



POLICY REGARDING “PERSONA NON GRATA” STATUS FOR CAMPUS VISITORS

A. Definitions

1. For the purposes of this policy, “persona non grata” means that a visitor has exhibited behavior which has been deemed detrimental to the University community and thus the visitor is no longer permitted to be present in any University locations.
 2. For the purposes of this policy, “visitor” means any person who is neither a currently enrolled student nor an employee.
 - a. Persons who had been enrolled at the University but who have graduated or transferred are classified as non-students and are thus considered visitors.
 - b. It is intended that this policy provide a means for regulating the behavior of all persons, except students and University employees, who are present on University property and who are not subject to the jurisdiction of the Student Conduct Code or disciplinary processes applicable to employees. Where doubt exists as to a person’s status as a student, the individual may be charged under this policy and then later referred to the Office of Judicial Affairs if he or she is determined to be a student.
 3. For the purposes of this policy, “behavior detrimental to the University community” includes but is not limited to actions by a visitor which result in offenses against persons or property, disruption of University processes or programs, violation of a previous legitimate order given by a University official, a continuing pattern of violation of University rules and regulations after notice of the rules has been given, falsification of documents submitted to University staff, or misrepresentation of oneself or other information to University office or official.
- B. This policy shall not be construed to limit the authority of University officials from taking actions as may be warranted by the circumstances.

C. Only those University officials who have been appointed as University Hearing Officers have the authority to make a determination as to persona non grata status as the result of a hearing held in accordance with this policy.

D. Warning Notice

1. A campus visitor accused of behavior detrimental to the University community shall be served with a warning notice that such behavior is not acceptable and may result in that person being denied on a long-term basis the opportunity to be present on University property.
2. The warning notice shall contain:
 - a. Name and last known address of the visitor.
 - b. The title of the University official (Hearing Officer) who will hold a hearing and make a determination of whether or not to place the visitor on persona non grata status. (The Hearing Officer shall be designated, on a case by case basis, by the University President or designee.)
 - c. The office location and phone number of the Hearing Officer.
 - d. A specification of the alleged unacceptable behavior.
 - e. The date, time and location of the hearing.
 - f. The date by which the visitor must contact the Hearing Officer to confirm attendance at the hearing.
 - g. A warning that the individual's failure to confirm attendance at a hearing with the Hearing Officer within the time limit specified immediately above may result in a determination as to persona non grata status being made without the accused individual being present.
 - h. A warning that the individual is on temporary persona non grata status at the University until the date and time, and pending the outcome, of the hearing referenced above.
3. The warning notice may be issued only by the following University officials: The University President, Provost and Vice Presidents.

All warning notices must be reviewed by University Legal Counsel before they are sent or delivered.

E. Determination proceeding

1. At the hearing arranged under paragraph (D)(2)(e) and/or (f) above, the accused is entitled to know the nature and source of the evidence against him or her, to cross-examine any witnesses, and to present evidence including witnesses on his or her behalf. If the accused chooses not to be present or participate, the process may nonetheless proceed.
2. All hearings shall be held in private. The accused may be accompanied by another individual who may serve in an advisory capacity but who may not participate directly in the hearing.
3. The Hearing Officer shall hear and weigh all evidence presented. To place the accused on persona non grata status there must be a finding by the Hearing Officer based on a preponderance of the evidence that the alleged behavior occurred and that such behavior is detrimental to the University community. If such a finding is made, the Hearing Officer may take into consideration the reasons for such behavior and the likelihood of its recurrence. Based on these findings and considerations, the Hearing Officer may place the non-student visitor on persona non grata status for a period of up to two years.

F. Notification of persona non grata status

1. Notification shall occur, when possible, at the time of determination of such status. If not given at the time of determination of persona non grata status, notification should occur at the first opportunity by the best means available, as determined by the University.
2. Notification should, when possible, be acknowledged by the signature of the person being put on persona non grata status. If not acknowledged by such individual's signature, the signature of the official making such notification must appear on the form.
3. The restrictions imposed by persona non grata status shall take effect upon the accused visitor's receipt of the above notification.

G. During the time that the persona non grata status is in effect, permission may be granted by the Hearing Officer for entrance of the visitor on such status to a specified University location for a specified purpose and period of time.

H. Review

1. A written request for review may be made to the President or designee by the visitor at any time after a determination to impose persona non grata status has been made.
2. The review shall be limited to:
 - a. An examination of procedural errors which may have occurred in the persona non grata determination; or
 - b. New evidence which became available after the determination proceedings.
3. The persona non grata status shall remain in effect pending the decision on the review. The President or designee shall render his or her decision within ten working days of receipt of the request for review. The decision shall be final.