

## NOTICE OF PROPOSED REGULATION

Date: January 7, 2009

**REGULATION TITLE:**  
Trespass and Loitering

**REGULATION NO.:**  
UCF-4.006

**SUMMARY OF REGULATION:** This regulation is intended to establish minimum guidelines regulating trespassing and loitering on campus.

**AUTHORITY:** BOG Resolution dated January 7, 2003

**NAME OF PERSON WHO INITIATED PROPOSED REGULATION:**  
William F. Merck, Vice President, Administration and Finance  
W. Scott Cole, Vice President and General Counsel

**COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** The comments must identify the regulation you are commenting on.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:**

Regulations Administrator  
4000 Central Florida Blvd.  
Millican Hall, Suite 360  
Orlando, FL 32816-0015  
Phone: (407) 823-2482  
Fax: (407) 823-6155  
e-mail: [regulations@mail.ucf.edu](mailto:regulations@mail.ucf.edu)

**FULL TEXT OF THE PROPOSED REGULATION:**

**UCF-4.006 Trespass and Loitering**

(1) The University of Central Florida is a member institution of the State University System. The President, as the chief executive officer of the university, has the responsibility for the operation and administration of the university, and may authorize the issuance of trespass warnings pursuant to Florida law. The Vice President for

Administration and Finance is designated as the representative of the President to implement and enforce this regulation.

(2) Definitions.

(a) University persons. Those persons who are faculty, staff, students or employees of the University of Central Florida, and those persons who are in or on university facilities to fulfill contractual obligations or otherwise to conduct authorized university business.

(b) Non-university persons. All other persons who are not classified above as University persons.

(c) Authorized university business. Activity which furthers the mission and purpose of the university and which has been approved by the appropriate university officials.

(d) University facilities. All campuses and centers operated by the university, including all buildings and grounds of such campuses and centers; and all locations, buildings, or grounds utilized by the university for authorized university business.

(3) Non-university persons are allowed access to those university facilities available to the public, during normal business hours and in accordance with university regulations governing the use of university facilities. Non-university persons are allowed access to university facilities for authorized university business, and are allowed to attend lectures, plays and other activities on the University campus in the designated buildings or areas when such attendance is permitted by the sponsoring organization. It is the responsibility of the Vice President for Administration and Finance or his/her designee to control the use of all university facilities. Non-university persons are not allowed on

campus except as authorized by this regulation. Non-university persons at university facilities for other than authorized university business, or if their continued presence at university facilities is deemed by the Vice President for Administration and Finance or his/her designee to be disruptive to the orderly conduct of the university, may be issued a trespass citation and/or requested to leave.

(4) The presence of non-university persons in offices of the university is permitted when on authorized university business. The supervisor of each office as the designee of the Vice President for Administration and Finance is delegated the authority to warn those persons present not on university business that they must leave university facilities or be subject to arrest for trespassing. The University Police are to be notified of any such incidents.

(5) Only students registered for a class may be in attendance in instructional areas unless permission of the instructor is given. The instructor as the designee of the Vice President for Administration and Finance is authorized to warn non-students that they are trespassing and must leave the area of instruction or be arrested for trespass. Any such incident will be reported to the University Police. Non-university persons are not allowed in classroom buildings unless present on authorized university business.

(6) The Director of the University Libraries or his/her designee is designated by the Vice President for Administration and Finance to warn those non-university persons who are not using the library in an appropriate manner or who are creating an atmosphere not conducive to its use by university students and personnel, that they must leave the campus or they will be subject to arrest for trespassing. Any such incidents will be reported to the University Police.

(7) Athletic, intra-mural and recreational facilities are for the use of university students, faculty, staff and their authorized invited guests. Identification may be requested for the use of these facilities. The Director of Athletics or the Vice President for Student Development and Enrollment Services, or his/her designees are hereby designated by the Vice President for Administration and Finance as the person to warn all unauthorized persons found at these facilities that they must leave the campus or be removed from university facilities if they do not comply. Any such incidents will be reported to the University Police.

(8) Residence halls are considered to be the home of students. No one is allowed in a residence hall except authorized university personnel, resident students, and resident students' guests according to published visitation policies. The Director of Housing or his/her designee is designated by the Vice President for Administration and Finance to warn all other persons to leave the residence hall facility and to have such persons removed from university facilities if they do not comply.

(9) Any person who, in the opinion of university officials, is violating the law, violating University Regulations or policies, prowling, loitering, not using university facilities in an appropriate manner or who is creating an atmosphere not conducive to the use of such facilities by other university persons or authorized guests, may be warned by a university official to leave the facility or campus or be subject to arrest for trespassing.

(10) The trespass notice or warning to any person to leave or vacate university property is indefinite and may only be lifted or revoked by the President, the Vice President for Administration and Finance, or the Vice President for Student Development and Enrollment Services, or their respective designees.

(11) Any person who receives a trespass notice or warning to leave or vacate university property may request reconsideration, revision, and/or revocation in writing no more than once every six months. Persons who were students at the time the notice or warning to any person to leave or vacate university property shall direct such requests to the Vice President for Student Development and Enrollment Services; non-students shall direct such requests to the Vice President for Administration and Finance.

(12) All persons who have been notified by an authorized university official to leave and remain out of a specified area or areas and are subsequently found in the specified area or areas, are subject to arrest for trespass and/or loitering without further warning pursuant to law.

(13) Nothing in the foregoing shall preclude or be interpreted to preclude or otherwise diminish the exercise of the statutory authority of University Police to arrest in accordance with the laws of this state any person for violation of state law or applicable ordinances when such violations occur on any property or facilities which are under the jurisdiction of the University Police.

(14) For all university facilities, all certified law enforcement officers of the University Police Department are designated as authorized representatives of the President and Vice President for Administration and Finance to issue trespass notices and warnings to leave and/or vacate.

*Specific Authority: Article IX of the Florida Constitution, Florida Board of Governors Resolution dated January 7, 2003, 1001.706, 1001.74, 1012.97 FS.; Law Implemented 1001.74, 810.08, 810.09, 856.021, 856.031, 1012.97 FS. History–New -09.*