Rules for Maintenance of Public Order

Article 129-A of the New York State Education Law (as amended) requires all colleges and universities to adopt rules for the maintenance of public order governing the conduct of students, faculty, staff, or other persons on college property. They prohibit, among other things, actions recklessly or intentionally endangering mental or physical health. The law further requires that a copy of such rules and regulations be given to all students in compliance with that statute. The full text of Marist College's Rules for Maintenance of Public Order follows.

I. Overview

Marist College is committed to defend the right of each member of our community to carry out their assigned duties and responsibilities without interference: students to attend classes, faculty members to teach classes, College offices and departments to hold special events or activities, and administrators and staff to do their respective jobs. Consistent with the foregoing, the following regulations have been adopted.

II. Rules

1. All members of the Marist community—students, faculty members, and members of the staff—shall comply with city, state, and federal laws and ordinances affecting the maintenance of order on Marist premises.
2. Visitors, including invitees and licensees, shall at all times conduct themselves in a manner that is consistent with the maintenance of order on College premises, and their privilege to remain on College property shall automatically terminate upon breach of this regulation. The College, in addition, reserves the right in its discretion to withdraw at any time the privilege of an invitee or licensee to be on College premises. A trespasser has no privilege of any kind to be on College property but is nevertheless subject to these regulations governing the maintenance of order.
3. The following activities which infringe upon the rights of individuals shall not be permitted and shall be considered violations of College rules:
    - Use or threat of force or violence against any person, or the damaging of property.
    - Prevention of the normal use or occupancy of any building owned or rented by the College or disruption of any normal College function through use of force or threat of force, physical obstruction, or noise.
    - Physical obstruction of or the use of threat of force or violence to interfere with the passage of any person about the College campus or through the entrance or exits of any College building or facility or the corridors thereof.

    - Entering of any private office or private room without the consent of the rightful occupant.
    - Engaging in the practice of hazing, including, but not limited to 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, whether occurring on or off Marist's campus, regardless of an individual's willingness to participate.
    - Presence in or use of any College building or facility during the hours when such building or facility is officially closed, unless permission is secured from the President or a designee prior to such presence or use.
4. The use of grounds, facilities, and buildings rented or owned by the College is restricted to members of the Marist community and visitors by invitation. The College reserves the right to require evidence of any individual's qualification to use or be in or on any grounds, facility, or building rented or owned by the College and to deny use thereof to anyone who is not a member of the Marist community, or to eject anyone therefrom who is not complying with these rules.
5. These rules shall apply to any student, employee of the college, or visitor (including, but not limited to, invitees and licensees) in or on property owned or rented by the College.

III. Enforcement

Enforcement shall be consistent with approved College procedures and binding contractual agreements of the College. Any student, faculty member, officer of administration, or nonfaculty member may report a violation of these rules by filing a report with the Office of Safety and Security, or by submitting a report under our Discrimination, Harassment, and Sexual Misconduct policy and procedures.

1. Alleged violations of these rules by students shall be referred to the Office of Student Conduct.
2. Alleged violations of these rules by faculty shall be referred to the Provost.
3. Alleged violations of these rules by officers of administration or other non-faculty employees shall be referred to the Vice President of Human Resources.
4. Pending such a hearing, the President of the College shall have the right to restrict the campus activities of any such member of the student body or staff if they determine that it is necessary to prevent further violations of these rules.
5. In case of a violation of these rules by a person who is not an employee or student of the college, the Office of Safety and Security, in coordination with local civil authorities as needed, will be responsible for taking appropriate action including possible ejection from the campus and/or prosecution under appropriate state and local laws, or both.
6. In case the President of the College determines that the normal College procedures are inadequate for maintaining order on the campus, they may request the local civil authorities to deal with the situation. The President may obtain court action, where appropriate.

IV. Penalties

With due regard for civil liberties and professional rights, any individual who is found to have violated these rules may be subject to immediate ejection from college property. In addition, any member of the Marist community who is found to have violated these rules may be subject to suspension, expulsion, or such other appropriate disciplinary action.

Any organization which is found to have authorized any violation of these rules may be subject to the rescission of said organization's permission to operate on the Marist College Campus or any other college property. The penalties described herein shall be in addition to any criminal or civil penalty pursuant to any penal or other law to which the violator or organization may be subject.