

## **Public Conduct on BOCES Property**

Persons using or upon BOCES property, including all BOCES buildings, parking lots, and any BOCES vehicle used to transport students, shall not engage in the conduct described below.

Any person considered by the executive director or designee to be in violation of this policy shall be instructed to leave BOCES property and law enforcement may be contacted. Any person who has engaged or BOCES officials reasonably believe will engage in conduct prohibited by this policy may be excluded from BOCES property.

The following conduct by any person is prohibited:

1. Any conduct that obstructs, disrupts or interferes with or threatens to obstruct, disrupt or interfere with BOCES operations or any activity sponsored or approved by the BOCES.
2. Physical abuse or threat of harm to any person or BOCES property.
3. Damage or threat of damage to BOCES property regardless of the location, or property of a member of the community when such property is located on BOCES property.
4. Forceful or unauthorized entry to or occupation of BOCES facilities, including both buildings and grounds.
5. Use, possession, distribution or sale of drugs and other controlled substances, alcohol and other illegal contraband on BOCES property, at BOCES or school-sponsored functions or in any BOCES vehicle transporting students. For purposes of this policy, "controlled substances" means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine).
6. Distribution, manufacture or sale of controlled substances or the possession of controlled substances with intent to distribute them within 1,000 feet of the perimeter of school grounds.
7. Entry onto BOCES buildings or grounds by a person known to be under the influence of alcohol or a controlled substance.
8. Unlawful use of any tobacco product.
9. Unlawful possession of a deadly weapon, as defined in state law, on school property or in school buildings.
10. Profanity or verbally abusive language.
11. Violation of any federal, state or municipal law or BOCES policy.

Adopted: May 3, 2018

LEGAL REFS.: 21 U.S.C. 860 (*crime to distribute or manufacture controlled substances within 1,000 feet of a school*)  
C.R.S. 18-1-901 (3)(e) (*definition of deadly weapon*)  
C.R.S. 18-9-106 (*disorderly conduct*)  
C.R.S. 18-9-108 (*disrupting lawful assembly*)  
C.R.S. 18-9-109 (*interference with staff, faculty or students of educational institutions*)  
C.R.S. 18-9-110 (*public buildings – trespass, interference*)  
C.R.S. 18-9-117 (*unlawful conduct on public property*)  
C.R.S. 18-12-105.5 (*unlawful carrying/possession of weapons on school grounds*)  
C.R.S. 18-12-214 (3)(a) (*person with valid concealed handgun permit may have a handgun on school property as long as hand gun remains in his or her vehicle and if, while the person is not in vehicle, the gun is kept in a compartment and the vehicle is locked*)  
C.R.S. 18-18-407 (2) (*crime to sell, distribute or possess with intent to distribute any controlled substance on or near school grounds or school vehicles*)  
C.R.S. 25-1.5-106 (12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)  
C.R.S. 25-14-103.5 (*must adopt policies prohibiting tobacco and retail marijuana use on school property*)  
C.R.S. 25-14-301 (*Teen Tobacco Use Prevention Act*)

CROSS REFS.: GBEB, Staff Conduct (And Responsibilities)

*NOTE: The exceptions in state law that permit possession of a deadly weapon on “school property” are that the person:*

- a. has legal authority to carry or possess a deadly weapon. C.R.S 18-12-105.5 (3).*
- b. is presenting an authorized public demonstration or exhibition for the school or an organized class. C.R.S. 18-12-105.5 (1).*
- c. is carrying out duties for the school district which require the use of a deadly weapon. C.R.S 18-12-105.5 (1).*
- d. is participating in an authorized extracurricular activity or on an athletic team. C.R.S. 18-12-105.5 (1).*
- e. has possession of the weapon for use in an approved educational program which includes but is not limited to any course designed for the repair and maintenance of weapons. C.R.S. 18-12-105.5 (3)(h).*
- f. is a school resource officer or peace officer on duty. C.R.S. 18-12-105.5 (3)(e).*