

PROCEDURE TITLE:	CIRCUMSTANCES & PROCESSES TO BAN INDIVIDUALS FROM UNIVERSITY PROPERTY
PROCEDURE NO.:	5.36:1
RELATED POLICY:	5.36
PAGE NO.:	1 OF 3
RESPONSIBLE ADMINISTRATOR:	VPFA
EFFECTIVE DATE:	04/27/2023
NEXT REVIEW DATE:	04/2026
APPROVED BY:	PRESIDENT

1.0 SCOPE OF PROCEDURE

- 1.1 The purpose of this procedure is to identify the following: the circumstances for banning individuals from campus; the University officials with requisite authority to issue a ban, and the University processes for instituting University bans.
- 1.2 This procedure applies to all employees, students, vendors and other campus visitors.

2.0 CIRCUMSTANCES FOR BANNING INDIVIDUALS

- 2.1 An individual may be banned from University property for any of the following reasons or circumstances:
 - 2.1.1 Active or passive, willful or deliberate obstruction, disorderly conduct, disruption, or occupation of building entrances, walkways, parking areas, the interior of any building, especially classrooms and offices, or any other space that impedes implementation of authorized programs and functions of University;
 - 2.1.2 Detaining, holding, intimidating, injuring, menacing, stalking, or threatening to injure or coerce by bodily harm any person lawfully upon property owned, leased, managed or operated by the University;
 - 2.1.3 Theft, destruction, damage or injury to property not personally owned;
 - 2.1.4 Conduct that creates a substantial risk of injury to a person or damage to property;
 - 2.1.5 Engaging or participating in, or furthering any act or action that is in violation of criminal law; and
 - 2.1.6 Violation of any University policy or procedure, the purpose of which is to ensure the health and/or safety of the campus.

- 2.2 Nothing in subsections 2.1.1 through 2.1.6 shall restrict the University's authority to prohibit any individual from being on property owned or managed by the University when the prohibition is permitted or required by any other state or federal law.

3.0 UNIVERSITY OFFICIALS AUTHORIZED TO BAN INDIVIDUALS

The following University officials have authority to order individuals to immediately leave or be removed from University property and to prohibit their return until further notice:

- 3.1 President of the University
- 3.2 Any University police officer
- 3.3 Any Vice President
- 3.4 Dean of Students

4.0 PROCESS FOR BANNING INDIVIDUALS

- 4.1 An authorized University official may give a verbal ban notice when deemed appropriate by that official. A written ban will be issued as soon as practicable after the verbal notice, which will normally be within three business days. The process for issuing a written ban is dependent upon the status of the individual as follows:

4.1.1 Students

Students may be banned from any University property as a disciplinary measure or when placed on emergency suspension, in accordance with the Student Conduct Code process. Written notification will identify the time period of the ban and prohibited University areas and will be issued by the Dean of Students or other University official identified in the Student Conduct Code for this type of action.

4.1.2 Employees

Employees may, if the circumstances are deemed appropriate, be banned from any University property when placed on administrative leave, or when suspended or terminated from employment with the University. All employees will be notified in writing by the responsible University official.

- 4.1.2.1 Faculty determinations will be made by the Provost.

- 4.1.2.2 Determinations for other employees will be made by the Vice President for Finance and Administration.

4.1.3 Vendors and other Visitors

4.1.3.1 A written notice from the Director of Public Safety will be promptly sent to the banned individual, when possible. The written notice will include the following information: reasons or circumstance(s) for the ban; identification of university buildings or campus area the individual is prohibited from entering; dates or duration of the ban; and the process for seeking review of the ban determination.

4.1.3.2 Visitors banned from campus are not entitled to a hearing but may, within five business days of the written notification, submit a request in writing [to the Vice President for Finance and Administration (VPFA)] for a review of the decision. The request must include reasons to support a reversal. Notice of the VPFA's decision will be provided within 30 days of receipt of the request and will be considered final.

4.2 An individual who violates the terms of a ban notice, whether verbal or in writing, is subject to arrest and prosecution for criminal trespassing.

5.0 SCOPE AND LENGTH OF BAN

5.1 An individual may be banned from the entire University, including leased or managed property, as deemed appropriate by an authorized University official.

5.2 A typical ban period is six months or a semester, one year or indefinite period of time. The length of time of a ban should be commensurate with the gravity and nature of the offense. The following factors may be considered: age of the offender and whether the individual is a repeat offender or a convicted felon.

6.0 RECORDS AND LOG OF BANNED INDIVIDUALS

A copy of all written notifications to ban students, employees, vendors and other visitors will be maintained in the Department of Public Safety (DPS). The DPS will also be responsible for maintaining a log of all banned individuals that will identify the duration and prohibited University areas for each banned individual.

History

Effective: 09/19/14

Reviewed with minor revisions: 04/27/2023