
 SOUTHEAST MISSOURI STATE UNIVERSITY · 1873®	BUSINESS POLICY AND PROCEDURE MANUAL	Date Issued: 05/20	Revision Date:	Page: 1 of 1
		Classification Code: 01-18		
		Section: ADMINISTRATION		
		Subject: NO TRESPASS		

GENERAL STATEMENT OF POLICY

As a public institution of higher education, the Southeast Missouri State University is open to the general public; however, the university has the authority to clarify rights, define expectations, and establish responsibilities related to an individual's presence on university property. The university retains the right to restrict access to university property due to safety concerns relating to our students, faculty, staff and visitors. This policy describes the circumstances under which access to or presence on university property may be restricted, including the procedures for issuing a No Trespass Notice ("Notice") to individuals not affiliated with the university when appropriate.

1. Persons who are not current students or employees of the university and who are on university property without specific permission or authorization or without an appropriate purpose may be deemed guilty of trespass.
2. A person shall be deemed to be on university property 'without an appropriate purpose' whenever their presence is not reasonably related to the university's educational function, or an approved university related activity.
3. A person shall be deemed to be on university property 'without specific permission or authorization' from and after such time as they are requested to leave the property.
4. When it is determined that a person who is not a student, faculty or staff member, or in any way affiliated with the university participates in any behavior defined within or poses an ongoing threat to the campus, the university may issue a No Trespass Notice restricting that person from property owned, leased, controlled or operated by the university.
5. The No Trespass Notice will be effective for a period of time to be determined on an individual case basis.
6. If a person returns to campus after a notice against trespass is served, that person commits the offense of trespass as defined in 569.140 RSMo.

The Department of Public Safety is responsible for maintaining operating procedures related to this policy.

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OPERATING PROCEDURES

Southeast Missouri State University legal counsel is responsible for issuing Notices Against Trespass and establishes the method of dissemination and extent to which the notice is made public. Notices Against Trespass may originate directly from the office legal counsel or by the office of legal counsel after an interim notice against trespass is issued by a police officer.

Notices Against Trespass may be issued under the following conditions.

Notice issued to non-affiliated person

A. Cause

- i. The Notice may be issued when an individual's actions are considered to be a threat to the campus community including, but not limited to, crimes of violence against persons or property; or
- ii. When the behavior is persistent, causing alarm, or disturbs a reasonable person engaged in legitimate university business; or
- iii. Is disruptive to the university community.

B. Examples of Behaviors

- i. Commission or conviction of any criminal offense on or off university property.
- ii. Violation of university policies or expectations.
- iii. Engaging in behavior or conduct that presents a threat to university property or a member of the university community.

C. Notice

- i. An interim notice against trespass may be issued by university police officers that describes the specific area(s) of campus from which a person is trespassed. The resulting offense report and a copy of the interim notice against trespass is forwarded to legal counsel.
- ii. Legal counsel will prepare the official No Trespass Notice, to be delivered to the individual.
- iii. The notice will include instructions for the person to arrange future campus visits, if necessary.
- iv. A copy of the Notice will be shared with University Police and included with the offense report associated with the incident.
- v. A record of the executed notice and details of the trespass will be entered into a database maintained by University Police.