

PUBLIC CONDUCT ON SCHOOL PROPERTY REGULATION

These rules govern the conduct of students, faculty 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.

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;
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 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 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, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member;
6. enter upon and 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;
8. refuse to leave any building or facility after being directed to do so by an officer or employee;
9. obstruct the free movement of persons and vehicles in any place to which these rules apply;
10. disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or interfere with the freedom of any person to express his/her views, including invited speakers;
11. have in his/her possession upon school premises any rifle, shotgun, pistol, revolver, other firearm, knives, dangerous chemicals, explosives, or any object which is not necessary for school activities and which could be used as a weapon. A weapon is defined as any instrument capable of firing a projectile. The frame or receiver of any such weapon, firearm
12. use, possess, sell or distribute alcohol or controlled substances as defined in Board policy 5312.1, Drug and Alcohol Abuse;
13. willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so; and/or
14. violate any federal or state statute, local ordinance, or Board policy.

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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 he/she is a student, he/she shall be subject to immediate ejection and to disciplinary action
4. If a tenured faculty member, he/she shall be subject to immediate ejection, and to warning, reprimand, suspension and/or other action as prescribed by and in accordance with section 3020-a of the Education Law.
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
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 or censure.

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Enforcement Program

1. The Superintendent of Schools 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. Any violation of the above rules shall be reported immediately to the Building Principal or supervisor, who may report such violation to the Superintendent as the case may warrant.
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, the designated 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 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.

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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.

Amendment

These rules and regulations may be amended or modified by the Board of Education. All future amendments shall be filed with the Board of Regents and Commissioner of Education not later than ten days after adoption.

Note: Prior regulation, Policy Manual, 5000(o-q), revised