



POLICY: 6Hx28:10-02

Responsible Executive:

Vice President, Student Affairs

Policy Contacts: AVP, Campus Safety and Services; Senior Director, Safety & Security

Specific Authority: 1001.64, F.S.

Law Implemented: 1001.64, F.S.; 810.08, F.S.; 877.13, F.S.; 871.01, F.S.; 1006.6, F.S.

Effective Date: 03-13-2025

Date of Last Policy Review: 03-13-2025

Trespass Warning / Arrest

Policy

Statement:

- I. To maintain a safe, orderly, effective, and efficient workplace and academic environment, Valencia College may have reason to prohibit and/or remove an individual from Valencia College property, which includes all properties and facilities owned, leased, or operated by Valencia. For the safety and welfare of all and to ensure continued operations, the College will work with local law enforcement officials to issue trespass warnings, as may be appropriate. In extraordinary circumstances it may be necessary for law enforcement to arrest individuals refusing to leave after being lawfully warned or return after being lawfully trespassed from Valencia College property.

- II. The College President or designee(s) may establish procedures in accordance with applicable laws, rules and College policies and procedures, to implement this policy.

Related Policies and Documents:

College Policy 6Hx28: 2-01 Discrimination, Harassment and Related Misconduct

College Policy 6Hx28: 3D-02 Leaves of Absence

College Policy 6Hx28: 3E-08 Disciplinary Action

College Policy 6Hx28: 5-02 Speech, Expression, and Commercial Activity on College Property

College Policy: 6Hx28: 8-03 Student Code of Conduct

**Policy
History:**

Adopted 12-11-74; Amended 12-15-82; Amended 11-18-92; Amended 9-12-18; Amended 3-13-2025;
Formerly 6Hx28:04-35; Formerly 6Hx28:4-28

Procedures

Note: See *Appendix A: Definitions* for a full list of relevant definitions.

I. Applicability

Under the direction of College officials, trespass warnings may be issued by law enforcement personnel to individuals under the following circumstances, regardless of whether or not they have an affiliation with Valencia College (“College”):

- A. Having no legitimate business on College property or at a College sanctioned activity;
- B. Arrest of an individual on College property or at a College sponsored activity(ies);
- C. Criminal behavior or suspected criminal behavior occurring on College property or at a College sponsored activity(ies);
- D. Behavior that is disruptive to the learning environment and/or the College community or destructive to real or personal property, which may include, without limitation, conduct or behavior that violates College policies and/or procedures;
- E. Behavior that does or may constitute a threat to the College community, including behavior that occurs off campus and has the effect of a material disruption to the operation of the College community; and/or
- F. Engaging in any other conduct or circumstance(s) warranting the issuance of a trespass warning as governed by applicable state and local laws, rules, and regulations.

- II. The following guidelines shall be used when the Security Department receives notice of activity on College properties or during College sanctioned activities that may constitute grounds for a trespass warning, as described in Procedures Section I..

- A. Valencia Security Officers, together with local law enforcement officers when appropriate, shall investigate the circumstances and determine whether the individual(s) has an affiliation with the College; for example, if the individual is a student, an employee or a visitor having legitimate reasons to be on Valencia College premises. Examples of legitimate visitation include, but are not limited to, parents or family members of students taking a tour, registering for classes, obtaining financial aid, purchasing books or study materials, etc. A trespass warning will be issued as a matter of last resort for individuals associated with the College if other attempts at resolution are not successful.
- B. Nothing herein shall be interpreted as inconsistent with other College policies and processes relating to conduct on College property, including but not limited to College Policy 6Hx28: 5-02, Speech, Expression, and Commercial Activity on College Property. The issuance of a Trespass Warning under this policy does not, by itself, constitute disciplinary action for students or employees as may be imposed under other applicable policies.
 1. Enrolled students shall only be trespassed with approval of the Assistant Vice President of Campus Safety and Services or the Senior Director of Safety and Security, or their designees.
 2. Active employees shall only be trespassed with approval of the Vice President of Organizational Development and Human Resources, in collaboration with the Assistant Vice President of Campus Safety and Services, the Senior Director of Safety and Security, or their designees.
 3. Visitors shall only be trespassed with approval of the Assistant Vice President of Campus Safety and Services, the Senior Director of Safety and Security, or their designees.
- C. When a determination has been made that the circumstances justify a trespass warning for the reason described above in Procedures Section I., a College Security representative shall:
 1. Advise the individual(s) of Florida's criminal laws regarding trespass, as applicable, and boundaries of campus(es);
 2. Advise the individual(s) which College properties, buildings, grounds, and conveyances they are trespassed from entering or remaining;
 3. Direct the individual to leave College property immediately; and
 4. Advise the individual(s) who to contact if they have questions about the trespass warning. These directives shall be given in the presence of the law enforcement officer.

