

**PUBLIC CONDUCT ON SCHOOL PROPERTY REGULATION**

The following regulation has been established to ensure the District is able to provide a safe, respectful, and orderly atmosphere conducive to learning and education. For purposes of this regulation, “public” shall mean all persons on school property or attending a school function including students, parents, teachers, District personnel, visitors, licensees, invitees, and all other persons, whether or not their presence is authorized. Further, these rules apply upon all school buildings, grounds, premises, vehicles, or other property under the control of the District as well as with respect to any school program, event, activity, function, or meeting, whether or not conducted on school property.

All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner. In addition, all persons on school property or attending a school function are expected to be properly attired for the purpose they are on school property.

**A. Prohibited Conduct**

No person, either alone or with others, shall:

1. Intentionally injure any person, or attempt or threaten to do so.
2. Intentionally damage or destroy school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property, including graffiti or arson, or attempt or threaten to do so.
3. Intentionally remove or use school district property or the personal property of a teacher, administrator, other district employee, or any person lawfully on school property without authorization, or attempt or threaten to do so.
4. Intimidate, bully, harass, or discriminate against any person on the basis of actual or perceived race, color, creed, weight, national origin, ethnic group, religion, religious practice, disability, age, sexual orientation, gender (including gender identity and expression), sex, genetic characteristics, or any other protected class.
5. Violate the Dignity for All Students Act (DASA) by engaging in any bullying, harassment, discrimination, or cyberbullying of students.
6. Disrupt or prevent the orderly conduct of classes, school programs, meetings, or other school activities.
7. Distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, obstruct the rights of others, or are disruptive to the school program.
8. Enter upon or remain in any portion of the school premises without authorization or for any purpose other than its authorized uses or in such a manner as to obstruct its authorized use by others.
9. Without authorization, enter any building or facility prior to its normal opening or remain in any building or facility after it is normally closed.
10. Obstruct the free movement of any person or vehicle in any place in which these rules apply.
11. Violate any traffic laws, parking regulations, or other restrictions on vehicles.
12. Smoke a cigarette, pipe, cigar, or use any tobacco products or e-cigarettes in violation of Board policy 1530.
13. Possess, use, consume, sell, distribute, offer, manufacture, or exchange alcoholic beverages, drug paraphernalia, or controlled or illegal substances, or any synthetic versions thereof (whether or not specifically illegal or labeled for human consumption), or be under the influence of any of the above on school property or at a school function.
14. Possess or use any weapon in or on school property or at a school function except in the case of law enforcement officers or as specifically authorized by the District, whether or not the individual is licensed to possess the same.
15. Loiter on or about school property.

16. Gamble on school property or at school functions, except that charitable gaming may be permitted if approved in advance, in writing by the Board and/or Superintendent and conducted in accordance with all applicable laws, regulations, rules, and guidance.
  - i. Only a bona fide charitable or nonprofit organization shall be permitted to conduct games of chance such as bingo and/or raffles on school property or at school functions.
  - ii. Prior to conducting any game(s) of chance on school property or at school functions, the organization must obtain written authorization from the Board and/or Superintendent.
  - iii. The organization conducting the game(s) must also obtain any necessary license(s) and/or authorization(s) required by the City of Yonkers and/or New York State in accordance with the rules and regulations of the New York State Gaming Commission, Division of Charitable Gaming.
  - iv. The entire net proceeds of the game(s) must be devoted to the lawful purposes of the organization. Additionally, if an admission fee is charged, the proceeds must be used for an educational or charitable purpose.
  - v. Information on charitable gaming is available at: <https://www.gaming.ny.gov/charitablegaming/>.
17. Use abusive language or be insubordinate and/or refuse to comply with any reasonable order of identifiable District employee performing their duties.
18. Commit any act which threatens the safety, security, and/or welfare of persons on school property or attending a school function.
19. Violate any federal or state statute, local ordinance, or board policy while on school property or while at a school function.
20. Willfully incite others to commit any of the acts prohibited herein.

#### B. Penalties

Persons who violate this code shall be subject to the following penalties:

1. Visitors, including all individuals except those specifically referenced below: Authorization, if any, to remain on school grounds or at the school function shall be withdrawn and the individual shall be directed to leave the premises. If the individual refuses to leave, h/she shall be subject to ejection and may be charged with trespassing.
2. Students: All students shall be subject to appropriate disciplinary action as the facts may warrant. Any disciplinary action taken shall be in accordance with due process and the Code of Conduct.
3. Tenured Faculty Members: Such individuals shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Education Law §3020-a or any other legal rights that they may have.
4. Staff Members in the classified service of the civil service entitled to the protection of Civil Service Law §75: Such individuals shall be subject to immediate ejection and to disciplinary action as the facts may warrant, in accordance with Civil Service Law §75 or any other legal rights that they may have.
5. Staff members other than those described in subdivisions 4 and 5: Such individuals shall be subject to immediate ejection and to warning, reprimand, suspension or dismissal as the facts may warrant, in accordance with any legal rights they may have.

#### C. Enforcement

1. In addition to the Superintendent of Schools, the Building Principal or his or her designee shall be responsible for the enforcement of these rules.

2. It is the duty of all staff members to report any violations of these regulations to the Principal or his or her designee.
3. In the case of a violation of these rules which, in the opinion of the Principal or his or her designee, does not pose any immediate threat of injury to persons or property, the Principal or his or her designee shall tell the individual(s) that the conduct is prohibited and attempt to persuade the individual(s) to stop. The Principal or his or her designee shall also warn the individual(s) of the consequences for failing to stop, which may include removal from school property or the school function.
4. In any case where the individual(s) refuses to stop engaging in the prohibited conduct, or if the conduct poses an immediate threat of injury to persons or property, the Principal or his or her designee shall have the individual removed from school property or the school function immediately. If necessary, local law enforcement authorities will be contacted to assist in removing the individual(s).
5. As appropriate, the District shall initiate disciplinary action, as described in the “penalties” section above, against any student or staff member that engages in prohibited conduct.

These regulations and the penalties set forth herein are not considered to be exhaustive or to preclude in any way the prosecution and conviction of any person for a violation of any federal, state, or local laws, regulations, or ordinances and the imposition of a fine or penalty provided for therein. As such, the District reserves all its rights to pursue civil or criminal legal action, as it sees fit, against any persons that violate these rules.

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