



## **ANA G MENDEZ UNIVERSITY STUDENT CONSUMER INFORMATION No-Trespass Notice Policy**

### **Policy Statement**

Ana G. Mendez University (AGMU or the University) is committed to maintaining a safe and secure educational environment for students, faculty, staff, and visitors. Property owned, controlled, or leased by AGMU is private property. Access to property owned, controlled, or leased by AGMU is permitted only with the University's consent, which may be withdrawn at any time for any reason.

This policy establishes a framework for the issuance of No-Trespass Notices by AGMU Officials. When an individual exhibits behavior deemed harmful to the University community, that person may be issued a No-Trespass Notice by an AGMU Official in accordance with this policy. Behavior considered harmful to the University community includes but is not limited to 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 university community;
- c. Causes significant disruption or causes or threatens harm to persons or property; or
- d. Violates a university policy or procedure.

For purposes of this policy, the Director of Operations, Safety, & Compliance, the Vice President of Student Affairs, Campus Directors, and campus Directors of Student Affairs shall be considered AGMU Officials, and each have the discretion to issue No-Trespass Notices.

### **Scope**

This policy applies to AGMU employees, students, contractors, and visitors at all properties owned, leased, or controlled by AGMU.

## **Issuance of a No-Trespass Notice**

A No-Trespass Notice may be temporary or permanent, depending upon the seriousness of the circumstances supporting the issuance of the notification. A temporary No-Trespass Notice may be extended at AGMU's discretion.

When possible, each No-Trespass Notice should 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 AGMU property, portion of campus, or university technology platform that the individual is prohibited from entering or using;
4. The potential consequences of the violation of the Notice; and
5. Procedures and permissible bases for appeal (if any).

The scope, duration, and other stipulations of the No-Trespass Notice must be proportional to the underlying misconduct. Failure to comply with a No-Trespass Notice may result in additional administrative or disciplinary action and/or law enforcement action. Failure to comply with law enforcement may result in arrest.

An individual may also be issued a trespass warning by law enforcement at the request of the University. This type of warning is permanent, unless officially rescinded by the University and allows law enforcement to arrest the individual (Florida Statute 810.09) should they return to university property.

## **No-Trespass Notice Impact on Course Enrollment**

Students who receive a No-Trespass Notice will be administratively withdrawn from all registered courses pending any appeal. Such students will have a hold placed on their student account and will be unable to re-enroll or register for classes without the written permission of the Vice Chancellor of Student Affairs while the No-Trespass Notice is in effect. Refunds will not be provided in these instances.

## **Appeal Procedures**

An individual who receives a No-Trespass Notice may submit a written appeal, within 15 calendar days of the Notice issue date, to the Director of Operations, Safety & Compliance on any of the following bases:

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 university 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; or
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).

The appeal will be considered first and foremost in the context of the health, safety, and security of the University community. The Director of Operations, Safety, & Compliance will render a written decision regarding the appeal. The appeal decision may: uphold the No-Trespass Notice, modify it (e.g., granting access to specific location at specific times), or vacate it. The decision on appeal shall be final and conveyed to the relevant individual.