

WAC 132S-200-150 Trespass. Columbia Basin College campuses are open to the public, as are the buildings during business hours. To ensure safety of all on the campuses, the office of student conduct or the campus security office may at times need to issue a trespass notice to an individual, restricting a person and/or their vehicle from access to college property or activities. All illegal activity shall be referred to the local law enforcement agency.

Trespass notices may be issued to an individual who has violated college regulations specified in Title 132S WAC, college policies, state law or municipal codes, has jeopardized the safety of others.

A copy of the notice will be kept on file at the campus security office and may be shown to the local law enforcement agencies if an arrest for violation of the trespass order is necessary in the future.

(1) Temporary trespass notice.

(a) A temporary trespass notice of up to twenty-four hours can be issued, without a right to appeal, to any person for whom the college has received a complaint or who has been observed doing any of the following:

(i) Causing harm or inflicting injury to college community members;

(ii) Threatening or intimidating members of the community;

(iii) Disrupting academic and administrative business of the college;

(iv) Causing damage to college or personal property; and/or

(v) Violating college policy, college regulation or the student code of conduct.

(b) A temporary trespass notice will be personally delivered to the recipient at the time of the incident or as soon as possible if the recipient has left college grounds. Copies of all written notices are kept on file with the campus security office.

(c) Students who violate a temporary trespass notice will be referred to the office of student conduct for disciplinary action pursuant to the student code of conduct.

(d) If a nonstudent violates the temporary trespass notice, the campus security officer can extend the terms of trespass notice.

(e) Individuals have the right to appeal a trespass that is longer than twenty-four hours.

(2) Permanent trespass notice.

(a) Individuals who are not current students of the college can be issued a permanent trespass by the campus security office if deemed necessary to protect the campus community. Permanent trespass notices will be personally delivered or sent via U.S. mail (certified receipt) to the individual.

(b) A permanent trespass can be simultaneously administered with the assistance of local law enforcement agencies and their official trespass notification.

(c) Individuals have a right to appeal a permanent trespass.

(3) Trespass appeals process.

(a) A trespass notice that is in effect for twenty-four hours or less cannot be appealed.

(b) Students, whose access to college property or activities has been restricted (trespassed) through the student code of conduct process will be notified according to the process of the student code of conduct.

(4) Persons who are not currently enrolled who wish to appeal a trespass notice must contact the office for the vice president of administrative services.

(5) The criteria used for the appeals review include, but are not limited to:

(a) Determination of the threat posed by the individual to the community;

(b) Review of the individual's need to be present on campus (with adjustments when decided as appropriate); and

(c) Review of the incident or supporting documentation that resulted in the trespass notice being issued.

(6) The vice president for administrative services will review one appeal or request from the trespassed individual for modification per year and reserves the right to deny any appeal based on the safety of the campus community.

(7) The vice president of administrative services may consult with other college personnel, such as the student conduct officer or the vice president for human resources and legal affairs as part of the appeal review process.

(8) Notification of the outcome of the appeal will be sent to the requestor within thirty days of the request via U.S. mail (certified receipt).

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-200-150, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-200-150, filed 5/25/16, effective 6/25/16.]