SUBJECT: PUBLIC USE OF DISTRICT FACILITIES

The Board of Education recognizes that District buildings and grounds are community assets. District facilities exist primarily for the education and recreation of the school children of the District. All uses of facilities shall be governed by and consistent with Section 414 of the Education Law of New York State.

State Education Law and the Constitution of the State of New York specifically prohibit the following uses of District facilities:

1. for any purpose that will in any way interfere with the use of District facilities and equipment by the District,
2. by any person or profit-making organization for personal or private gain, financial or otherwise,
3. for holding a social, civic or recreational meeting or other use pertaining to the welfare of the community, unless such meeting, entertainment or use is non-exclusive and open to the general public,
4. for a meeting, entertainment or occasion where admission fees are charged, unless the proceeds thereof are to be expended for an educational or charitable purpose approved by the Superintendent of Schools,
5. for a meeting, entertainment or occasion where admission fees are charged, if such meeting, entertainment or occasion is under the exclusive control of, and the proceeds are to be applied toward the benefit of a society, association or organization of a religious sect or denomination, or of a fraternal, secret or exclusive society or organization, other than any organization of veterans or volunteer firemen.

District activities will have first priority on the use of District facilities, and the Board shall have the final decision concerning any use of all District facilities.

District facilities may be made available to the community as polling places for holding primaries and elections for the registration of voters.

ADOPTED: 11/17/99
SUBJECT: PUBLIC USE OF DISTRICT FACILITIES (CONTINUED):

District facilities may be made available to non-school organizations for the pursuit of social, cultural, educational and recreational activities. Generally such activities shall serve other needs of children and/or promote the welfare of the District and/or community. Such uses shall be non-exclusive and open to the general public. In no case shall such use of District facilities disrupt or interfere with the primary purpose of the facilities or disturb other school-related activities taking place on the premise.

Any group that wishes to use District facilities and plans to charge an admission fee or raise funds will be considered only if the net proceeds are to be applied for educational or charitable purposes as is required by law (examples: Elementary School Fairs/Carnivals, Community Society Benefit Concert, Women’s Club Event).

Any group that wishes to use District facilities and plans to charge a tuition or instructional fee will be considered only if such fee is reasonable in the context of the activity provided.

The Board expects that any performance or activity taking place on or in District facilities be conducted in good taste and be acceptable to the broad age level represented by those in attendance.

The Board will not investigate, assume responsibility for, or exercise censorship over the speakers any group invites or the content of any related presentation or performance, and such group is solely responsible for all such speakers and/or presentations. Granting use of District facilities shall not be deemed an endorsement by the Board or the District of the activity or purpose for which the facilities are used. Reasonable care must be taken by such organization to distinguish the organization from any implication of District sponsorship or endorsement.

Approvals for the use of any District facility will be:

1. issued for specified hours,
2. restricted to the specified purpose for which issued,
3. confined to those facilities requested by the applicant and approved on the application, and
4. limited to the sole use of the applicant (is non-transferable and may not be assigned or sublet to any third party group or individual).

ADOPTED: 11/17/99
SUBJECT: PUBLIC USE OF DISTRICT FACILITIES (CONTINUED):

Entities wishing to provide (donate), at minimal or no cost to the District, or the user, a "third-party" activity, speaker or presentation involving the use of any District facilities must obtain the Superintendent's prior approval before:

1. applying for permission to use District facilities,
2. entering into any contract where the use of District facilities is contemplated and/or
3. advertising or publicizing any such activity, speaker or presentation.

The Board specifically prohibits the use of District facilities by any outside organization or group to conduct religious services or religious instruction.

The Superintendent shall prescribe procedures (including an application form and fee schedule), subject to Board approval, for the use of any District facility.

D, R, E

ADOPTED: 11/17/99
SUBJECT: PUBLIC CONDUCT ON SCHOOL PROPERTY

The Board of Education recognizes that the primary purpose of the School District is to provide a superior atmosphere for learning and education. Any action by individuals or groups aimed at disrupting, interfering with or delaying the education process or having such effect, is hereby declared to be in violation of Board policy. The Board shall approve rules and regulations to effect this policy as required by Education Law Section 2801.

