



Rules for the Maintenance of Public Order

Policy No: CS-RULES FOR THE MAINTENANCE OF PUBLIC ORDER	Policy Type: <i>Choose one area from dropdown</i> Administrative
Effective Date: June 28, 2024	Responsible Official Title: Vice President for Finance & Administration
Supersedes Policy Dated: N/A New Policy	Responsible Office: Campus Safety

PURPOSE AND POLICY STATEMENT

In compliance with Education Law - Section 6430 of the Laws of the State of New York, the President's Cabinet hereby adopts the following "Rules for the Maintenance of Public Order" which governs the conduct of all Nazareth University students, faculty, staff, and organizations of the University community, to include visitors, guests, licensees, independent contractors, and invitees to University-sponsored activities on University-owned or University-operated property.

Nothing contained in these rules is intended, nor shall it be construed, to limit or restrict the freedom of speech or peaceful assembly. This policy will be considered in conjunction with the University's Freedom of Expression policy (currently under development). The President of the University hereby authorizes University Officials to enforce these rules as provided within the scope of their duties.

WHO SHOULD KNOW THIS POLICY

- **Individuals:**

These Rules shall apply to all persons, including students, employees including faculty, visitors, guests, licensees, independent contractors, or invitees, organizing and/or participating in any University sponsored activity or on any University-owned or University-operated property, or on any other property or facility used by the University. Violations of these rules by faculty and/or staff, or administrators will be addressed by the

appropriate vice president and may result in the rescission of permission to use University-owned, leased, or operated property for future events.

- **Clubs and Organizations:**

The "Rules for the Maintenance of Public Order" apply to all members of clubs and organizations operating on University-owned, -leased, or -operated property. Violations of these rules by student clubs or organizations will be heard by the Dean of Students (or designee) and violations of the Rules for the Maintenance of Public Order may result in rescission of permission and/or revocation of that club or organization to operate on University-owned, -leased, or -operated property. If, in the judgment of the Dean of Students, student members of clubs or organizations have violated the Rules for the Maintenance of Public Order an appropriate referral to Student Conduct may be made. In such cases, the procedures established for adjudicating individual violations of these rules shall be followed.

- **Visitors:**

Visitors, including guests, licensees, independent contractors, or invitees, shall at all times conduct themselves in a manner that is consistent with the Rules for the Maintenance of Public Order on University premises, and their privilege to remain on University property shall automatically terminate upon breach of these Rules. The University, in addition, reserves the right to withdraw, at any time, the privilege of an independent contractor, invitee, or licensee to be on University premises. A trespasser has no privilege of any kind to be on University property but is nevertheless subject to these Rules governing the maintenance of public order.

DEFINITIONS

This policy has wide-ranging authority, as such it is written in language that is clear and easily understandable.

CONTACTS

Campus Safety officially interprets this policy. Campus Safety is responsible for obtaining approval for any revisions required by the policy and creating and maintaining policies and procedures through the appropriate governance structures. Please direct any policy questions to the Director of Campus Safety.

POLICY SPECIFICS AND PROCEDURES

Violations

The following actions are prohibited:

- Possession or use of firearms, ammunition, fireworks, use of open flames, and/or other dangerous substances, weapons, or materials that are being used as or could be used as weapons at University sponsored activities or on University-owned or -operated property unless previously approved by permit through the Department of Campus Operations. Nazareth University adheres to all New York State laws regarding firearms, ammunition, fireworks, and other dangerous substances or weapons.
- Interrupting, impeding, hindering, inhibiting, restricting, blocking, stopping, halting, or bringing to a standstill an event, activity, or operation of the University including, but not limited to, teaching, guest lectures, research, University business, disciplinary proceedings, activities/programs sponsored by students, or Nazareth University student clubs and organizations, or activities/programs sponsored by Nazareth University departments, divisions, or faculty, staff, or administration.
- Unauthorized entry into, tampering with, or use of facilities, property, services, or resources belonging to the University, its community members, guests, or licensees. This includes unauthorized access to or occupation of non-public areas on University premises including classrooms, seminar rooms, laboratories, library, faculty and administrative offices, auditoriums, event venues, meeting spaces, and recreational facilities. Use of classroom space after normal class hours for study purposes will not be deemed a violation of this policy.
- Any action or situation prohibited by law or University policy including intimidation, or other conduct that recklessly or intentionally endangers or threatens the health, safety, or welfare of any person on University-owned or -leased property or at University-sponsored activities.
- Conduct that substantially impairs a person's access to University programs or activities, such that the person is effectively denied equal access to the University's resources and opportunities on the basis of the person's race, ethnicity, 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.

