

This policy outlines the rules for the maintenance of public order (including prohibited conduct), applicability and statements regarding freedom of speech, assembly, picketing and demonstrations on campuses. Campus procedures and penalties for the violation of the rules and enforcement procedures are prescribed. Nothing herein is intended, nor shall be construed, to limit or restrict the freedom of speech nor peaceful assembly. For more information on SUNY WCC's commitment to open, free, and thoughtful expression, please refer to the [College's Freedom of Expression Statement](#).

Applicability of the Rules

The rules and regulations contained in this policy govern the conduct of students, faculty, all other staff, licensees, invitees and all other persons, whether or not their presence is authorized, upon all SUNY WCC property. They also apply to the same individuals with respect to any other premises or property, under the control of the College, and that are used in teaching, research, administrative service, cultural, recreational, athletic or other programs and activities.

Prohibited Conduct

No person either singly or in concert with others shall:

1. willfully cause physical injury to another person, nor threaten to do so;
2. physically restrain or detain any other person;
3. remove anyone from any place where they is authorized to remain;
4. willfully damage or destroy property of the campus or property under its care;
5. remove property of the campus or property under its care;
6. use campus property or property in the campus's care without authorization;
7. enter into any private office of an administrator, member of the faculty or staff member without implied or explicit permission;
8. enter into and remain in any campus building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use;
9. remain in any building or facility after it is closed without authorization;
10. refuse to leave a campus building or facility after being required to do so by an authorized administrator;
11. obstruct the free movement of people and vehicles in any place to which these rules apply;
12. deliberately disrupt or prevent the peaceful and orderly conduct of classes, lecture and meetings;
13. deliberately disrupt or prevent the freedom of any person to express his or her views, including invited speakers;
14. knowingly have in his or her possession upon the premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the president whether or not a license to possess the weapon has been issued to the person;
15. willfully incite others to commit any of the acts prohibited in this section with the specific intent to procure them to do so; or

16. take any action, create or participate in the creation of any situation, which recklessly or intentionally endangers the mental or physical health of anyone or involves the forced consumption of liquor or drugs for the initiation into or affiliation with any organization.

Freedom Of Speech And Assembly; Picketing And Demonstrations

No student, faculty or other staff member or authorized visitor shall be subject to any limitation or penalty solely for the expression of their views nor for having assembled with others for such purpose. Peaceful picketing and other orderly demonstrations in public areas of ground and building will not be interfered with. Those involved in picketing and demonstrations may not, however, engage in specific conduct in violation of the provisions of the preceding section. For more information on SUNY WCC's commitment to open, free, and thoughtful expression, please refer to the [College's Freedom of Expression Statement](#).

Penalties

A person who violates any of the provisions of these rules shall:

- If a licensee or invitee, have their authorization to remain upon the campus or other property withdrawn and shall be directed to leave the premises. In the event of their failure or refusal to do so, they shall be subject to ejection.
- If a trespasser or visitor without specific license or invitation, be subject to ejection.
- If a student, be subject to expulsion or such lesser disciplinary action as the facts of the case may warrant, including suspension, probation, loss of privileges, or warning as determined per policies and procedures in the [Student Code of Conduct](#).
- If a faculty member having a term or continuing appointment, be guilty of misconduct and be subject to dismissal or termination of his employment or such lesser disciplinary action as the facts may warrant including suspension without pay or censure.
- If a staff member in the classified service of the civil service, described in Section 75 of the Civil Service Law, be guilty of misconduct, and be subject to the penalties prescribed in said section.
- If a staff member other than one described in paragraphs (4) and (5), be subject to dismissal, suspension without pay or censure.
- Any disciplinary action will be taken in accordance with the appropriate collective bargaining agreement, Code of Conduct and/or College Policies.

Procedures for Violations

- In the case of a third party, the Director of Security or their designee shall inform any licensee or invitee who shall violate any provisions of these rules that their license or invitation is withdrawn and shall direct them to leave the campus or other property of the institution. In the event of their failure or refusal to do so, the officer shall cause their ejection from the campus or property. Nothing in this paragraph shall be construed to authorize the presence of any such person at any time prior to such violation nor to affect their liability to prosecution for trespassing or loitering as prescribed in the Penal Law.
- In the case of a student, they will be subject to disciplinary proceedings per the [Student Code of Conduct](#).

- In the case of a faculty member having a continuing or term of appointment, charges of misconduct in violation of these rules shall be made, heard and determined in accordance with the policies of Westchester Community College.
- In the case of any staff member who holds a position in the classified civil service, described in Section 75 of the Civil Service Law, charges of misconduct in violation of these rules shall be made, heard, and determined as prescribed in that section.
- Any other faculty or staff member who shall violate any provision of these rules shall be dismissed, suspended or censured by the appointing authority.
- Any disciplinary action will be taken in accordance with the appropriate collective bargaining agreement, Code of Conduct and/or College Policies.

Enforcement

The Director of Security shall be responsible for the enforcement of these rules and they shall designate other designees who are authorized to take action in accordance with these rules when required or appropriate to carry them into effect.

It is not intended by any provisions herein to curtail the right of students, faculty or staff to be heard upon any matter affecting them in their relations with the institution.

In the case of any apparent violation of these rules by such persons, which, in the judgment of the Director of Security or their designee, does not pose any immediate threat of injury to person or property, the Director of Security or their designee 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 which may be presented. In doing so, the Director of Security or their designee shall warn such persons of the consequences of persistence in the prohibited conduct, including their ejection from any premises of the institution where their continued presence and conduct is in violation of these rules.

In any case where the violation of these rules does not cease after such warning and in other cases of willful violation of these rules, the Director of Security or their designee shall cause the ejection of the violator from any premises which they occupy in such violation and shall initiate disciplinary action as herein before provided.

The Director of Security or their designee may apply to the public authorities for any aid which they deem necessary in causing the ejection of any violator of these rules and they may request the College Counsel to apply to any court of appropriate jurisdiction for an injunction to restrain the violation or threatened violations of these rules.