

POLICY TITLE	Trespass Policy
Policy Owner:	Director of Campus Safety
Responsible Office(s):	Campus Safety
Current Revision:	January 1, 2021

A. POLICY STATEMENT

This policy sets forth the grounds for issuing a trespass notice and outlines the procedures for appeals and reconsiderations.

B. PURPOSE

Converse values its location in Spartanburg and continues to welcome students, employees, family, community members and other visitors to the campus for performances, classes, events and to enjoy the general campus grounds and facilities when those spaces are open for use and visitation. However, individuals to whom the campus is open do not always have the right to be in specific areas at any time (e.g., resident halls, classrooms, business offices, etc.) and must adhere to campus policies on proper use and behavior. The university reserves the right to alter the building hours at any time to meet the needs of the campus or operations and is not obligated to post revisions.

Under the laws of South Carolina (SC Code 16-11-620), Converse has the right to issue a trespass notice to any individual who enters its campus or property without permission after being warned not to enter or being asked to leave.

Persons may be issued a trespass notice for any of the following reasons but in any instance, shall not be issued with consideration of race, age or appearance:

- Loitering or prowling around buildings, parking lots or other spaces without explanation
- Committing any crime on campus
- Being a nuisance to any member of the university community
- Refusal to adhere to instruction or request to leave or failure to comply with Converse policy or protocols
- Suspicious or disorderly behavior

C. SCOPE

This policy applies to all Converse students, faculty, staff, contractors and any other person who conducts business on Converse's behalf including visitors to our main campus.

D. DEFINITIONS AND ACRONYMS

Trespass: A wrongful or unauthorized entry upon the property of another after either being warned not to enter or being asked to leave



University Property: Property owned, leased or operated by Converse including vehicles or other forms of transportation owned or operated by Converse.

E. POLICY

I. Issuance of a Trespass Notice

Trespass notices may be issued in effect for all of Converse's campus and properties. Considerations for issuing a trespass notice may include but not limited to

- Whether the person poses an ongoing threat of harm, or causes substantial disruption or interference with the normal operations of the university; and
- Whether the issuance of a trespass notice is necessary to protect the health, safety, or general welfare of the Converse community, or to preserve or protect the university's property.

A decision to issue a trespass notice is made by the Director of Campus Safety or by a campus safety Officer although in some instances, it may be appropriate for Converse administrators to issue a verbal notification.

In the event a non-Campus Safety officer issues a trespass notice, the situation has the potential to escalate therefore the Campus Safety department should be notified as soon as possible. Prompt contact with the Campus Safety office will permit the responding officer to issue an official notice and if necessary, call for support in making an arrest.

II. Compliance

Noncompliance with this policy could lead to arrest, expulsion and/or termination.

III. Scope and Duration

Trespass notices will be in effect indefinitely unless otherwise specified or as modified during appeal or recension.

IV. Recording and Notification of Trespass notice

Campus Safety, under the oversight of the Director, maintains an active log of trespass notices. The log is made available via a secured access to key administrators at the university in the interest and safety of the Converse community.

Upon trespassing an individual, the Director of Campus Safety or designee will notify the President, VP for Operations and Strategic Planning, Director of Human Resources, Provost and Dean of Students as soon as possible. Other administrators including legal counsel may be notified as needed and warranted based on the situation and risk to campus. Records of trespass notices may be used in assisting the university in finalizing college admissions.



V. Appeals and Requests for Reconsideration

Trespassed students, employees or other individuals may request a review of Converse's decision to issue a trespass notice, subject to the following process and conditions.

NOTE, since a trespass notice is still in effect during this appeal process, the individual is not able to come onto campus or the restricted area(s) unless given explicit permission by the Director of Campus Safety.

Given the nature of the incident leading to or surrounding the trespass, some trespasses are not eligible for reconsideration. Such instances may involve assaultive or violent behavior, weapons possessions, destruction of property or sexually related offenses. The Director of Campus Safety has the authority to make that classification.

A. Process for requesting an Appeal:

1. Appeals must be made in writing via the Converse Trespass Appeal Form.
2. Properly completed forms must be submitted within 1 year of issuance of the trespass notice and shall be based on the following:
 - a. An egregious error pertaining to the subject's involvement;
 - b. The subject does not pose an ongoing threat of harm to the health, safety or general welfare of the Converse campus, property or community
3. The requester shall have burden of proof by clear and convincing evidence
4. All appeals will be reviewed by the VP of Operations and Strategic Planning, Director of Campus Safety, Provost and Dean of Students
5. Additional information may be requested such as criminal background checks and mental health assessments before considering any request. If such information is needed, the individual may be required to sign a release of information to Converse for such purposes.
6. The individual will be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances.
7. Decisions to rescind or revise any trespass notice will be made in consultation with the Director of Campus Safety to ensure awareness of all safety and security concerns are addressed.
8. Appeals are typically completed within ten (10) business days of the request which may be delayed due to scheduled breaks, closing of the university or other extenuating circumstances
9. Individuals are notified within three (3) business days of a decision.

B. Process for requesting a Reconsideration:

1. Appeals must be made in writing via the Converse Trespass Appeal Form.
2. Properly completed forms must be submitted within one (1) business days of issuance of the trespass notice and shall be based on the following:
 - a. The individual does not pose an ongoing threat of harm to the health, safety or general welfare of himself or herself, the Converse campus, property or community;



- b. The individual is unlikely to cause future disruption or interference with normal operations; or
 - c. Other good causes exist to reconsider the trespass notice
 3. The requester shall have burden of proof by clear and convincing evidence
 4. If the trespassed individual desires to attend or teach classes in an upcoming term, requests must be made at least thirty (30) days prior to the start of such term.
 5. All appeals will be reviewed by the VP of Operations and Strategic Planning, Provost and Dean of Students
 6. Additional information may be requested such as criminal background checks and mental health assessments before considering any request. If such information is needed, the individual may be required to sign a release of information to Converse for such purposes.
 7. The individual will be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances.
 8. Decisions to rescind or revise any trespass notice will be made in consultation with the Director of Campus Safety to ensure awareness of all safety and security concerns are addressed.
 9. Appeals are typically completed within ten (10) business days of the request which may be delayed due to scheduled breaks, closing of the university or other extenuating circumstances
 10. Individuals are notified within three (3) business days of a decision.

Denied trespass decisions will only be considered again after one (1) year from the date of denial and only if a new request is made. Trespass notices will remain in effect indefinitely until further notice.

VI. Impact of Trespass Notices for Students and Employees

1. Students

Trespassed students may be administratively withdrawn from any currently enrolled courses at the discretion of the administration and/or may have administrative holds placed on their account.

The issuance of a trespass notice to any student does not prohibit the commencement of, or hold in abeyance, any disciplinary proceedings under the Student Code of Conduct.

2. Employees

Employees who receive a trespass notice that can impact their ability to complete the functions of their job fully may be subject to administrative action including up to termination depending on the nature of the incident. All trespasses issued to employees are reviewed by the Director of Human Resources, the VP of Operations and Strategic Planning and may include the President and other administration as necessary to determine the appropriate course of action.



- VII. The Department of Campus Safety is responsible for maintaining operating procedures related to this policy.

F. RELATED RESOURCES

Converse Trespass Appeal Form

Trespass Log (Access restricted)

S.C. Code Ann. 16-11-620

G. VERSION HISTORY

REVISION DATE	APPROVAL BODY	REVISION SUMMARY
January 1, 2021	Direct Reports	New policy

