

## Rules for the Maintenance of Public Order

### Statement of Purpose

This policy outlines the rules for maintenance of public order adopted by Maria College in compliance with NYS Education Law §6340. These rules govern the conduct of students, faculty, staff or other persons on college property such as visitors, also included are applicable campus procedures and penalties for violation of the rules and associated enforcement procedures.

### Applicability of Rules

The rules and regulations of this policy govern the conduct of all persons, including students, faculty, vendors, staff, tenants, invitees and all other persons, whether or not their presence is authorized, on any College-owned or College-operated property, or on any other property or facility used by the College. The College, in addition, reserves the right in its discretion to withdraw at any time the privilege of an invitee to be on College premises.

### Prohibited Conduct

No person either singly or in concert with others shall:

- cause physical injury to another person, nor threaten to do so;
- physically restrain or detain any other person;
- remove anyone from any place where they are authorized to remain;
- damage or destroy property of the College or property under its care;
- remove property of the campus or property under its care;
- use College property or property in the College's care without authorization;
- enter into any private office of an administrative officer, member of the faculty or staff member without implied or explicit permission;
- enter into and remain in any College building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use;
- remain in any building or facility after it is closed without authorization;
- refuse to leave a College building or facility after being required to do so by an authorized administrative officer or Security guard;
- obstruct the free movement of people and vehicles in any place to which these rules apply;
- interrupt, impede, hinder, inhibit, restrict, block, stop, halt, or bring to a standstill an event, activity, or operation of the College including, but not limited to, teaching, guest lectures, research, College business, disciplinary proceedings, activities/programs sponsored by students, or Maria College student clubs and organizations, or activities/programs sponsored by departments, divisions, or faculty, staff, or administration;
- knowingly have in his or her possession upon the premises to which these rules apply, any weapon without the written authorization of the president whether or not a license to possess the weapon has been issued to the person;
- incite others to commit any of the acts prohibited in this section with the specific intent to procure them to do so; or

- take any action, create or participate in the creation of any situation, which recklessly or intentionally endangers the mental or physical health of anyone for the initiation into or affiliation with any organization;
- impair a person's access to College programs or activities, such that the person is effectively denied equal access to the College's resources and opportunities on the basis of the person's race, color, religion, sex, sexual orientation, gender identity or expression, age, marital status, familial status, military status, national origin, or disability, or perceived membership in any of these classifications.

## Penalties

All of the penalties listed below will be in addition to any criminal penalty under the penal law or any other law to which a member of the campus community, visitor, guests, tenant, independent contractor, or invitee may be subject to. A person who shall violate any provisions of these rules shall:

- **Students:** in the case of a student violator, penalties may include interim suspension pending investigation, suspension, expulsion, or other appropriate disciplinary action in accordance with the Student Conduct Code. Individual student violations of the Rules will be heard through the College judicial system as constituted in the Maria College Catalog, subject to the range of possible sanctions therein.
- **Faculty, Staff or Administration:** In the case of a violation by an individual member of the faculty, staff, or administration, penalties for violations may include suspension or termination from employment, or other appropriate disciplinary action in accordance with the respective policies covering the individual.
- **Non-community members:** Violations by non-community members, including invited or uninvited guests, licensees, or invitees, will result in the offender's immediate removal from the campus and possible criminal prosecution and/or permanent barring from the premises
- If any other member of the College community violates any provision of these rules, be dismissed or suspended.

## Procedures

Procedures for Different Categories of Individuals.

Nothing in this subdivision shall be construed to authorize the presence of anyone at any time prior to such violation nor to affect his or her liability to prosecution for trespass or loitering as prescribed in the penal law. In addition to investigation by local law enforcement the College will conduct their own inquiry as follows:

- In the case of a student, investigation into charges for violation of any of these rules shall be presented, heard, and determined in accordance with the procedural guidelines as set forth in the Student Conduct Code.
- In the case of any staff or faculty member, investigation into charges for violation of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined in accordance with the Employee Manual.

- In the case of a licensee or invitee, the assigned administrative officer shall inform the licensee or invitee that the person's invitation is withdrawn and direct that person to leave the campus or other property of Maria College.
- In the case of any other member of the College community who shall violate any provision of these rules, charges of misconduct in violation of these rules shall be made, heard, and determined by the assigned administrative officer.

## Enforcement

Enforcement shall be consistent with approved College procedures and binding contractual agreements of the College. Any student, faculty member, officer of administration, or nonfaculty member may report a violation of these rules by filing a report with Campus Security, or by submitting a report under our Discrimination, Harassment, and Sexual Misconduct policy and procedures.

The President of the College shall be responsible for the interpretation and enforcement of these rules and shall designate the other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect.

- It is not intended by any provision herein to curtail the right of students, faculty, or staff to be heard upon any matter affecting them in the relations with Maria College. In the case of any apparent violation of these rules by such persons who, in the judgment of the President or the President's designee, do not pose any immediate threat of injury to person or property, the President or the President's designee may make a 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, the President or the President's designee shall warn such persons of the consequences of persistence in the prohibited conduct including their ejection from any premises of Maria College where their continued presence and conduct is in violation of these rules.
- 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 President or the President's designee shall cause the ejection of the violator from the campus and shall initiate disciplinary action as herein before provided.
- The President or the President's designee may apply to the public authorities for any aid, which is deemed necessary to cause the ejection of any violator of these rules.