

Maintenance of Public Order

Statement of Purpose

To insure the orderly process of education and business affairs connected with the schools and the safety of persons and property, the Board of Education directs that the procedures below be followed in case of any type of disruptive demonstration on school property or within school buildings.

The purpose of these rules is not to prevent or restrain controversy and dissent but to prevent abuse of the rights of others and to maintain that public order appropriate to a school district; these rules shall be interpreted and applied to that end.

Application of Rules

These rules are not intended to repeal, supersede, amend or preclude any other rules relating to the same subject matter adopted by the Board of Education. The rules hereby adopted shall govern the conduct of District employees whether or not their presence is authorized upon or proximate to the District property and also upon or with respect to any other premises or property, under the control of the District used in its teaching, research, administrative, service, cultural, recreational, athletic, as well as other programs and activities.

Prohibited Conduct

No employee of the District, either singly or in concert with others, shall

- a. Willfully obstruct or disrupt teaching, administration, or other activities of the School District including the School District public service functions on School owned or operated.
- b. Physically abuse 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 School District or property under its jurisdiction, or remove or use such property without authorization.
- d. Without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty, staff member, or member of the Board of Education.
- e. 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.
- f. Without authorization remain in any building or facility after it is normally closed.
- g. Refuse to leave any building or facility after being required to do so by an authorized administrative officer or duly authorized member of the Board of Education.
- h. Obstruct the free movement of persons and vehicles in any place to which these rules apply.

- i. Deliberately disrupt or prevent the peaceful and orderly conduct of classes, study halls, lectures and meetings or deliberately interfere with the freedom of any person to express his/her view, including invited speakers.
- j. Knowingly have in his/her possession upon any premise to which these rules apply, any rifle, shotgun, pistol, revolver or other firearms; knives; or any other weapon without the written authorization of the chief administrative officer whether or not a license to possess the same has been issued to each person.
- k. Disseminate information that favors or places in disfavor, a particular religious group or legal political organization or an ethnic group.

Penalties

A District employee in the classified service of the civil service, described in Section 75 of the Civil Service Law, who is guilty of misconduct as set forth in the rules stated above shall 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 Education Law and such other laws as may apply including the rules and penalties herein. Employees not in the Civil Service shall be subject to dismissal, suspension without pay, censure, or other disciplinary action under such laws as may apply.

- a. Verbal Abuse — An employee using inappropriate language to a student or parent will be reprimanded by the principal and a copy of the report placed in his or her file.
- b. Disseminating Prohibited Information — A first offense will be reprimanded by the principal and a copy of the report placed in the file of the employee. A second violation will result in the appearance of the employee before the Superintendent of Schools.
- c. Drug or Alcohol Abuse — As established in policy adopted by the Board of Education.
- d. Loitering — Anyone refusing or leave the school grounds upon request of the proper school authority is subject to arrest.
- e. Vandalism — Where there is willful destruction of school property or personal property of others on school grounds and the violator is apprehended, the offender will be billed for damages by the Board of Education and appropriate action under the law may be taken.
- f. Fire Alarm/Bomb Threats — School authorities will refer the matter immediately to the proper police and/or fire authority.

Enforcement

- a. The Superintendent shall be responsible for the enforcement of these rules, and shall designate the other administrative officers who are authorized to take action in accordance with these rules when required or appropriate to carry them into effect.
- b. In the case of any employee 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 apply. Other staff members who 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.
- c. It is not intended by any provision herein to curtail the right of employees 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 Superintendent, 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 School District, where their continued presence and conduct is in violation of these rules.
- d. In any case where violation of these rules does not cease after such warning and in other cases of willful violation of these rules, the Superintendent shall cause the ejection of the violator from any premises which he/she occupies in such violation and shall initiate disciplinary action as herein above provided.
- e. The Superintendent 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 may request School District counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violation of these rules.

Effective Date

These rules were adopted in compliance with Article 55 of the Education Law and were filed with the Commissioner of Education and the Board of Regents on or before November 30, 1972, as required by that Article.

These rules became effective upon passage by the Board of Education. A copy shall be posted in each school building. In the event these rules shall be subject to amendment or revision, any amendments or revisions thereto shall be filed with the Commissioner of Education and Board of Regents within ten days after adoption.