

Russell Sage College Rules for Maintenance of Public Order

Pursuant to Article 129-A, Section 6430 of the New York State Education Law, Russell Sage College (the “College”) Board of Trustees (the “Board”) has adopted the following Rules for the Maintenance of Public Order (the “Rules”).

All disruptions of public order shall be dealt with by the College officials according to the established system of rules, regulations, and procedures set forth in the College’s Faculty Handbook, Student Handbook, and Employee Handbook as supplemented herein.

Nothing in these Rules is intended, nor shall be construed, to limit or restrict any applicable lawful speech or peaceful assembly, or prevent or limit the College from setting forth additional standards of conduct.

Russell Sage College defines all of its buildings as private while recognizing that some of its grounds are open to the public or intersect with public sidewalks or thoroughfares.

The College recognizes that full and prompt communication among all components of our College community is highly desirable, and that to the extent time and circumstances permit, such communication should precede the exercise of the authority, discretion and responsibilities granted and imposed in the following Rules.

Jurisdiction

These Rules shall apply to all persons, including students, faculty, staff, visitors, invitees, licensees, vendors, third parties, independent contractors, or trespassers (“Community Members”) who are present at College-owned or College-operated property or facilities and/or participate in College-sponsored activities at any time, including special programs and times when the College is not in session.

These Rules also apply to all recognized and unrecognized clubs and organizations operating on College property, and these Rules shall be deemed to be part of the by-laws of all recognized and unrecognized clubs and organizations operating on such College property.

Prohibited Conduct

Prohibited conduct in violation of these Rules, which disrupts the public order, includes the following:

- o Forcing another person to consume any food, liquid, liquor, drug, or other substance for the purpose of initiation into or affiliation with any organization;
- o Engaging in any action or situation which recklessly or intentionally endangers the mental or physical health of any person on College property or facilities or at College-sponsored activities, including but not limited to the following:
 - Intentionally or recklessly subjecting any person to risk of bodily harm or severe emotional distress, including but not limited to sleep deprivation, forced exclusion from social contact, forced contact which could result in embarrassment, or any other activity which could adversely affect the mental health or dignity of the individual;
 - Willfully causing physical injury to any other person, or threatening to do so;
 - Physically restraining, detaining, unduly restricting, or removing a person from any place where they are authorized to remain; and
 - Engaging in brutality of a physical nature such as whipping, beating, branding, forced calisthenics, exposure to the elements, paddling, creating excessive fatigue, work sessions, physical or psychological shock, public stunts, morally degrading or humiliating games or events.
- o Causing or encouraging any person to commit an act that would be a violation of federal or state law, rule, regulation, or guidance, the Student Code of Accountability, the Faculty, Student, or Employee Handbooks, or other College policies, including but not limited to the following:
 - Engaging in conduct that substantially impairs a person's access to College programs or activities, such that the person is effectively denied equal access to the College's programs or activities on the basis of that person's race, color, religion, sex, sexual orientation, gender identity or expression, age, marital status, familial status, military status, national origin, disability, citizenship or immigration

- status, or any other characteristic protected by federal, state, or local law;
- Committing any act of hazing based on bias behavior, which includes any hurtful or harmful conduct of an individual that is based on prejudice in favor of or against one thing, person, or group compared with another, usually in a way that is considered to be unfair;
 - Possessing or using firearms, ammunition, fireworks, and/or other dangerous substances, weapons, or materials at College sponsored activities or on or in College-owned or College-operated property or facilities unless previously approved by authorized College personnel;
 - Defacing, damaging, or destroying College property and/or removing or using College property without proper authorization;
 - Unauthorized entry into, tampering with, or using College facilities, property, services, or resources, including, but not limited to, unauthorized access to or occupation of non-public areas on College property including, but not limited to, classrooms, seminar rooms, laboratories, library, faculty and administrative offices, auditoriums, event venues, meeting spaces, records and files, and recreational facilities;
 - Disrupting, impeding, hindering, inhibiting, and/or restricting an event, activity, or operation of the College, including, but not limited to, teaching, guest lectures, invited speakers, research, disciplinary proceedings, College business, activities/programs by students or College clubs or organizations, or activities/programs sponsored by College faculty, staff, or administration;
 - Refusing to leave any College building, facility, or property after being required to do so by authorized College personnel; and
 - Obstructing the free movement of persons and vehicles in any place to which these Rules apply.

Procedure & Enforcement

The President of the College shall be responsible for the interpretation and enforcement of these Rules and shall designate other administrative officers who are authorized to take action in accordance with such rules when required or appropriate to carry them into effect. The President has designated the Vice President for Student Life and/or the Director of Public Safety to fulfil this role.

