



**Title of Policy:** Trespass Policy  
**Policy No.#** 1.1008  
**Type of Policy:** Administrative  
**Effective Date:** July 1, 2021  
**Last Revised:** New  
**Policy Owner:** Florida Memorial University  
**Policy Contact:** Office of the President

## **I. Reason for Policy**

Any person who is considered a disruption to the educational and/or working environment and/or whose behavior poses a threat to the safety of persons or property of Florida Memorial University (“FMU”) may be issued a Trespass Warning and asked to leave FMU by appropriate personnel; effective until otherwise notified. Persons who do not comply may be subject to arrest by local law enforcement.

## **II. Policy Statement**

Any person who disrupts the educational and/or working environment of FMU or who poses a risk to the safety of persons or property may be asked to leave FMU Premises by any authorized FMU personnel or designee. Should such person refuse to leave, they may be issued a Trespass Warning at the sole discretion of FMU. A person who does not leave FMU Premises after notice of Trespass Warning is subject to arrest by law enforcement personnel. Nothing herein shall affect FMU’s ability to remove individuals from FMU Premises through other existing policies providing the authority to do so.

In general, a warning to leave FMU Premises shall be based on a violation of FMU policies and procedures, the FMU Student Code of Conduct or a violation of applicable law deemed serious enough to warrant trespass. FMU Students who do not leave FMU Premises after a notice or warning are subject to arrest by law enforcement personnel for trespass. Students who are directed to leave FMU Premises based on a violation of the Student Code of Conduct shall have a right to appeal in accordance with the provisions of the Student Code of Conduct and applicable procedures.

Faculty and staff may appeal a Trespass Warning by way of the grievance process as outlined by Human Resources.

A Trespass Warning to persons who are not FMU Students or employees, whether indefinite or for a specific time period, may be lifted by an appeal to the Department of the University Operations and Safety. Such persons may appeal in writing to the President within 5 business days after receiving a Trespass Warning to leave FMU Premises. The President or designee shall respond within 30 business days after receiving the appeal. The decision of the President shall be final. Such persons who have received a Trespass Warning may request a trespass review once per year if requested within 30 days of the anniversary date of the Trespass Warning.

## **III. Scope**

This Policy covers all FMU faculty, staff, employees, vendors, contractors, consultants, students and guests.

**IV. Definitions**

<b>Term</b>	<b>Definition</b>
FMU Premises	Florida Memorial University campus and locations under FMU's control.
FMU Students	Students currently enrolled, students actively seeking to be enrolled, students seeking to resolve issues (e.g., balances, transcripts, advising, grade appeals), students who have stopped out and are seeking to return.
Trespass Warning	A warning or notice that directs a person to leave, vacate, or stay away from FMU Premises, or some portion thereof, and may be subject to arrest, criminal sanctions and civil penalties without further warning if he or she refuses to leave or returns at any time in the future. Trespass Warnings are permanent and remain in full force and effect unless revoked.
Trespass	Willfully entering FMU Premises without authorization or permission; failure to leave FMU Premises after being directed to do so by FMU or its designee; or returning to FMU Premises after being directed to leave.

**V. Responsibilities**

The President or designee has the authority to establish procedures to implement this policy. The Department of University Operations and Safety is responsible for implementation and oversight of this policy. For issues involving students, the Dean of Students or designee should be consulted. For issues involving employees, the Director of Human Resources or designee should be consulted.

**VI. Enforcement**

Students, employees, and all other persons who refuse to leave FMU Premises after Trespass warning, are trespassing and are subject to arrest and prosecution by local law enforcement agencies.

Students found in violation of this policy are also subject to discipline in accordance with the Student Code of Conduct, up to and including expulsion from FMU.

For employee issues, violations of this policy shall be investigated by the Director of Human Resources or designee and may result in corrective action up to and including termination, pursuant to applicable FMU policies and procedures.

**Approved:**

<b>Signature</b>	<b>Title</b>	<b>Date</b>
<i>Jaffus Hardrick</i> Jaffus Hardrick (Feb 11, 2022 12:13 EST)	President	2-11-22