The Board also recognizes its responsibility to protect school property and declares its intent to take any and all legal action to prevent its damage or destruction. The Board will also seek restitution from, and prosecution of, any person or persons who willfully damage school property.

It is not the intent of this policy to limit freedom of speech or peaceful assembly. The Board recognizes that free inquiry and free expression are indispensable to the objectives of a School District. The purpose of the rules and regulations is to prevent abuse of the rights of others and to maintain public order, not to prevent or restrain controversy or dissent.

THE MAINTENANCE OF PUBLIC ORDER ON SCHOOL PROPERTY

STATEMENT OF PURPOSE

The following rules are adopted in compliance with Chapter 740 of the Laws of 1972 and shall be filed with the Commissioner of Education and the Board of Regents. Said rules shall be subject to amendment or revision and any amendments or revisions thereof shall be filed with the Commissioner of Education and Board of Regents within 20 days after adoption. Nothing herein is intended, nor shall it be construed, to limit or restrict the freedom of speech nor peaceful assembly. Free inquiry and free expression are indispensable to the objectives of an educational institution. These rules shall not be construed to prevent or limit communication between and among faculty, students, administration, and the Board of Education or to relieve the School District of its special responsibility for self regulation in the preservation of public order. Their purpose is not to prevent or restrain controversy and dissent, but to prevent abuse of the rights of others and to maintain that public order is appropriate to an educational institution, without which there can be no intellectual freedom and they shall be interpreted and applied to that end.

AMENDED: 06/19/02
SUBJECT: PUBLIC CONDUCT ON SCHOOL PROPERTY

APPLICATION OF RULES

These apply to students, staff, visitors and all other persons having occasion to be on School District property.

UNACCEPTABLE BEHAVIOR

The following description of unacceptable behavior applies to all students, staff and visitors. These definitions of unacceptable behavior are not intended in any way to discourage or restrict freedom of speech, including criticism, expression of grievances or petition for rectification of wrongs, real or fancied; as long as rights of freedom of speech, including authorized distribution of literature and assembly are exercised in a lawful and peaceful manner.

Unacceptable behavior shall include:

1. obstruction or disruption of teaching, research, administration, disciplinary procedures or other School District activities, including the District's public service functions, ceremonies or other authorized activities, belonging to the Board of Education, the AuSable Valley Central School District, and the town(s) of Chesterfield, Black Brook, AuSable, Jay, Peru, Wilmington, Willsboro, Franklin, and Keene, New York.
2. physical abuse or detention of any person on District property or at any sponsored or supervised functions, or conduct which endangers the health or safety of any person.
3. obstruction of the free flow of traffic, both pedestrian and vehicular, on District property.
4. unauthorized entry to or use of District facilities, including both buildings and grounds.
5. failure to comply with directions of District security officers and any other law enforcement officers, District officials or their representatives acting in performance of their duties and failure to identify oneself to these individuals when requested to do so.
6. illegal or unauthorized possession or use of firearms, explosives, dangerous chemicals or other weapons on District property.
7. disorderly conduct, breach of the peace, and aiding, abetting or procuring another to breach the peace on District owned or controlled property, or at District sponsored or supervised functions.

AMENDED: 06/19/02
SUBJECT: PUBLIC CONDUCT ON SCHOOL PROPERTY (CONTINUED):

Unacceptable behavior shall include (Continued):

8. unauthorized distribution of literature.

