

**NEW COLLEGE OF FLORIDA  
REGULATIONS MANUAL**

**CHAPTER 3 - Administrative Affairs**

**3-6007 Access to Campus and Trespass Warnings**

The President, as chief executive officer of the College, is responsible for the safe operation and administration of the College. The President, or authorized personnel designated by the President, may issue trespass warnings as set forth herein.

(1) Definitions

- (a) College personnel: Currently enrolled students, faculty, staff, or other employees or Board of Trustee members of the College or the Foundation; volunteers, agents, and persons fulfilling contractual obligations.
- (b) Nonaffiliated persons: All other persons who are not defined as College personnel.
- (c) College officials: College employees responsible for the control, supervision or operation of a building, classroom or College property.
- (d) Authorized College business: Activity which furthers the mission and purpose of the College and business that has been approved by the appropriate College officials.
- (e) President's designated personnel: For the purpose of issuing trespassing warnings, any Campus Police Officer may issue such. The Provost, Vice President, Deans, Division Chairs and Department Directors may request the Campus Police to consider issuing a trespass warning.
- (f) Trespass warning: A written warning that a person is not authorized to be on College property, or a portion thereof, 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. Trespass warnings remain in full force and effect unless revoked by the appeal or reconsideration process delineated herein.
- (g) College property: All locations, buildings and grounds managed by the College.
- (h) Public areas: College facilities that are generally open or accessible to the public during normal business or operational hours; including, but not limited to: the library, food and vending areas open to the public, bookstore/retail areas and campus grounds, except in the immediate area of residence halls or unless otherwise restricted. The Bayfront and seawall area is open to the public from sunrise to one-half hour after sunset, unless otherwise posted.
- (i) Non-public areas: Classrooms, laboratories, offices, auditoriums, theaters, athletic fields and facilities, residence halls, and other areas within buildings and grounds of the College that are not normally open to the public unless there is an event to which the public is invited, or the nonaffiliated person is an authorized guest of College personnel.

(2) Campus access

- (a) Nonaffiliated persons are permitted access to the public areas of the College only during normal College business hours or the operating hours of the public area facility. Nonaffiliated persons are permitted in offices or administrative and instructional areas of the College only when

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accompanied by College personnel as guest, or to conduct official College business. Nonaffiliated persons are strictly prohibited from being in student residential areas unless providing authorized contractual vendor services, or as the authorized guest of a student in accordance with Residential Life visitation and guest policies. Nonaffiliated persons are otherwise not allowed on College property except as authorized by this regulation. Identification may be requested for access to any of the aforementioned facilities.

- (b) College personnel may access all College property that is open and available for authorized activities or business. Non-student College personnel members should not be in campus student residential areas unless they are performing authorized duties or are the guest of a residential student in a manner consistent with current Residential Life policies. Identification may be requested to ascertain authorization for access.
  - (c) Under administrative sanction, College personnel may have their access to certain areas of campus restricted. Violation of these restrictions may result in further sanctions consistent with applicable disciplinary procedures or other College regulations or policies.
  - (d) Alumnae/i (“alumni”) of the College are an integral part of campus life. The College provides for special access to campus for alumni, in addition to that provided to the general public. This special access is governed by campus visitation/access guidelines established by the New College Alumnae/i Association (NCAA) and endorsed by the College’s administration. Alumni should contact the NCAA office regarding these special guidelines.
- (3) Enforcement. Any person who, in the opinion of College officials is violating or has violated any law, College regulation, or policy; including as applicable, the Student Code of Conduct or employee standards and disciplinary procedures, is creating a disturbance, acting in a threatening manner, or creating an atmosphere not conducive to use of facilities by others, or otherwise found in an area at a time that causes concern for the safety of persons or property, may be immediately reported to Campus Police or may be directed to leave College property by the College official. In the event the person does not leave as requested, Campus Police may respond to provide a verbal warning and/or issue a trespass warning. Pursuant to Florida Statutes, Campus Police jurisdiction is within 1000 feet from any portion of College property, and Campus Police may issue warnings against future trespass on College property to those meeting the above criteria within that jurisdiction.
- (4) Appeals Process
- (a) Individuals who have been warned not to trespass on College property and wish to have the warning lifted must first appeal to the Campus Police Chief. The appeal may be made in writing, via email, telephonically during normal business hours, or in person by appointment. In the appeal, the individual should explain why the trespass was unwarranted at the time of issuance or is no longer warranted. The Campus Police Chief will review all appeals and reply to appellants in writing in a timely fashion. If the warning is revoked, the Chief will ensure that the lifting of the warning has been properly documented in the Campus Police records system.
  - (b) Should the Campus Police Chief decline to revoke the warning, the appellant may then appeal to a Trespass Appeals Board appointed by the President. The Board will be composed of at least three and no more than five appointees, including one student. The student appointee will be

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selected from a list provided to the President by the Student Alliance. This appeals board has the authority to revoke, amend, or leave in place the trespass warning. The appeals board decision is final and will be communicated in writing to the appellant and the Campus Police Chief. Should the appeals board decide to revoke or amend an appellant's trespass warning, the Campus Police Chief will take appropriate action to document such in the Campus Police records system.

- (5) Reconsideration. Unless revoked by the aforementioned appeals process, or the person warned is permitted by College officials to become a student or employee of the College, trespass warnings shall remain in full force and effect and may only be lifted or revoked after reconsideration by the Trespass Appeals Board. Requests for reconsideration of revocation may only be made annually. The passing of time, in and of itself, shall not serve as a basis for lifting the trespass warning. The lifting of the warning shall be based upon the totality of circumstances alone.
- (6) Nothing in this regulation shall be interpreted to preclude or diminish the exercise of statutory authority by the Campus Police to arrest in accordance with state law any person for violation of state law or applicable county or city ordinance when such violations occur on any property or facilities which are under their jurisdiction.
- (7) It is not the intent of the College, nor does the College create any additional rights by the implementation of this Regulation or any changes thereto, that are not otherwise available by law.

*Authority: Article IX, Sec. 7, Fla. Constitution; Fla. Board of Governors Regulation 1.001*

*History: Adopted 06-18-11; Revised 02-26-17 (technical amendment)*