other property shall be withdrawn and he/she shall be directed to leave the premises. In the event of failure to do so, he/she shall be subject to ejection.
2. If a trespasser or visitor without specific license or invitation, he/she shall be subject to ejection.
3. If a student, he/she shall be subject to immediate ejection and to disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand or warning as prescribed by section 3214 of the Education Law, so long as the provisions pertaining to notice and hearing have been met.
4. If a tenured faculty member, he/she shall be subject to immediate ejection, and to warning, reprimand, suspension and/or other disciplinary action as prescribed by and in accordance with section 3020-a of the Education Law or collective bargaining agreement, if applicable.
5. If a staff member in the classified service of the civil service, he/she shall be subject to immediate ejection and to the penalties and procedures prescribed in section 75 of the Civil Service Law or collective bargaining agreement, if applicable.

6. If a staff member other than one described in subdivisions 4 and 5, he/she shall be subject to immediate ejection and to dismissal, suspension without pay, fine or reprimand.

Enforcement Program

1. The Superintendent shall be responsible for the enforcement of these rules, and he/she shall designate the other personnel who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.
2. In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or his/her designee, does not pose any immediate threat of injury to person or property, such school official 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 school official shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any district properties 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 of willful violation of such rules, the Superintendent or his/her designee shall cause the ejection of the violator from any premises which he/she occupies in such violation and/or, if appropriate, make recourse to police authorities. The school official may also initiate disciplinary action as hereinbefore provided.
4. The Superintendent or his/her designee may apply to the public authorities for any aid which he/she deems necessary in causing the ejection of any violator of these rules and he/she may request the Board's Counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of such rules.

This regulation and the penalties contained herein are not considered to be inclusive or to preclude in any way the prosecution and conviction of any person for the violation of any federal law, state law, or local ordinance and the imposition of a fine or penalty provided for therein.

Cross References: 1400, Code of Conduct
 1520, Public Conduct on School Property
 2300, Board Bylaws
 2390, Public Board Hearings

Amended: August 8, 2019