PROHIBITED CONDUCT

No person, either singly or in concert with others shall:

1. willfully cause physical injury to any other person, nor threaten to do so for the purpose of compelling or inducing such other person to refrain from any act which he/she has a lawful right to do, or to do any act which he/she has a lawful right not to do.
2. physically restrain or detain any other person, nor remove such person from any place where he/she is authorized to remain.
3. willfully damage or destroy property of the District or under its jurisdiction, nor remove or use such property without authorization.
4. without permission, expressed or implied, enter into any private office of an administrative officer, member of the faculty or staff member.
5. enter upon and remain in any building or facility for any purpose other than its authorized use or in such manner as to obstruct its authorized use by others.
6. without authorization, remain in any building or facility after it is normally closed.
7. refuse to leave any building or facility after being requested to do so by an authorized administrative officer.
8. obstruct the free movement of persons and vehicles in any place to which these rules apply.
9. deliberately disrupt or prevent the peaceful and orderly conduct of classes, lectures and meetings or deliberately interfere with the freedom of any person to express his/her views, including invited speakers.
10. knowingly have in his/her possession upon any premises to which these rules apply, any rifle, shotgun, pistol, revolver, or other firearm or weapon without the written authorization of the Superintendent of Schools whether or not a license to possess the same has been issued to such person.
11. willfully incite others to commit any of the acts herein prohibited.
12. Animals will be allowed on District property only with the expressed written permission of the Building Principal and/or Superintendent of Schools. Service animals who are accompanying their owners, and on a leash, are exempted from this restriction.

AMENDED: 06/19/02
SUBJECT: PUBLIC CONDUCT ON SCHOOL PROPERTY (CONTINUED):

Drugs and Alcohol

Illegal use, possession or distribution of narcotics and alcohol is prohibited on all District property. In addition to taking appropriate action on its own part, the District will cooperate with appropriate health and law enforcement agencies in enforcing this regulation.

Misuse of Property

Intentional misuse of any property belonging to the District or in the possession of the District will result in appropriate disciplinary action. This action shall not preclude the necessity for repair or replacement of such property.

Picketing and Demonstrations

Picketing and demonstrations are prohibited on District property except for public walkways and other areas outside of the school buildings which are generally open to the public. In such areas, picketing and demonstrations will be subject to the provisions of these rules and regulations and any applicable provisions of law.

Visitors

All visitors and guests will be expected to conform voluntarily to all District stated regulations. Those who do not will be required to leave the District property. In the event of law violation or noncompliance with a request to leave, the appropriate law enforcement authorities will be notified.

AMENDED: 06/19/02
SUBJECT: PUBLIC CONDUCT ON SCHOOL PROPERTY (CONTINUED):

Punitive Action

Persons who engage in unacceptable behavior and/or prohibited conduct as previously defined may be subject to the following:

1. ejection from District property;
2. prohibition of entry to District property;
3. legal prosecution in civil or criminal courts; and/or
4. imposition of penalties within the jurisdiction of the Board of Education.

D, R
SUBJECT: SMOKING ON SCHOOL PREMISES

AUSABLE VALLEY CENTRAL SCHOOL
TOBACCO-FREE SCHOOL ENVIRONMENT POLICY

RATIONALE: The AuSable Valley Central School District recognizes its responsibility to promote the health, welfare and safety of students, staff and others on school property and at school-sponsored activities. Research conclusively proves that:

- Tobacco use is the single most preventable cause of death in the United States;
- Regular use of tobacco is ultimately harmful to every user's health, directly causing cancer, respiratory and cardiovascular diseases, adverse pregnancy outcomes, and premature death;
- Second-hand smoke is a threat to the personal health of everyone, especially persons with asthma and other respiratory problems;
- Nicotine is a powerfully addictive substance;
- Tobacco use most often begins during childhood or adolescence;
- The younger a person starts using tobacco, the more likely he or she will be a heavy user as an adult;
- Many young tobacco users will die an early, preventable death because of their decision to use tobacco.
- Use of tobacco interferes with students' attendance and learning;
- Smoking is a fire safety issue for schools.

Prevention programs in schools are most effective when supplemented by strong tobacco-free policies and when they are a part of broader school, community, and state efforts to reduce youth smoking. In light of this information, and to be consistent with school curriculum and federal and state law, it is the intent of the AuSable Valley Central School District to establish a tobacco-free environment.