- Hazing, defined as intentionally or recklessly subjecting any person to the risk of bodily harm, or severe emotional distress, subjecting a person to treatment intended to put that person in a humiliating or disconcerting position, or causing or encouraging any person to commit an act that would be a violation of law or University regulations for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with any group, including, but not limited to, registered organizations or athletic teams on University-owned or -operated property or at University-sponsored activities.
- Theft, defacing, damaging, or destroying of personal or University-owned or operated property, including files and records, belonging to the University, its community members, visitors, guests, licensees, independent contractors, or invitees.
- Refusing to provide identification such as a Nazareth University ID or state issued license when requested to do so by a clearly identifiable University official acting in the performance of their duties.
- Solicitation in any form prohibited under the University's Solicitation Policy.
- Attempting or inciting others to violate any provision of these Rules.

Removal from Premises

Any person while on University-owned or University-controlled premises who violates these Rules or refuses the request or directive of an authorized University official to desist in any prohibited conduct may be removed from campus, from the property being utilized for an event, or any such premises where the conduct constitutes a substantial danger to public order on such premises.

Penalties

All penalties listed below will be in addition to possible removal from campus and any criminal penalty or law to which a member of the campus community, visitor, guests, licensee, independent contractor, or invitee may be subject to.

- **Students:** Individual student violations of the Rules will be heard through the University conduct system as constituted in the Nazareth University Student Conduct Code and 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 or collective bargaining agreement covering the individual.
- **Non-community members:** Violations by non-community members, including invited or uninvited guests, licensees, or invitees, may result in the offender's immediate removal from the campus and possible criminal prosecution and/or permanent barring from the premises. Nazareth University community members (students, faculty, staff) hosting or sponsoring non-community members may be subject to additional penalties.
- **Organization:** If a recognized or unrecognized club or organization authorizes conduct in violation of these Rules, penalties may include rescission of permission for that organization to operate on campus property.

Noncompliance with this policy may result in disciplinary action up to and including termination. Nazareth supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question or participates in an investigation is prohibited.

RELATED DOCUMENTS

[Section 6430, Article 129-A](#) states that: § 6430. General provisions. 1. The trustees or other governing board of every college chartered by the regents or incorporated by special act of the legislature and which maintains a campus, unless otherwise provided, shall adopt written rules for implementing all policies required pursuant to this article and for the maintenance of public order on college campuses and other college property used for educational purposes and provide a program for the enforcement thereof. Such rules shall prohibit, among

other things, any action or situation which recklessly or intentionally endangers mental or physical health or

involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization. Such rules shall govern the conduct of students, faculty and other staff as well as visitors and other licensees and invitees on such campuses and property. The penalties for violations of such rules shall be clearly set forth therein and shall include provisions for the ejection of a violator from such campus and property, in the case of a student or faculty violator his or her suspension, expulsion, or other appropriate disciplinary action, and in the case of an organization which authorizes such conduct, rescission of permission for that organization to operate on campus property. Such penalties shall be in addition to any penalty pursuant to the penal law or any other law to which a violator or organization may be subject.

2. A copy of such rules shall be given to all students enrolled in said college and shall be deemed to be part of the by-laws of all organizations operating on said campus which shall review annually such by-laws with individuals affiliated with such organizations.

3. Each college shall annually file with the department on or before the first day of July a certificate of compliance with the provisions of this article.

4. If a college fails to file a certificate of compliance pursuant to subdivision three of this section within sixty days of the time required, such college shall not be eligible to receive any state aid or assistance until such certificate of compliance is duly filed.

5. Each college shall file a copy of all written rules adopted as required in this article with the department on or before the first day of July, two thousand four, and once every ten years thereafter.

6. Nothing contained in this article shall:

- a. be construed to limit or restrict the freedom of speech and peaceful assembly; or
- b. prevent or limit a college from setting forth additional standards of conduct for students.

Freedom of Expression policy (currently under development).

Nazareth has no other documents related to the Maintenance of Public Order.

REVISION HISTORY

This policy has been revised on the following dates:

Date of Revision

Type of Revision (Substantive/Minor/Name Change)