

Public Order

It is the policy of the Board of Education to maintain public order on the premises of Chenango Valley Central School District. The rules and regulations of this policy are designed to apply to all persons on the premises and are in no way to be interpreted as superseding or replacing regulations contained in any student handbook or other announced rules as they apply to students.

Students enrolled in the school, faculty and staff members employed by the school, and all other persons such as visitors, licensees, and invitees on the school premises are expected to conduct themselves in such a way as not to endanger the welfare of the students or the public order on such premises. The following activities are (without limitation) potentially detrimental to the maintenance of public order, and any person or persons on the premises engaging in such activities without authority are liable to disciplinary action:

I. Prohibited Activities

- (1) Obstruction or disruption of teaching, administrative functions, disciplinary procedures or other school activities or of activities on the school premises authorized by duly constituted administrative officers;
- (2) The use of any intimidation tactics including words, physical threat, physical restraint or detention of any person or removal of any person from any place where he is authorized to remain, or obstruction of the free movement of persons and vehicles in any place where these rules apply;
- (3) Physical abuse or intimidation of any person on school-owned or controlled property or at school sponsored or supervised functions or conduct which threatens or endangers the health or safety of such persons by any acts, including those which employ devices of physical intimidation such as firearms, knives, weapons, etc.;
- (4) Unauthorized entry into or use of school facilities, including seizure by force or threat of force of part or all of any school building or other school facility;
- (5) Refusal to leave any building or facility after being requested to do so by an authorized administrative officer, or remaining in any building or facility after it is closed;
- (6) Theft of or damage to property of the school or of a member of the school community or a campus visitor;
- (7) Knowingly having possession upon any premises of any rifle, shotgun, pistol, revolver or other firearms or weapon without written authorization from the Superintendent, unless by an officer of the law. An item will be considered a weapon even if it is a facsimile of a weapon and regardless of whether it is loaded, operational, or incapable of being operational;

- (8) Willfully inciting others to commit any of the acts herein prohibited with specific intent to procure them to do so;
- (9) Loitering in the school buildings or on school grounds;
- (10) Possession of illegal drugs (or of drugs requiring a prescription without the existence of a valid prescription);
- (11) Possession of alcoholic beverage in the school buildings or on school grounds.

II. Program for Enforcement

- A. The Superintendent of Schools or his/her designee shall be responsible for enforcing the regulations. The procedure for enforcement will depend on the circumstances accompanying the infraction. Every effort will be made to handle all situations with school staff. However, in cases which pose a clear and present danger to persons and/or property, recourse may be made to civil authorities.
- B. Violators who are neither students, faculty, or staff and who are not subject to school discipline shall be directed to leave the school premises, and if necessary, shall be ejected from such premises by the school authorities or by civil authorities.
- C. The various stages through which action to avoid and cope with disorders arising from infraction(s) of the regulations by students, faculty and staff might be expected to proceed are summarized below. (This is not meant to establish a prescribed order, which will depend on the kind and seriousness of the infraction, but rather to indicate the range of possible procedures.)
 - (1) Notice by school officials to those involved in the infraction of the existence and content of the stated regulations and of the penalties provided for under school judicial procedures that may be incurred by a failure to desist from such activities. Failure to desist would result in:
 - (2) Assignment of school personnel to identify those involved by appropriate means including requests to produce identity cards, or other appropriate documents. In addition, students, faculty, or staff may be ejected from these premises in which their presence is unauthorized and in violation of the rules.
 - (3) If identification is refused (which is in itself a violation of school regulations) and/or if the infraction continues, recourse to civil authorities may be elected, or the school may seek a court order restraining those involved from continuing in their actions. Persons involved will be informed of the prospect of a restraining order being presented and of the significance of such an action. They will be given an opportunity to desist from their activities before formal presentation of the order. Failure to respond will result in:
 - (4) Serving of the court order and consequent action by the civil authorities.
 - (5) If order is not maintained by the above procedures, or in cases of severe disorder which threatens damage to persons and/or property, assistance will be sought from the appropriate law enforcement agencies.

III. Penalties: Students

- A. Students charged with violation of these regulations shall be subject to the established discipline procedures of the school. (See School Conduct & Discipline policy)
- B. In situations that have resulted in the involvement of civil authorities, students are also liable to prosecution under criminal charges that may result from such involvement.

IV. Penalties: Faculty

- A. Violation of these regulations by a faculty member shall in all cases be considered a violation of professional conduct.
- B. All complaints against a faculty member suspected of violating these regulations shall be sent to the Superintendent of Schools. He/she has the following courses of action open to him/her:
 - (1) If in the opinion of the Superintendent the alleged activities do not warrant a recommendation of dismissal for cause, he/she shall interview the alleged offender and after an opportunity for the offender to be heard, either dismiss the matter, recommend appropriate corrective action, and give such reprimand or censure as shall be required; or
 - (2) If in the opinion of the Superintendent the alleged activities warrant consideration of dismissal for cause, shall proceed with the same in accordance with the applicable sections of the Education Law.
 - (3) In situations that have resulted in the involvement of civil authorities on school premises, faculty members are also liable to prosecution under criminal charges that may result from such involvement.

V. Penalties: Non-Faculty Staff

- A. Classified Civil Service Personnel - Action against members of the classified civil service charged with violations of the regulations shall be governed by the provisions of Section 75 of the Civil Service Law, which provides for disciplinary action up to and including dismissal. Other penalties include reprimand, suspension without pay, and reduction of grade that may result from such involvement.
- B. Unclassified Civil Service Personnel - non-faculty - Complaints against members of the unclassified Civil Service shall be referred to the Superintendent of Schools to be dealt with by administrative procedures that may lead to disciplinary action up to and including dismissal. Other penalties may include reprimand or suspension without pay that may result from such involvement.
- C. All Others - All other persons who may be legally present on the school premises by reason of their employment and who are charged with violation of the regulations are subject to ejection from the premises by school authorities or by civil authorities. They are subject to any criminal charges that may be lodged as a result from such involvement.

VI. Penalties: Others

- A. Licensees and invitees - Licensees and invitees and other persons legally on the school premises for any purposes shall be subject to the requirements of the regulations. Any licensee or invitee in violation of this regulation shall have his license or invitation withdrawn. A violator whose authorization has thus been withdrawn will be required to leave the premises and will be summarily ejected, if necessary, by the school authorities or by civil authorities. Violators are subject to any criminal charges, which may be made as a result of such involvement.

- B. Unauthorized Persons - Unauthorized persons are subject to the law governing loiterers. Such persons may be ejected from school premises by the school authorities or by civil authorities. They are subject to any criminal charges, which may be lodged as a result of violations from such involvement.