
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: NO-TRESPASS NOTIFICATIONS

NUMBER: PRO 2-29

REFERENCE: Florida Statute 810.08, 810.09, 810.095, 810.097,
Admin. Pro. 4-15 Student Disciplinary Action
Admin. Pro. 2-21 Discrimination, Harassment and Related Misconduct

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I. PURPOSE

To establish a clear framework for the issuance of no-trespass notifications by Lake-Sumter State College.

II. RESPONSIBILITY

The Director of Campus Safety, the Vice President for Enrollment & Student Affairs, the Dean of Students, and such other officials as may be authorized by the Executive Vice President, to issue a No-Trespass Notice requiring individuals or groups to vacate College premises because of behavior that:

- a. Violates civil or criminal laws (e.g., laws governing disorderly conduct or excessive noise).
- b. Poses a threat to the health, safety, welfare, or academic experience of members of the College community.
- c. Causes significant disruption or causes or threatens harm to persons or property.

III. OBJECTIVES

Lake-Sumter State College is committed to providing a safe and secure educational environment for students, faculty, staff and visitors. A no trespass notification may be issued:

- a. To prevent or deter criminal activity.
- b. To enforce College policies and regulations.
- c. To foster a safe environment and support the College's educational mission.
- d. A no-trespass notification may be permanent or temporary, depending upon the seriousness of the circumstances supporting the issuance of the notification.

IV. DEFINITIONS

- a. **Student**- any person who has provided LSSC with all the required admission documents and is officially enrolled in a class or classes pursuant to LSSC Administrative Procedure 4-13, or

who has been enrolled in credit courses at LSSC within any of the last three academic semesters.

- b. **Non-students-** any person other than a student as described above, to include LSSC employees, contract employees and all visitors and guests.
- c. **No-trespass notification-** written notice provided to an individual or group for:
 - 1. Behavior that violates civil or criminal laws (e.g., laws governing disorderly conduct or excessive noise);
 - 2. Behavior that poses a threat to the health, safety, welfare, or academic experience of members of the College community or property, including behavior that occurs off campus and has the effect of a significant disruption to the learning or working environment;
 - 3. Behavior that causes significant disruption to the learning or working environment;
 - 4. Behavior that causes or threatens harm to persons or property;
 - 5. The person has no legitimate business on campus or College sponsored activity.
- d. A no-trespass notification means that the person issued the notification shall not enter or remain on any property, or any portion of property specified in the notification, owned by Lake-Sumter State College.

V. TYPES OF NO-TRESPASS NOTIFICATIONS

- a. **Temporary-** to be used in situations where a student or non-student's behavior or actions are disruptive or creating a safety risk to the College community. A temporary no-trespass notification may be issued immediately, verbally, and then in writing within three business days. The person temporarily trespassed shall be referred to the appropriate LSSC administrative process for further review of their conduct. A temporary no-trespass should last for no more than 15 business days, but may be extended during an on-going administrative process if it is determined the person trespassed continues to present a risk.
- b. **Conduct Sanction-** to be used for students, after the student conduct process has found a student responsible for violations of the Student Conduct code. A Conduct Sanction trespass should be imposed for no more than a two-year period, beginning on the day of imposition of the sanction.
- c. **Permanent-** to be used for violations of LSSC policy, Student Code of Conduct, or state or federal laws. A permanent no-trespass notification is primarily issued to non-students, however, in certain circumstances, after a student has exhausted their LSSC due process, a permanent no-trespass notification may be issued based on the nature of the student's conduct and its effect on the LSSC community.
- d. **Law Enforcement-** In certain circumstances, an individual may also be issued a trespass warning by law enforcement at the request of the College. This type of warning is permanent, unless officially rescinded by the College, and allows law enforcement to arrest the individual (Florida Statute 810.09) should they return to LSSC property.

VI. ISSUANCE OF NOTIFICATIONS

- a. Each No-Trespass Notice must be in writing and specify:
 - 1. The reason for the Notice;
 - 2. A description of the specific behavior(s) leading to the Notice;
 - 3. The scope and duration of the prohibition, to include the LSSC property or portion of campus the trespasser is prohibited from entering;
 - 4. The potential consequences of the violation of the prohibition;
 - 5. The appeal avenues (if any) available.
- b. The scope, duration, and other stipulations of the No-Trespass Notice must be proportional to the underlying misconduct and must be narrowly tailored to protect the College community from further misconduct.
- c. A temporary No-Trespass notice may be issued for a maximum of 15 days, but may be extended for cause, during an on-going administrative process.
- d. A temporary No-Trespass Notice will expire no later than 60 days from its date of issuance. A temporary Notice of longer duration may be issued only with the advance written approval of the Executive Vice President.
- e. A permanent No-Trespass notice or law enforcement no trespass notice may not be issued to a student or non-student without advance approval of the Executive Vice President.
- f. Failure to comply with a No-Trespass notice may result in additional administrative action and/or a law enforcement trespass warning. Failure to comply with a law enforcement trespass warning may result in arrest.

VII. STUDENT ADMINISTRATIVE WITHDRAWAL

- a. Students who receive a temporary No-Trespass notice may be administratively withdrawn from all registered courses pending the outcome of any administrative process, based upon the severity of the underlying misconduct.
- b. Students who receive a Conduct Sanction No-Trespass notice shall be administratively withdrawn from all registered courses. Such students will have a hold placed on their student account and will be unable to re-enroll or register for classes without first meeting with the Dean of Students.

VIII. APPEALS**a. Appeal Procedures**

- 1. Students may appeal a No-Trespass Notice by submitting an appeal in writing, within 15 days of the Notice issue date, to the Dean of Students or her/his designee. If the No-Trespass is issued as a result of a student conduct sanction, the current student may appeal to the Vice President of Enrollment and Student Affairs.
- 2. Non-students, other than employees, may appeal a No-Trespass Notice by submitting an appeal in writing, within fifteen days of the Notice issue date, to the Director of Campus Safety or her/his designee.

3. Current and former employees may appeal a No-Trespass notice by submitting an appeal in writing, within fifteen days of the notice issue date, to the Executive Vice President or his/her designee.
- b. **Consideration of Appeal-** In the written appeal, the basis of appeal should be stated as precisely as possible. The following bases of appeal will be considered:
 1. A compelling reason for needing access to the property or area from which one has been excluded (e.g., to attend class). In the letter of appeal, the location and time of desired access, the reason for access, and the name (if applicable) of a College contact person to verify the need for access should be included.
 2. A clear abuse of discretion by the official who authorized or issued the No-Trespass Notice.
 3. New information or evidence related to the incident or circumstances around the issuance of the No-Trespass Notice (e.g., resolution of criminal or judicial case).

Upon receipt of an appeal request, the College official reviewing the appeal will consult as needed with other LSSC College officials to verify the need for access to campus, to gather additional information or advice, or to review the impact that an appeal may have on the victim(s), and may also consult with the trespassed person. The appeal will be considered first and foremost in the context of the health, safety, and security of the Lake-Sumter State College community.

- c. **Appeal Decision**
 1. The Dean of Students, Vice President of Enrollment & Student Affairs, Director of Campus Safety, Executive Vice President, or their designee will render a written decision regarding the appeal before the expiration of the No-Trespass Notice.
 2. The appeal decision may: uphold the No-Trespass Notice, modify it (e.g., granting access to specific location at specific times), or vacate it.
 3. The decision of the Dean of Students, Vice President of Enrollment and Student Affairs, Director of Campus Safety, Executive Vice President or their designee shall be final.