

Rules for Maintenance of Public Order

Pursuant to Article 129-A of the New York State Education Law (as amended), the New York State Legislature 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 Barnard's Rules for Maintenance of Public Order follows (Columbia's Rules of Conduct can be obtained in the Office of Student Life).

I. Preamble

Barnard College, recognizing the right of an individual to protest and register dissent, is concerned with the protection of that right on the College campus and at College-sponsored events as it may be exercised by any member of the Barnard community, whether student, faculty member, staff member, or administrative officer. At the same time, Barnard College is committed to defend the right of each member of the Barnard community to carry out his or her 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. In recognition of the rights of freedom of speech and assembly, peaceful protest or demonstration by any member of the Barnard community, in or on College property, is permitted.
2. 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 Barnard'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 her designee prior to such presence or use.
3. The use of grounds, facilities, and buildings rented or owned by the College is restricted to members of the Barnard 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 Barnard community, or to eject anyone therefrom who is not complying with these rules.
 4. These rules shall apply to any student, faculty member, staff member, 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 charge any person with a violation by filing a written statement of the acts allegedly constituting the violations with the Executive Director for Equity.

1. Alleged violations of these rules by students shall be referred to the Executive Director for Equity, or, if appropriate, Dean's Discipline.
2. Alleged violations of these rules by faculty shall be referred to the Faculty Governance and Procedures Committee.
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 she determines that it is necessary to prevent further violations of these rules.
5. In case of a violation of these rules by a person not a member of the Barnard community, the responsible officer of the College may refer the matter to the local civil authorities for appropriate action including ejection from the campus, 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, she 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 Barnard community who is found to have violated these rules may be subject to suspension, expulsion, or such other appropriate disciplinary

action as shall be determined upon a prompt hearing before the designated council or committee. Disciplinary action against a member of the faculty shall be subject to the review of the Trustees.

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 Barnard 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.

The Student Conduct Administrator, comprising student, faculty, and administrative members, hears cases arising from alleged student violations of the rules, as well as other matters. The College has established the General Grievance Procedure and it may, in appropriate situations, be used to assist in the resolution of grievances not covered by other policies.

Students may choose to bring their complaints to the Dean of Studies, their Class Dean, or their Residential Area Director. Complaints may also be brought directly to the Director of the department in which the student bringing the complaint is employed, Provost, Dean of the College, or area Vice President. Students who believe that College policies do not conform to applicable state or federal law (including but not limited to The Americans With Disabilities Act or Title VI of the Civil Rights Act of 1964) or that a College employee has acted unfairly or improperly in carrying out assigned duties may bring complaints under the General Grievance Procedure.

The General Grievance Procedure includes inquiry, mediation, investigation and decision, appeal to a hearing panel, and appeal to the Vice President of Human Resources, Provost, or Dean of the College or their designees. A copy of the complete General Grievance Procedure is available from the Office of Human Resources. (<https://my.barnard.edu/BC%20Policies/General%20Grievance%20Procedures.pdf>)

Revision History

Policy effective as of August 2011

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