**Name of Policy:** Access to and security of land and premises.

**Policy Number:** 3364-61-08

**Approving Officer:** President

**Responsible Agent:** Chief of Police

**Scope:** All University of Toledo Campuses

<table>
<thead>
<tr>
<th>New policy proposal</th>
<th>Minor/technical revision of existing policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>Major revision of existing policy</td>
</tr>
<tr>
<td></td>
<td>Reaffirmation of existing policy</td>
</tr>
</tbody>
</table>

(A) Policy statement

Pursuant to Ohio Revised Code 3345.61, The Board of Trustees shall regulate the use of and access to the grounds, buildings, equipment, and facilities of the University of Toledo consistent with the institutional mission of education, research, patient care and public service.

(B) Purpose

To restrict access for persons that exhibit behavior that is potentially harmful or disruptive to the university community.

(C) Scope

The policy governs all persons on university property and applies to all University of Toledo owned or leased land. This policy shall not limit the ability of university officials from taking actions that may be warranted by the circumstances.

(D) Procedure

(1) Students

   (a) Interim Suspensions/Criminal Trespass

      (i) The Dean of Students or designee may issue an interim suspension and dismiss a student from all or part of the campuses of the university in accordance with the Student Code of Conduct.

      (ii) The Vice Chancellor of Student Affairs or designees may issue an interim suspension and dismiss a Health Science Campus student from all or part of the university in accordance with the Student Code of Conduct.
(iii) A university law enforcement officer may issue a student a criminal trespass warning and dismiss a student from all or part of the campuses of the university when evidence exists that a student represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university.

(iv) All interim suspensions or student criminal trespass warnings issued to students shall be issued in writing when practical but may be issued verbally. Every effort will be made to follow up any verbal interim suspension or trespass warnings with a written notification.

(v) Violating any terms of the interim suspension or criminal trespass warning is grounds for further sanctions up to and including expulsion from the University and a criminal charge of trespass.

(b) Code of Conduct Sanctions

(i) At the conclusion of a disciplinary hearing, a student found responsible for a violation of the Student Code of Conduct may be subject to specified access restrictions to all or part of the campuses of the university, as part of the terms and conditions set forth in the sanctions.

(ii) The university police will receive a copy of all access restrictions resulting from Code of Conduct sanctions.

(c) Student Appeals

(i) A student issued an interim suspension, or an access restriction based on a Code of Conduct sanction or criminal trespass warning may request an appeal with the Appeal Officer – The Dean of Student or designee.

(ii) A Health Science Campus student issued an interim suspension, or an access restriction based on a Code of Conduct sanction or criminal trespass warning may request an appeal with the Appeal Officer – The Vice Chancellor of Student Affairs on the Health Science Campus.

(iii) It is the sole responsibility of the student to make an appeal appointment.

(iv) The decision to hear the appeal rests with the Appeal Officer or designee.

(v) The decision of the Appeal Officer or designee is final.

(vi) The university police will receive a copy of all interim suspensions and appeal outcomes and shall maintain a copy for enforcement.

(2) Employees
(a) Immediate dismissal from campus

(i) An employee suspected of violating a law, university rule or management directive, or who represents a direct threat to self or others, creates an unsafe environment or disrupts the operation of the university may be dismissed from all or part of the university campus.

(ii) The authority to dismiss an employee from all or part of the university campuses rests with the employee’s supervisors, a representative of the Human Resource Department, or a university law enforcement officer.

(iii) The directive shall be issued in writing when practical but may be issued verbally. Every effort will be made to follow up any verbal dismissal from campus with written notification within 24 hours.

(iv) Notice of the dismissal including all pertinent information will be forwarded to the Appointing Authority or designee.

(v) The Appointing Authority will determine the employee’s ability to return to all or part of the campuses of the university or perform work while the case is investigated.

(vi) Any employee violating the access restriction may be subject to further disciplinary action up to and including termination and or arrest for criminal trespass.

(vii) The university police will receive notification of all employee dismissals.

(d) Administrative Leave

(i) The Appointing Authority will review reports of an employee suspected of violating a law, university rule or management directive, or who represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university and may place an employee on administrative leave, restricting the employee from all or part of the campuses of the university.

(ii) The Appointing Authority will notify the employee in writing.

(iii) A violation of the directive may be subject to further disciplinary action up to and including termination and or arrest for criminal trespass.

(iv) The university police will receive a copy of all Administrative Leave letters and appeal outcomes.
(3) Volunteers

(a) Volunteer Dismissal

(i) A volunteer suspected of violating a law, university rule or management directive, or who represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university, may be dismissed at the direction of the managing supervisor or designee or university law enforcement officer.

(ii) The dismissal will be issued in writing when possible but may be issued verbally. Every effort will be made to follow up any verbal dismissal from campus with written notification.

(iii) A violation of the directive can result in a charge of criminal trespassing.

(b) Volunteer Appeals

(i) Volunteers may appeal the decision with the director of volunteer services or department head.

(ii) It is the sole responsibility of the volunteer to make an appeal appointment.

