

PUBLIC CONDUCT ON SCHOOL PROPERTY REGULATION

These rules govern the conduct of students, faculty and other staff, licensees, invitees, and all other persons upon property of the Berlin Central School District, 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.

Any use of the buildings and grounds under the control of the District must be preceded by notification of the following fire safety information: location of fire exits; form of notification of the need to exit (I.E. alarm, announcement etc.); reminder of the need to exit in a calm and orderly manner; prohibition on parking of motor vehicles in designated fire lanes.

I. Prohibited Conduct

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

- A. 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 that she/he has a lawful right to do, or to do any act that she/he has a lawful right not to do;
- B. physically restrain or detain any other person, nor remove such person from any place where she/he is authorized to remain;
- C. willfully damage or destroy property of the 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, or staff member;
- 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 requested to do so by an authorized administrative officer, member of the faculty, or staff member;
- H. obstruct the free movement of persons or vehicles in any place to which these rules apply;

- I. 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 her/his views, including invited speakers;
- J. knowingly have in her/his possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm, knife with a blade in excess of 2 and 1/4 inches or other device intended for use as a weapon, without the written authorization of the Superintendent of Schools, whether or not a license to possess the same has been issued to such person; or
- K. willfully incite others to commit any of the acts herein prohibited with specific intent to procure them to do so;
- L. use, consume, sell, distribute or offer for sale or distribution tobacco or alcohol;
- M. possess, use, consume, sell, distribute or offer for sale, distribution, use or consumption illegal drugs or controlled substances without written authorization of a physician;
- N. Use, possess, wear or in any way depict or demonstrate obscene materials or engage in or present obscene conduct or behavior. The term "obscene" refers to verbal, written, graphic, pictorial, and other means of presenting materials, when such materials violate generally accepted social and community standards. Obscene material appeals to prurient interest, is utterly without redeeming social importance, goes beyond customary limits of candor in description or representation, is characterized by patent offensiveness and is pornographic, indecent, vulgar and salacious;
- O. Park a motor vehicle in any fire lane or other no parking zone or park in any parking space designated for use by the disabled without a valid permit visibly displayed on or in the vehicle.

II. Penalties and Procedures

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

- A. If a licensee or invitee, her/his authorization to remain upon the grounds or other property shall be withdrawn and she/he shall be directed to leave the premises. In the event of failure to do so, she/he shall be subject to removal from the premises.

- B. If a trespasser or visitor without specific license or invitation, she/he shall be subject to removal from the premises.
- C. If she/he is a student, she/he shall be subject 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 of the State of New York, and she/he shall be subject to removal from the premises.
- D. If a tenured faculty member, she/he shall be subject to ejection, warning, reprimand, suspension, or other disciplinary action or combination of such actions, as prescribed by and in accordance with Section 3020-a of the Education Law.
- E. If a staff member in the classified service of the civil service, she/he shall be subject to the penalties and procedures prescribed in Section 75 of the Civil Service Law, and be subject to ejection.
- F. If a staff member other than one described in subdivisions D and E, she/he shall be subject to dismissal, suspension without pay, or censure, and be subject to ejection.

III. Enforcement Program

- A. The Superintendent of Schools shall be responsible for enforcement of these rules, and she/he 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.
- B. In the case of any apparent violation of these rules by such persons, which, in the judgment of the Superintendent or her/his 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 that 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.
- C. 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 her/his designee shall cause the removal of the violator from any premises which she/he occupies in such violation or, if appropriate, make recourse to police authorities, or both.

- D. The Superintendent or her/his designee may apply to the public authorities for any aid that she/he deems necessary in causing the ejection of any violator of these rules and she/he deems necessary in causing the ejection of any violator of these rules, and she/he may request the school attorney to apply to any court of proper jurisdiction for an injunction to restrain the violation or threatened violation of these rules.

IV. Amendment Procedures

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 of the State of New York and the Commissioner of Education not later than ten (10) days after their adoption.