

<b>Volume E2:</b> Environmental Health, Safety and Security	<b>E2.13</b> <b>No Trespass Restrictions          and Warnings</b>  <b>Effective Date:</b> 07/15/2015 <b>Last Revised:</b> 7/25/2017	<b>Responsible          Office:</b> University Police
		<b>Responsible          Officer:</b> Chief of University Police

## POLICY STATEMENT

Northeastern Illinois University (“the University”) issues “no trespass” restrictions/warnings to students, staff, alumni, faculty, or visitors who have been disruptive to the University environment and/or caused a concern for the safety and well-being of others and/or property.

## PURPOSE OF THE POLICY

This policy establishes the proper procedures for issuing “no trespass” restrictions/warnings to students, staff, alumni, faculty, and visitors, prohibiting them from entering or returning to University property.

## WHO IS AFFECTED BY THIS POLICY

All students, staff, faculty, and visitors to any Northeastern Illinois University property.

## DEFINITIONS

**Served:** The method of delivering copies of legal documents is usually done by handing it directly to the person named in the document or another person to whom the documents are directed.

## REGULATIONS

[Criminal Trespass to State Supported Land 720 ILCS 5/21-5](#)  
[Interference with Public Institutions of Higher Education 720 ILCS 5/21.2-\(1-2\)](#)

## PROCEDURES

### 1. STATUTORY STANDARDS REQUIRED FOR NO TRESPASS LETTERS

- 1.1 **Statutory standard must be met.** The applicable statutes, Criminal Trespass to State Supported Land and Interference with Public Institutions of Higher Education, set out the following standard: whether the conduct has been disruptive to the University environment and/or caused a concern for the safety and well-being of others and/or property. If any questions arise regarding whether the behavior meets the legal standard outlined above, legal counsel should be consulted.
- 1.2 **Letter must be served.** The letter must be properly served on the individual so that the University can prove that the individual had sufficient notice that they were restricted from University property.
- 1.3 **A reasonable time-period must be given on the length of the No Trespass Letter.** Most No Trespass Letters shall be limited to one year from the date of issue, unless circumstances warrant a longer period of time. The No Trespass Letter can be reissued after its expiration if problems continue or if the issuing entity feels that it is necessary. However, No Trespass Letters with prerequisites for return to campus may be issued for an indefinite period of time, until the condition for safe return to the University has been fulfilled.



## **2. ISSUANCE OF NO TRESPASS LETTERS**

University Police will issue No Trespass Letters to individuals who are not students, staff or faculty with the University, the Office of Human Resources will issue No Trespass Letters to employees and the Office of Student Rights and Responsibilities will issue No Trespass Letters to students. All proofs of service for No Trespass Letters shall be retained by the issuing office for the period of time that the No Trespass Letter is in effect. The geographical area of the trespass restriction must be detailed within the body of the letter (i.e. All Property Owned and Leased by Northeastern Illinois University). In cases where the No Trespass restriction is lifted from an individual prior to the expiration of the No Trespass Letter, written notice must be provided to University Police by the issuing agent revoking such trespass restriction. University Police will then purge the No Trespass Letter from their file.

To ensure a consistent approach, ensure enforceability, and to take into account the statute and practical implications, the following No Trespass Letter issuance process has been established:

- 2.1 No Trespass Letters issued to an individual not affiliated with the University:** If the University receives a complaint regarding an individual not affiliated with the University in any manner, the appropriate Vice President or designee should forward the complaint to University Police with details regarding the problematic conduct if deemed appropriate. University Police will issue the No Trespass Letter under the Chief of Police's signature. In addition, University Police may make direct contact with individuals not affiliated with the University who meet the standard for a No Trespass Letter. In those circumstances, the individuals will be issued a No Trespass Warning Form immediately based on the officer's discretion. The University Police Department will keep a copy of every No Trespass Letter or Form issued with a notation regarding the date, time and manner of delivery.
- 2.2 No Trespass Letter Issued Pursuant to Employee Suspension/Termination:** If an employee is suspended or terminated and there is a concern regarding disruption to the University environment and/or cause for concern related to the safety and well-being of others and/or property, a no trespass restriction can be issued by the Office of Human Resources. If the employee is suspended, the no trespass restriction should be issued for the length of the suspension with provision for attending any necessary disciplinary meetings. If the employee is terminated, the no trespass restriction should be issued for a period of one-year. The no trespass restriction can be reissued if necessary after that point. However, for those who have been trespassed and are required to comply with prerequisites prior to their return, the No Trespass Letter will expire when all conditions for safe return have been satisfactorily completed. These letters with a notation of the date, time, and manner of delivery should be copied to University Police for inclusion in the No Trespass file. The No Trespass Letter will be issued by the Director of Employee and Labor Relations in the Office of Human Resources. University Police will assist with this process where necessary.
- 2.3 No Trespass Letter Issued Pursuant to Student Discipline/Withdrawal:** If a student is issued a mandatory suspension or withdrawal as a result of a disciplinary hearing through the Office of Student Rights and Responsibilities and there is a concern regarding disruption to the University environment and/or cause for concern related to the safety and well-being of others and/or property, a no trespass restriction can be issued for the length of the disciplinary sanction. However, No Trespass Letters with prerequisites for return to campus may be issued for an indefinite period of time, until the condition for safe return to the University has been fulfilled. These letters should be issued with a notation of the date, time, and manner of delivery and copied to University Police for inclusion in the No Trespass file. The Director of Student Rights and Responsibilities is responsible for issuing and serving of the No Trespass Letter in accordance with the Involuntary Student Withdrawal Policy. University Police will assist in the process, where necessary.
- 2.4 Right to request review of No Trespass determination:** An individual who receives a No Trespass Letter from Northeastern Illinois University may seek review of the determination within 14 days of receipt of the letter: Petitions for review must be presented in writing to the Vice President for Finance and Administration, whose decision shall be final.



### **3. REISSUANCE OF NO TRESPASS LETTERS**

No Trespass Letters are generally issued for a one year time period. The issuing authority may reissue the No Trespass Letter if the person trespassed is still exhibiting the same course of behavior that gave rise to the initial No Trespass Letter. The reissued No Trespass Letter shall be for an additional year. The issuing authority may reissue as No Trespass Letter as many times as they feel is necessary.

### **4. ENFORCEMENT**

This policy will be enforced in a manner consistent with the provisions set forth in Illinois ILCS 720, which include arrest.

## **HISTORY**

7/25/2017 – Revised: updated contact email address.

## **RELATED POLICIES AND OTHER INFORMATIONAL MATERIAL**

[Involuntary Student Withdrawal](#)  
[Student Conduct Code](#)  
[Classroom Disruption Policy \(pg. 35 of the Student Handbook\)](#)

## **CONTACT INFORMATION**

Please direct questions or concerns about this policy to:

<b>Contact</b>	<b>Phone</b>	<b>E-Mail</b>
University Police	(773) 442-4100	<a href="mailto:police@neu.edu">police@neu.edu</a>

## **DISCLAIMER**

The University reserves the right to modify or amend sections of this policy at any time at its sole discretion. This policy remains in effect until such time as the Responsible Officer calls for review. Requests for exception to any portion of this policy, but not to the policy statement, must be presented in writing to the Responsible Officer.