THE CITADEL
The Military College of South Carolina
171 Moultrie Street
Charleston, SC 29409

MEMORANDUM
NUMBER 2-103

30 September 2022

CAMPUS TRESPASS POLICY

1. PURPOSE
The Citadel is a state institution open to the general public. The college retains the ability to determine the expectations and parameters for conduct and continued presence on campus. Consistent with applicable law, The Citadel may restrict, withhold, or remove access to or presence on campus. This policy describes parameters and procedures for such restrictions or removal.

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

3. DEFINITIONS
A. College Official (for matters involving Trespass): President, Chief of Staff (CoS), Vice Presidents, Chief of Public Safety (PSAF), Assistant Vice President for Human Resources, and Title IX Coordinator, or as designated by the President

B. Campus Property ("Campus"): All property owned or leased by The Citadel (including all athletic venues and The Citadel Beach House), and any motor vehicle or other form of transportation owned or leased by The Citadel.

4. POLICY
A. Persons who violate campus policies, regulations, or rules, and/or pose a threat or risk to the safety and security of the campus community or property may be ordered to exit by PSAF. Individuals may also be prohibited from entering, re-entering, or remaining on campus.

B. Scope. Applies to all campus property. Persons may be prohibited from entering or remaining on campus for behavior including but not limited to:

   1. Commission of any crime of violence or crime of moral turpitude, regardless of location;

   2. Violation of college policies, regulations, or rules;

   3. Engaging in conduct presenting a threat or risk to the safety and security of the campus community or campus property;
4. Engaging in conduct obstructing, disrupting, interrupting or causing or threatening cancellation of any campus event or activity or campus operations, or activities by authorized users of campus facilities.

C. Procedure.

1. Initiation. Upon notice of actions or alleged actions giving grounds as described above for the issuance of a Trespass Notice, the CoS shall consult with other College Officials as appropriate.

2. Process. With the concurrence of one or more College Official, the CoS may recommend to the President the person(s) be ordered to exit campus and/or prohibited from entering campus.

3. Direction. On concurrence of the President, PSAF shall direct/escort the person(s) off campus until further notice or the expiration of a written Trespass Notice. In exigent circumstances, the CoS or PSAF Chief may direct PSAF to do so without consultation or Presidential concurrence. If such exigent action occurs, the CoS or PSAF Chief must obtain concurrence from the President to continue such restriction after 24 hours.

4. Notification. A person(s) is prohibited from entering or remaining on campus when the CoS, PSAF or other College Official provides oral or written Notice they must depart and/or not enter campus. Written Trespass Notices are generally issued by the CoS. This Notice may include notice the person(s) is restricted from contacting one or more other persons, must not contact another individual, and/or must not enter or remain on campus. Notices will be sent electronically, via registered mail, and in person by PSAF as applicable.

5. Cadets and Students. Those suspended on an interim basis, suspended, dismissed, or expelled from campus for violations of Student Codes of Conduct may be prohibited from entering campus by the President, CoS, or President’s designee. The prohibition remains in effect until the cadet/student punishment ends or restriction lifted.

6. Scope and Duration. Trespass notices are reviewed annually at a minimum, or at the request of the restricted person(s). Notices are in effect until rescinded; notices may also be issued with an expiration or other caveats.

7. Employees. Suspended, terminated, or those under investigation may be prohibited from entering campus under provisions of this Policy.

A. Administration.

1. The Citadel Department of Public Safety will maintain a listing of those restricted from entering campus. Copies of the Trespass Order will be provided to PSAF, the General Counsel and applicable campus leadership. All Trespass
Orders and photos (if available) of those restricted will be posted on Lesesne Gateway or other campus electronic media/website.

2. When a Trespass Notice is rescinded, written notice shall be issued to the person(s), and copies issued to PSAF and the General Counsel. Person(s) issued a Trespass Notice should refrain from entering campus until receiving written notification from the CoS or PSAF.

3. Court Orders or other legal documents limiting or restricting campus access and/or contact with Citadel employees, cadets, students, or residents do not require a duplicate Trespass Notice, and will be enforced in accordance with state or federal law, as appropriate.

B. Appeal.

1. Submitted to the President in writing ten (10) business days of receiving the Notice. Appeals should include detailed statements of the basis for the appeal, documents, photos, data, and any further germane items. These may include witnesses’ statements of the incident(s) in question.

2. The Trespass Notice remains in effect during any appeal.

C. Trespass Arrest.

1. PSAF may arrest anyone refusing to leave campus property after directed to do so by College Officials, PSAF Officers or other law enforcement.

2. In areas posted “no trespassing,” PSAF or College Officials may direct the person(s) to depart, issue citations, or make arrests, as appropriate.

3. Court orders and campus disciplinary decisions remain in effect for the duration stated in the order/decision, and may result in an arrest for violations.

5. COMPLIANCE

Noncompliance with this policy could lead to arrest, expulsion from the college, and/or termination of employment.

6. NOTES

A. Dates of Official Enactment and Amendments:

Approved by Senior Vice President of Operations and Administration on 20 December 2019. Amended 30 September 2022 by the Chief of Staff.

B. Responsible Department

Department of Public Safety
C. Responsible Official

Chief of Staff

D. Cross References

- Blue Book
- Disciplinary Guidelines
- Regulations for Non-Cadet Students and Cadets in Day Student Status for Fall and Spring Semesters and All Students for Maymester and Summer School and Barracks Regulations for Maymester and Summer School

7. RESCISSION

Not applicable.

8. REVIEW

This policy will be reviewed on a biennial basis.

FOR THE PRESIDENT:

OFFICIAL       //S//
WILLIAM A. LIND
Commander, USN (Retired)
Chief of Staff