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**Policy Name:** Disorderly Conduct on Campus

**Policy Number:** D-8

**Functional Area(s) Responsible:** Administration & Finance

**Owner(s) of Policy:** Campus Police

**Most Recent BOT Approval Date:** May 2010

**Most Recent Review Date:** Spring 2023

**Most Recent Review/Revision Type:**  none  minor/non-substantive  substantive/extensive

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**Policy Statement:**

In compliance with Education Law § 6450, Finger Lakes Community College will not permit any intentional or reckless misconduct that endangers the mental or physical health of a member of the College community, College guests or visitors, or any other individual. Intentional or reckless misconduct includes, but is not limited to:

- Deliberately causing injury to another person or threatening to do so
- Physically restraining or detaining another person or forcibly removing a person from a place where he/she has a right to remain
- Deliberate damage to or theft of College property
- Entering private administrative, faculty, or staff offices without permission
- Entering into or remaining in a College building or facility for any purpose other than its authorized use
- Remaining in a College building after it is closed
- Refusing to leave any building or facility after being requested to do so by an authorized administrator
- Obstructing the movement of persons and vehicles in or around College facilities
- Deliberately disrupting classes, lectures or meetings or deliberately preventing another from expressing First Amendment-protected views
- Forcing another individual or participating in an effort to force another individual to ingest alcohol, drugs, or other substances for any reason
- Violating the College's policy on the use and possession of weapons on campus
- Willfully inciting another individual to engage in intentional or reckless misconduct Unlawful use, sale, or distribution of controlled substances
- Stalking, harassment, or intimidation
- Any conduct not enumerated above which violates federal, New York State and/or local law

Incidents of disorderly conduct on campus or property utilized for College business must be immediately reported to Campus Police for full investigation.

The consequences for engaging in disorderly conduct on campus include:

1. Guests of members of the College community or trespassers will be required to leave College premises. Guests or trespassers who refuse to leave will be subject to ejection and/or prosecution for criminal trespass.
2. Students will be subject to expulsion or other disciplinary action, as provided in the College's Student Code of Conduct Policy.
3. Employees will be subject to disciplinary action in accordance with applicable College policies, procedures, rules, regulations and/or collective bargaining agreements.

4. Organizations that authorize, permit or allow such conduct to occur will be denied permission to operate on College property.

All consequences enumerated are in addition to any penalties imposed by federal, New York State or local law.

The College President is responsible for the enforcement of this policy, and may designate responsibility to other administrative officers. The President may request aid from local public authorities when he/she deems

such action necessary to resolve campus disorders. The College President may also request that the College legal counsel seek injunctive relief from a court of appropriate jurisdiction to restrain an impending violation of these rules when he/she deems necessary.

A copy of this policy will be distributed to each student upon enrollment. This policy will also be deemed incorporated into the bylaws of all organizations operating on the College campus and each such organization will review its bylaws with its members annually. In the event that this policy is amended, the College President or designee will file the amended policy with the NYS Board of Regents and NYS Commissioner of Education within 10 days of its adoption.

Nothing in this policy will be construed to limit or penalize a group or individual solely for exercising his, her or its constitutionally protected rights or assembling with others for that purpose.

**Reason(s) for Policy:**

This policy governs the conduct of students, faculty and staff, as well as any individuals on College property or property not owned by the College but used for College business, and is intended to protect the safety of all members of the College community.

**Applicability of Policy:**

All members of the College community should be familiar with this policy.

**Definitions:**

- NYS Education Department Regulations, 8 NYCRR, Part 535
- FLCC Campus Safety Advisory Committee policy
- FLCC Jeanne Clery Act Disclosure of Campus Security Policy & Crime Statistics policy
- FLCC Investigation of Violent Felony Offenses & Reports of Missing Students policy
- FLCC Sexual Assault Prevention policy
- FLCC Bias-Related Crime Prevention policy
- FLCC Student Code of Conduct

**Related Documents:**

None

**Procedures:**

None

**Forms/Online Processes:**

None

**Appendix:**

None