If a student is suspected of violating any of these Rules, charges and any resulting discipline will be handled in accordance with the College's Student Code of Accountability, Student Handbook, and other applicable College policies.

If a faculty or staff member is suspected of violating any of these Rules, the investigation and disciplinary action, if any, will be determined in accordance with College policy, the Employee Handbook, the Faculty Handbook, any applicable collective bargaining agreement, and any other applicable College policies.

If a licensee or invitee violates these Rules, The Vice President for Student Life and/or The Director of Public Safety, shall inform the licensee or invitee that their license or invitation is withdrawn and direct them to leave College property. In the event of their failure or refusal to comply, such officer, or their designee, shall cause their ejection from College property.

If any other person violates any of these Rules, The Vice President for Student Life and/or The Director of Public Safety, shall inform the person that they are not authorized to remain on College property and direct them to leave such property. In the event of their failure or refusal to do so, such officer, or their designee, shall cause their ejection from College Property.

When, in the judgment of a College official or designee, who has been specifically designated for the purpose, the normal procedures have failed to maintain proper order, The Vice President for Student Life and/or The Director of Public Safety shall put the following into effect:

- If extreme circumstances exist, The Vice President for Student Life and/or The Director of Public Safety shall summon Public Safety who will then notify the appropriate law enforcement agency or agencies to quell the disrupters and eject them from the campus. This is an extreme measure to be used only in the event of grave emergency.
- If the disruption does not require the intervention of a law enforcement agency, The Vice President for Student Life and/or The Director of Public Safety along with Public Safety shall offer a specific invitation to meet with the disrupters at some stated place and time for the purpose of constructive discussion which may continue without limit provided there is no interference with the conduct of any College activity or access to any College-controlled facility. The College may make

reasonable efforts to learn the cause of the conduct in question and to persuade those engaged to desist and to resort to permissible methods for the resolution of any issues which may be presented. In doing so, The Vice President for Student Life and/or The Director of Public Safety shall warn such persons of the consequences of the prohibited conduct, including their ejection from College property where their continued presence and conduct is in violation of these Rules.

- If the specific invitation is not accepted, or if after such time as The Vice President for Student Life and/or The Director of Public Safety deems reasonable under the circumstances there shall have been no sufficient progress, the College may take any or all of the following actions:
 - Declare the disrupted area of the College closed to all persons without legitimate business on the campus, and consider any violators trespassers;
 - Declare the disrupted area off-limits to all students, faculty, staff members and other College personnel, as well as to all visitors, invitees, and licensees, except those persons designated by The Vice President for Student Life and/or The Director of Public Safety, to enter such area;
 - Warn the disrupters that unless the disruption ends by a specified time, the College will apply to any court of competent jurisdiction for an injunction and/or temporary restraining order seeking immediate ejection of the disrupters from the College campus;
 - Apply to a court of competent jurisdiction for an injunction and/or temporary restraining order requiring the disrupters to cease their disruption and/or be ejected from the College campus;

In the event a court of competent jurisdiction orders an injunction and/or temporary restraining order, those affected by the order, whether they are College students, faculty, staff, or other employees or others, may be subject to applicable civil and/or criminal penalties. The College may also discipline such persons in accordance with applicable College policy, manual, handbook, and/or collective bargaining agreement.

Penalties

In addition to any criminal and civil penalties under federal and/or New York State law, penalties for violations of these Rules shall include the following:

- o **Students.** Penalties and procedures shall be those set forth in the College's Student Handbook and Student Code of Accountability, up to and including suspension or dismissal.
- o **Faculty.** Penalties and procedures shall be those set forth in the applicable Faculty Handbook, Employee Handbook, and/or collective bargaining agreement.
- o **Staff and Other Employees.** Penalties shall be those set forth in the applicable Employee Handbook and/or collective bargaining agreement, up to and including suspension or dismissal.
- o **Trespasser.** Trespassers shall be subject to ejection from College property.
- o **Licensees and Invitees.** Violators shall be informed that their license or invitation is withdrawn and be directed to leave College property. In the event of their failure or refusal to do so, such persons shall be ejected from College property.
- o **Visitors, Vendors, Third Parties, and Independent Contractors.** Violators shall be informed that they are not authorized to remain on College property and be directed to leave College property. In the event of their failure or refusal to do so, such persons shall be ejected from College property.
- o **Clubs and Organizations.** If a recognized or unrecognized club or organization authorizes conduct prohibited by these Rules, penalties may include but are not limited to rescission of permission to operate on College property.

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