- D. On occasion, the College may give prior authorization to local law enforcement with jurisdiction over a particular campus or property to issue trespass warnings without the involvement of College Security during non-business hours. In such cases, the verbal trespass warning stated above in Procedures Section II. C. shall be given by local law enforcement officers.
1. If an individual(s) refuses to leave or returns to College property after a trespass warning has been issued, College Security officials may cooperate with law enforcement officers to advise the individual(s) that they are in violation of the warning, and must leave immediately, or they shall be arrested. Law enforcement officers may utilize their authority to enforce the warning including arresting any individual, who after being lawfully warned, refuses to leave the property.
 2. College Security Officers shall complete an incident report documenting the encounter and issuance of the trespass warning to include the law enforcement case number, if applicable. Any written trespass warning issued by law enforcement shall be included in or attached to the incident report.
 - a. College Security Officers may photograph the individual(s) being trespassed for future identification.
 3. All trespass warnings are issued for a period consistent with law enforcement protocol applicable at the time of the trespass, with approval from the Assistant Vice President of Campus Safety and Services or the Senior Director of Safety and Security. This period may be modified by the College in accordance with Procedures Section I. D. 4. below.
 4. If an individual who has been trespassed is given a written invitation back to campus for official proceedings by one of following or their designees, the existing trespass warning is rendered null and void: Campus Provost; the Vice President of Organizational Development and Human Resources; the Assistant Vice President of Campus Safety and Services; the Senior Director of Safety and Security; or the Assistant Vice President of Holistic Support. However, if it is in the best interest of the College to continue prohibiting the individual(s) from being on College property after they have been invited back to campus, law enforcement will be contacted to initiate a new trespass warning. Consideration may also be given to conducting official proceedings at a neutral location or via an online meeting platform (e.g., Teams, Zoom, etc.) that would not affect the trespass warning. Any

modifications from the original trespass warning should also be updated in the original incident report.

5. Trespass warnings may be rescinded in rare circumstances and only by the authority of the Director of Security or designee for each respective campus under their authority. Rescission may be granted upon the receipt of information that materially affects the College's determination that a trespass warning was or is now warranted and/or the presence of a bona fide administrative, academic, or educational need for rescission. The respective Director of Security granting the rescission shall coordinate such action with the Senior Director of Safety and Security, the Assistant Vice President of Campus Safety and Services, and the Vice President of Student Affairs. Additionally, the respective Director of Security shall make all other appropriate notifications and coordinate the revision of the incident report with updated information.

B. TRESPASS WARNING NOTICES ISSUED IN CONJUNCTION WITH OTHER PROCESSES

Nothing herein shall affect the College's ability to remove individuals from its property through other existing policies providing the authority to do so and this policy may be utilized in conjunction with other existing policies to the extent deemed appropriate by the relevant College official. This expressly includes, but is not limited to:

1. Students:
 - a. interim Protective Measures and/or Sanctions under College Policy 6Hx28: 2-01 Discrimination, Harassment and Related Misconduct (as applicable);
 - b. interim action where there is evidence that the continued presence of a student(s) pose(s) a substantial and immediate threat to themselves, others, or the stability and continuance of normal College functions;
 - c. sanction(s) up to and including expulsion of a student(s) in accordance with College Policy 6Hx28: 8-03 Student Code of Conduct;
2. Employees:
 - a. interim Protective Measures and/or Sanctions under College Policy 6Hx28: 2-01 Discrimination, Harassment and Related Misconduct (as applicable);

- b. placement of employees on an administrative leave of absence in accordance with College Policy 6Hx28: 3D-02 Leaves of Absence; and/or
- c. disciplinary action up to and including dismissal of employment under College Policy 6Hx28: 3E-08 Disciplinary Action.

Procedure History: Adopted 9-12-2018; Amended 3-13-2025

Last Date of Procedure Review: 03-13-2025

Appendix A: Definitions

Term	Definition
College	The term “College” means Valencia College.
College Community	The term “College community” includes any individual who is a professor, staff, administrator, student, registered student organization, student employee, volunteer, and visitor.
College or Security Official	The term “College official” or “Security Official” includes any individual employed by the College performing assigned administrative or professional responsibilities (e.g., staff, administrator)
College Property	The term “college property” includes all land, buildings, facilities, and other property, including adjacent streets and sidewalks in the possession of or owned, used, or controlled by the College or in partnership with other institutions, businesses, and/or companies.
Designee	The term “designee” refers to any individual appointed by the appropriate authority (i.e., Senior Director of Safety and Security) to act on their behalf.
Learning Environment	An environment that uses any instructional modality (e.g., face to face, online, mixed-mode) or other virtual or physical location that the syllabus or instructor designates as a learning space. This includes and is not limited to multimedia platforms.
Student	Any person admitted, enrolled, or registered for any College program, regardless of the medium of the program, or degree-seeking status, or when not enrolled or registered for a particular term, who is eligible to enroll in future terms without seeking readmission.
Trespass Warning	<p>A warning or notice that an individual is not authorized to be on College property, or portion thereof, and may be subject to arrest, criminal sanction, and/or civil penalty without further warning if the individual refuses to leave or returns while the trespass warning is in effect.</p> <p>A trespass warning may be issued for a definite or indefinite period of time and may be issued for all College properties, some portion thereof, and/or a particular College sponsored event(s).</p>

Visitor	An unaffiliated person on college property, this includes but is not limited to guests, vendors, parents and/or family members of students, and persons invited by the College community.
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