

BUFFALO STATE COLLEGE

DIRECTORY OF POLICY STATEMENTS

Policy Number: VIII:06:00

Revised: February 2022

Subject: Disruptive Students

Faculty and staff are expected to conduct classes or other activities and perform their assigned responsibilities without disruption. Accordingly, faculty and staff members have the right to ask disruptive or menacing individuals to leave the classroom or vacate the area where they are misbehaving.

The college maintains a Student Code of Conduct that governs the conduct of students on this campus. The Student Code of Conduct, Section 3: Conduct Policies, in concert with New York State Education Law, strictly prohibits students from physically harming, verbally abusing, or intimidating anyone, or intentionally interrupting a class for purposes of stopping a speaker. All individuals, students or non-students, also are subject to legal recourse under the New York State Penal Code Articles concerning criminal trespass or disorderly conduct and harassment.

Since due process considerations and an assumption of innocence govern the student conduct process, faculty and staff should be aware of the precautions and procedures necessary to minimize the risk of personal or college liability for violation of an individual's rights. Formal proceedings are required for students to be prohibited from attending or returning to class or other college functions. An adjudication of misconduct through the college student conduct process or the conviction of a criminal charge under the Penal Code may result in temporarily or permanently barring individuals from campus activity.

When a student or other individual is deemed to be acting in a disruptive or threatening manner, the following information provided by the Vice President for Student Affairs and Vice President for Academic Affairs will guide faculty and staff who are faced with asking that person to leave and/or barring a return to a class or other campus area:

1. In situations where a person is perceived to be a clear danger to themselves or to others, the University Police Department should be called immediately. The University Police Department should always be contacted if one believes that the person displaying the disruptive behavior is not a student. The responding officer will determine the next steps and, in the case of a student, whether medical assistance is needed and/or whether to file a formal complaint with the Student Conduct and Community Standards office.
2. Any student, faculty, or staff member may file a charge and refer a student to the college conduct system with or without intervention by the University Police department.
3. Faculty, staff, or students alleging misconduct should be prepared to document what actions they took to stop any inappropriate behavior. When Buffalo State community members file charges of alleged misconduct through the Student Conduct and Community Standards office, they must submit documentation such as a description of the behavior, attempts made, if any, to stop the behavior, and any other relevant corroborating evidence.
4. In some cases, an appropriate course of action, short of referral to the college conduct system, is a voluntary referral to the Buffalo State Care Team. The Care Team will review the case, offer

resources to the student, and consult as necessary with the faculty/staff who reported the incident. Please remember that some information may remain confidential unless the student is deemed a danger to themselves or others.

Additional guidance for members of the college community regarding the procedural and due process considerations outlined above, including advice on documentation, is available from the Student Conduct and Community Standards Office or the Dean of Students Office. Additionally, the University Police Department can be reached 24 hours a day, seven days a week, at 716-878-6333.

Reference:

State University of New York College at Buffalo, Student Conduct and Community Standards, Student Code of Conduct (2018), <https://studentconduct.buffalostate.edu/student-code-conduct>