(iii) The Director of Volunteer services or department head or designee will issue a written decision within 3 business days after the completion of the hearing.

(iv) The decision of the Director of Volunteer Services is final.

(v) The university police will receive a copy of all volunteer dismissals and appeal outcomes.

(4) Patients

(a) Patient “persona non grata”

(i) At the request of medical staff, a patient representing a direct threat to self or others and who creates an unsafe environment or disrupts the operation of the university - where the physician of record is of the opinion that the patient does not need to remain as an inpatient or continue to receive care for medical reasons - may be designated “persona non grata” by medical or security staff or campus police.

(ii) Combative patients entering any clinical site, including the emergency department, with a potential emergency medical condition should be
addressed in accordance with the Emergency Medical Treatment and Active Labor Act policy found at http://www.utoledo.edu/policies/utmc/administrative/pdfs/3364-100-53-24.pdf.

(iii) All “persona non grata” notifications to patients shall be issued in writing when practical but may be issued verbally. Every effort will be made to follow up any verbal “persona non grata” designations with written notification.

(iv) Violating any terms of the “persona non grata” is grounds for a criminal charge of trespass.

(v) All patient appeals will follow the “persona non grata” process found in (5)(b).

(5) Unaffiliated persons

(a) “Persona non grata”/criminal trespass designation

(i) A person unaffiliated with the university and suspected of violating a university policy, committing a criminal act on campus or who represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university, may be deemed “persona non grata” and issued an access restriction to all or part of UT campuses by any of the following persons:

a. The University President or designee
b. The Vice President for the Student Experience or designee.
c. The Vice Chancellor for Student Affairs, HSC or designee

(ii) Any unaffiliated person suspected of violating a university policy, committing a criminal act on campus or who represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university may be issued a criminal trespass warning to all or part of UT campuses by a university law enforcement officer.

(iii) The “persona non grata” or criminal trespass warning will be issued in writing when possible, but may be issued verbally. Every effort will be made to follow up any verbal “persona non grata” or criminal trespass warning designations with written notification.

(iv) Instruction to appeal a “persona non grata” or criminal trespass warning will be provided at the time of issuance.
(v) A copy of all "persona non grata" designations or criminal trespass warnings and associated police reports will be forwarded to the University of Toledo Threat Management Team.

(b) Appeals

(i) The University of Toledo Threat Management Team will hear all appeals of unaffiliated persons.

(ii) A person issued a "persona non grata" designation or a trespass warning may appeal to the Threat Management Team.

(iii) It is the sole responsibility of the unaffiliated person to file an appeal.

(iv) The decision to hear the appeal rests with the chair of the Threat Management Team.

(v) A person appealing under the age of 18 may be accompanied by a parent.

(vi) It is the burden of the university to show that the cited individual violated university policy or local, state or federal law, providing for his or her exclusion.

(vii) The Threat Management Team will be issue a written decision within 3 business days after the completion of the hearing.

(viii) The decision of the Threat Management Team is final.

(ix) The access restriction will be removed upon a successful appeal; however any and all past incidents may be considered and weighed in the decision of the Threat Management Team.

(x) A person violating an active access restriction order is subject to arrest and a charge of criminal trespass.

(xi) The university police will receive a copy of all access restricted appeal outcomes.

(e) Access Restriction – Biennial Reviews

(i) All access restrictions that are not appealed must be reviewed every two years and renewed or revoked at the discretion of the Threat Management Team.

(ii) A person under access restriction may appear before the Threat Management Team and make a personal appeal.
(iii) The university police will receive a copy of all access restriction appeal decisions.

(iv) Should a person under an access restriction desire to matriculate into the university community, the Vice President of the Student Experience shall consider the application in the appeal process.

(E) Definitions

- **Interim Suspension** – an immediate access restriction issued by the VP of Student Experience or designee, based on available facts and in the interest of campus safety. The access restriction may include a specific area, attendance at certain events, or a ban from all University of Toledo campuses and property.

- **Administrative Leave** – An appointing authority may, at his or her discretion, place an employee on administrative leave. Administrative leave is to be used only in circumstances prescribed by the Ohio Revised Code.

- **Persona non grata** – designation meaning an unaffiliated person has been issued an access restriction for suspected violation of a university policy, committing a criminal act on campus or who represents a direct threat to self or others and creates an unsafe environment or disrupts the operation of the university.

---

<table>
<thead>
<tr>
<th>Approved by:</th>
<th>Policies Superseded by This Policy:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lloyd A. Jacobs, M.D.</td>
<td>• Previous 3364-61-08, effective date May 1, 2008</td>
</tr>
<tr>
<td>President</td>
<td></td>
</tr>
<tr>
<td>March 25, 2012</td>
<td>Initial Effective Date: May 1, 2008</td>
</tr>
<tr>
<td></td>
<td>Review/Revision Date: May 1, 2012</td>
</tr>
<tr>
<td></td>
<td>Next review date: May 1, 2015</td>
</tr>
</tbody>
</table>

Review/Revision Completed by:
Chief of Police
Vice Chancellor for Student Affairs,
Health Science Campus