

SECTION: Personnel Policies and Procedures / General Personnel Policies and Procedures
SUBJECT: No Trespass Policy and Appeal Procedure
SOURCE REFERENCE: GSCC Internal Policy

NUMBER: F/8.9

No Trespass Policy and Appeal Procedure

Gadsden State Community College is a public institution of higher education that is open to the general public. However, the College retains the right to restrict access to College property and College-sanctioned activities due to safety considerations relating to its students, faculty, staff and visitors. This policy describes the circumstances under which access to or presence on College property or at College-sanctioned activities or events may be restricted and the procedures for issuing a No Trespass Notice ("Notice").

When it is determined that an individual presents an ongoing threat to the College, the College may issue a No Trespass Notice restricting that person from any property owned or controlled by the College.

Consistent with their responsibility to ensure that College property remains safe, all Security Officers are authorized to issue a No Trespass Notice to anyone under the following circumstances:

- An individual has committed a crime;
- An individual has violated a College policy or procedure;
- An individual is engaged in threatening or disruptive behavior;
- An individual is found in a location at a time or under circumstances that causes concern for the safety of persons and/or property on campus;
- An individual is the subject of an existing Protection Order or Restraining Order;
- Following a request from a College administrator or other member of the College community where, after review by a Security Officer, the request is deemed to be warranted.

A No Trespass Notice advises a person that he/she is are not authorized to be on College property, or any portion thereof, or at a College-sanctioned event or activity and may be subject to arrest without further warning if he or she refuses to leave the property or returns at any time in the future.

No Trespass Notices are permanent and remain in full force and effect unless revoked by the appeal process.

Appeals Process

A person who has been issued a No Trespass Notice may appeal the decision to the Director of Physical Plant. The appeal process is not applicable to any criminal charge(s), which are resolved through the appropriate court system.

- I. The Notice must be appealed in writing to the Director of Physical Plant. Appeals should be mailed to:

Director of Physical Plant
Gadsden State Community College
P. O. Box 227
Gadsden, AL 35907-0227

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Appeals should include:

- A. Appellant's contact information, including address, telephone number and email address.
 - B. Date of issuance of the Notice and location.
 - C. Reason for being on College property at the time of the incident.
 - D. Future need to be on College property.
 - E. Any other information appellant wishes to be considered to demonstrate that their presence on Campus or at College-sanctioned activities will not be disruptive or a threat.
 - F. Whether a hearing is requested.
- II. Upon receipt of an appeal, the Director of Physical Plant will gather all appropriate information and forward all documents and information to the CARE Committee for review.
 - III. Whether to hold a hearing is within the Committee's discretion. In the event that a hearing is held, the CARE Committee will conduct a hearing within 3 days for an enrolled student and within 10 days for a non-enrolled student. If a hearing is held, the appellant will be given an opportunity to present or dispute relevant information. Appellants should contact campus security by phone at 256-312-2132 and arrange to be escorted to the hearing.
 - IV. The CARE Committee will sustain, rescind, or modify the No Trespass Notice in a written decision that will be mailed to the address provided in the written appeal.
 - V. If an appeal is filed, the restrictions set forth in the No Trespass Notice will remain in effect until the appeal process is completed. If the No Trespass Notice is sustained and the subject of the Notice returns to a restricted area, he or she will be subject to arrest.
 - VI. If, after following the procedure outlined above, the individual still seeks redress, he/she may appeal directly to the President of the College or designee. This appeal must be in writing, must set forth the reason(s) for the appeal, and must be submitted within (3) days of receipt of notice by the CARE Committee.
 - VII. The decision of the President or designee is final. The President or designee may approve, overturn, or amend the prior decisions(s). The President or designee shall notify, in writing, the student, and the CARE Committee of the decision(s) rendered.