

Policy Information

Series 2000 - Community Relations

Rules and Regulations for Maintenance of Public Order on Premises and Property of the BOCES

Policy # 2410, 4.1

POLICY

1995 2410

Community Relations

SUBJECT: RULES AND REGULATIONS FOR MAINTENANCE OF PUBLIC ORDER ON PREMISES AND PROPERTY OF THE BOCES

The following policy is adopted in compliance with Article 55, Section 2801 of Education Law. This policy is not intended to limit or restrict either the freedom of speech or of peaceful assembly. The Board recognizes, however, that the maintenance of public order on school property is the responsibility of all members of the school community. Students, employees and visitors on school premises should at all times conduct themselves in a manner reflecting proper respect for public property and the rights of others.

The rules hereby adopted shall govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons, whether or not their presence is authorized, upon premises and property of the BOCES.

Prohibited Conduct

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

- a. 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.
- b. Physically restrain or detain any other person, nor remove such person from any place where he/she is authorized to remain.
- c. Willfully damage or destroy property of the Genesee-Livingston-Steuben-Wyoming BOCES, or under its jurisdiction, nor remove or use such property without authorization.
- d. Without permission, expressed or implied, enter into any private office, unsupervised teaching space or classroom, boiler room, garage, storage area, maintenance room or other similar area for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
- e. Enter upon and/or remain in any building, facility, or vehicle or upon any grounds or premises for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others.
- f. Refuse to leave any building, facility, or vehicle after being required to do so by an authorized administrative officer or other authorized agent of the BOCES.
- g. Obstruct in any way or for any purpose the free movement of persons or vehicles entering or leaving any building, or grounds, or the free movement of persons within any building or vehicle or upon any

grounds to which these rules and regulations apply.

- h. 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.
- i. Knowingly have in his/her possession upon any premises or vehicle to which these rules and regulations apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the District Superintendent, whether or not a license to possess the same has been issued to such person.
- j. Knowingly have in his/her possession within any building or vehicle or upon any grounds to which these rules and regulations apply, any alcoholic beverage or drug defined as a dangerous drug in Section 220.00 of the Penal Law. (Substances legally prescribed by an authorized physician are exempt.)
- k. Willfully incite officers to commit any of the acts herein prohibited with specific intent to procure them to do so.

Penalties

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

- a. If he/she is a licensee or invitee, have his/her present and future authorization to remain upon the campus or other property withdrawn and shall be directed to leave the premises. In the event of his/her failure or refusal to do so he/she shall be subject to ejection.
- b. If he/she is a trespasser or visitor without specific license or invitation, be subject to ejection.
- c. If he/she is a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, reprimand, or warning (in accordance with provisions established in Education Law Section 3214).
- d. If he/she is a faculty member having a term or continuing appointment, 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 including suspension without pay, fine or censure (in accordance with provisions established in Education Law).
- e. If he/she is a staff member in the classified service of the Civil Service, described in Section 75 of the Civil Service Law, and be guilty of misconduct, shall be subject to the penalties prescribed in said section.
- f. Any other staff member not specifically provided for in the above paragraphs who shall violate any provision of the rules and regulations, may be dismissed, suspended or censured as determined by the Board of Education.

Procedures and Enforcement

In the case of any apparent violation of these rules by such persons, which, in the judgment of the District Superintendent of Schools or his/her designee, does not pose any immediate threat of injury to 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 persons of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the institution where their continued presence and conduct is in violation of these rules. In the event of his/her failure or refusal to do so such

officer shall cause his/her ejection from such school property.

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 at the building where he/she is enrolled for the disposition of charges which may lead to suspension or expulsion.

The District Superintendent of Schools 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 school counsel to apply any course of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.

Board Approved
2/2/94
7/18/95

Adoption Date: 2/2/1994, Revised: 7/18/1995
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