REVISED: 07/06/11
SUBJECT: SMOKING ON SCHOOL PREMISES

DEFINITIONS
Tobacco: means any cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product; as well as spit tobacco, also known as smokeless, dip, chew, and snuff, and any other spit tobacco product in any form.
School Property: means any building, structure or vehicle owned, leased, or contracted by the AuSable Valley Central School District.
School Grounds: means property surrounding buildings and structures, athletic grounds, parking lots, or any other outdoor property owned, leased, or contracted by the AuSable Valley Central School District.

TOBACCO USE PROHIBITED: No person is permitted to use tobacco in any way at any time, including non-school hours, on school property, grounds or at any school-sponsored event or activity off campus. In addition, tobacco use is prohibited by students and staff near school property. Near school property is defined as being within the line of sight from the school.

TOBACCO EDUCATION: Instruction to discourage the misuse of tobacco shall be included in the health education provided for all elementary school pupils taught by the classroom teacher or by teachers certified to teach health education.
Instruction shall also be an integral part of a required health education at the junior and senior high levels and taught by teachers certified to teach health education. Related courses in secondary school curriculum shall be taught in a manner supportive of health education regarding tobacco. Staff responsible for teaching tobacco-use prevention shall have adequate training and participate in ongoing professional development activities to effectively deliver the education program as planned.

TOBACCO POSSESSION: No student is permitted to possess tobacco on school property, grounds, or at school-sponsored event or activity off campus.

TOBACCO DISTRIBUTION: Distribution or sale of tobacco, including any smoking device is prohibited on school property, grounds, and at any school-sponsored event or activity off campus.

REVISED: 07/06/11
SUBJECT: SMOKING ON SCHOOL PREMISES

TOBACCO PROMOTION: Tobacco advertising is prohibited on school property, grounds, at any school-sponsored event or activity off campus, and in all school-sponsored publications. The school will request tobacco-free editions of all publications in school libraries. Students are prohibited from wearing or having in their possession tobacco promotional items, including clothing, bags, lighters, and other personal articles on school property, grounds, or at any school-sponsored event or activity off campus. School acceptance of gifts, funding, or parent/classroom educational materials from the tobacco industry are prohibited.

TOBACCO CESSATION: Referrals and access to community resources and programs to help students and staff overcome tobacco addiction shall be provided to staff and students. School counselors, health services, or community agencies are encouraged to establish voluntary tobacco-use cessation programs at school.

NOTICE: Signs communicating this policy shall be prominently posted and properly maintained where tobacco use and smoking are regulated by this policy, including all building entrances, grounds, and vehicles. Signs shall include “No Smoking” or the international “No Smoking” symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it.

The AuSable Valley Central School District shall also notify students, parents/guardians, staff, contractors and other school visitors annually of the tobacco-free policy.

ADHERENCE: Adherence of this policy shall be equitable and consistent, in accordance with the Tobacco-Free School Policy Adherence Procedures, student behavior code, and employee personnel policies.

Student violations of this policy will lead to disciplinary action up to and including suspension from school. Student participation in a tobacco cessation program and/or tobacco education class may be offered as an alternative to discipline to move toward the goal of quitting tobacco use. Parents will be notified of violations involving their child and subsequent action taken by the school.

Employee violations of this policy will lead to disciplinary action in accordance with personnel policies and may include verbal warning and/or written reprimand.

Violations by others will result in appropriate sanctions as determined and imposed by the Superintendent or Board.

REVISED: 07/06/11
SUBJECT: SMOKING ON SCHOOL PREMISES

ADMINISTRATIVE RULES: The superintendent and/or designee will develop administrative regulations as necessary to implement this policy, including provisions for notification of the school's policy; disciplinary consequences; and procedures for filing and handling complaints about violations of the school’s policy. This policy shall be in force at all times.

Legal References:
NYS Education Law, Article 9, Section 409. School building regulations in relation to health and safety.
NYS Education Law, Article 17, Section 804. Health education regarding alcohol, drugs, tobacco abuse and the prevention and detection of certain cancers.
NYS Public Health Law, Article 13-E, Section 1399. Regulation of smoking in certain public areas (Clean Indoor Air Act)
U. S. Department of Education—No Child Left Behind, Title IV C, Sections 4301 – 4304, Part A. Safe and Drug-Free Schools and Communities