

Removal or Exclusion of Non-Enrolled Persons from Campus

Campus Use Philosophy

Persons not currently enrolled students of the college who violate ~~cCollege~~ policy, regulation or Oregon ~~state or federal~~ law while on-campus disrupt the ~~cCollege~~ mission who disrupt the College mission by a violation of College policy, administrative regulation, local jurisdiction law or ordinance or state law may be removed or excluded from the campuses of the College.

Definitions

~~Non-enrolled p~~**Person d**~~Defined:~~ *(Why limit to nonenrolled student?)*

A “non-enrolled person” is a person not currently enrolled in classes at the ~~cCollege~~.

A “student” is a person currently properly enrolled in classes at the College.

Rule

The period of removal or exclusion of a non-enrolled person for an on-campus violation of ~~cCollege~~ policy, regulation, or Oregon ~~state or federal~~ law shall be for a minimum of 72-hours from the time the person leaves the campus grounds. The ~~cCollege C~~campus ~~S~~safety ~~O~~fficer responsible for the removal or exclusion shall provide a report of the removal or exclusion to the ~~C~~campus ~~S~~safety supervisor and to the ~~cCollege~~ dean or designee with oversight of the ~~C~~campus ~~S~~safety program within one working day of the initial removal or exclusion. **A distinction is made between the exclusion/removal of nonenrolled persons, temporary exclusion of students and the academic suspension of students through student discipline.**

Review Process:

1. ~~The D~~dean of ~~C~~campus ~~S~~services, having oversight of ~~C~~campus ~~S~~safety, and the ~~C~~campus ~~S~~safety supervisor shall review the ~~cCollege C~~campus ~~S~~safety ~~O~~fficer’s act of removing or excluding a non-enrolled person from the ~~cCollege~~ campus on written request by the person removed or excluded.
2. ~~The D~~dean of ~~C~~campus ~~S~~services and ~~C~~campus ~~S~~safety supervisor shall conduct the requested review in a timely manner. Based on the information received as a result of the review, the dean may affirm or reduce the term of removal or exclusion. The results of that review shall be reported to the ~~V~~vice ~~P~~resident of ~~C~~college ~~S~~services within two working days of the initial removal or exclusion and accompanied by a written statement describing the circumstances surrounding the removal or exclusion.

~~3. The vice president may use this statement, the Campus Safety Officer's report and any other directly relevant law enforcement report to determine whether the removal or exclusion for a violation of College policy, regulation or Oregon state or federal law was proper. The vice president may then affirm or modify the decision of the dean. The vice president's decision is a final decision of the College as to the removal or exclusion.~~

Students

Temporary Exclusions of Students

The suspension of students is administered by and through the student disciplinary process as covered in the Student Code of Conduct. However, at times and under certain circumstances, it will be necessary to temporarily exclude a student from campus(es) as a method to insure the safety of the campus community.

In the event a student is accused of a person crime, a felony crime, or a property crime in which the College is the victim, a campus safety officer may exclude the student for a specific period of time to the next business day. The student will be issued a Notice of Exclusion and will be directed to contact the associate dean of their academic discipline for review of the allegation.

In addition to the Notice of Exclusion, the campus safety officer will write a report providing full detail as to the nature of the crime that lead to the Notice of Exclusion being issued. The campus safety officer will forward the report to the director of campus safety for review who will ensure the report is delivered to the appropriate associate dean for their academic determination of suspension.

Nonenrolled Persons

A nonenrolled person may be removed/excluded from the College and all of its campuses for violation of College policy, regulations, local ordinance or state law. The person being excluded will be issued a written Notice of Exclusion which will list the policy, regulation, ordinance or law that is the basis of the exclusion. The written exclusion will list the length of time the person is being excluded from the College based on the lengths/violations listed below. Also on the written Notice of Exclusion will be a statement as to how the individual may appeal the exclusion order. Additionally, the written Notice of Exclusion will have written on the notice a warning that violation of the Notice of Exclusion will subject the excluded person to arrest for violation of ORS 164.245, Criminal Trespass in the Second Degree.

1. The length of the exclusion will be based on the reason for the violation. The lengths will not exceed the specified period for each of the following:
 - a. Violation of a College policy or administrative regulation: 30 days;
 - b. Violation of a local ordinance: 90 days;
 - c. Violation of an Oregon Revised Statute (ORS) violation: 180 days;
 - d. Violation of an ORS misdemeanor: 1 year;
 - e. Violation of an ORS Class C felony: 2 years;
 - f. Violation of all other ORS felonies: 5 years.

2. Appeal:

- a. Appeals must be in writing and submitted to the director of campus safety within 10 days of the date of issuance of the exclusion. The appeal must explain why the exclusion should be voided or why the length of the exclusion reduced.
- b. The director of campus safety will respond to the written appeal within 10 days of the receipt of the appeal. If the appeal is upheld, the appellant will be notified of the outcome and the Notice of Exclusion will be removed from the Department of Campus Safety's files. If the appeal is denied, the reason(s) for the denial will be given and the appellant will be notified that they may make a formal written request for review if it is submitted within 10 days of the date of the denial of the appeal by the director of campus safety. The request for review must be submitted to the vice president of campus services who will have final review authority on any appeals.

Approved by President's Council: _____
(Date)

Corrected 11/16/11; Corrected 5/08/12