A. Safety and Security

Gaston College operates its own Campus Police operation through the Safety and Security staff. The Chief of Campus Police is responsible for the safety and security of the College on all campuses. The Chief of Campus Police maintains standard operating procedures for his/her officers; these procedures cover such areas as chain of command, emergency procedures, officer conduct, post hours, building access, and use of force.

B. Traffic Rules and Regulations

The College Safety and Security Division enforces parking and motor vehicle regulations (Appendix A-5). These rules and regulations, along with a campus map which identifies restricted parking areas, are distributed to students at the start of each academic year.

C. Risk Management

The Director of Safety/Chief of Campus Police is responsible for College compliance with OSHA, ADA, EPA and other regulatory requirements which relate to the safety of the campus. In addition to coordinating programs to remain in compliance, the director trains college personnel in the handling of hazardous materials, is the designated Safety Officer for the College and, as such, chairs the campus-wide Safety Committee. Standard operating procedures for risk management are maintained in the office of the director of Safety/chief of Campus Police along with operations manuals for the various areas of compliance.

D. Campus Crime and Security

1. To comply with the Crime Awareness and Campus Security Act of 1990, policy statements are issued annually covering the following areas:
   a. Procedures for students to report criminal activities
   b. Security at campus facilities
   c. Availability and authority of campus law enforcement
   d. Programs available to inform students about security and the prevention of crime
   e. Recording of crime through the Gaston County Police Department
   f. Possession, use, and sale of alcohol and drugs
2. Statistical reports that identify the occurrence of campus crimes and the number of campus arrests for crimes specified in the Crime Awareness and Security Act of 1990 will be posted throughout the campus.

E. Campus Police Orders to Leave Campus and Not Return

1. Gaston College is a tax-supported institution and, as such, may be used and visited by the public under certain conditions. Persons who do not meet, or who violate these conditions, have no “right” to be on College property and should be ordered to leave. This removes suspicious or undesirable persons from the campus by advising them that they are subject to arrest without actually making a physical arrest or violating the individual’s rights. When an Order to Leave and Not Return is deemed necessary, it is imperative that the grounds for such orders be reasonable, be consistent, be given adequately, and that a written record of the Order be made.

2. Grounds for Orders to Leave and Not Return.

   a. Gaston College is open to its employees, faculty, students, and legitimate visitors. Legitimate visitors include those who come to visit the College or to visit people on campus, to see the campus, and those who may drive through the campus enroute from one place to another.

   b. Even though Gaston College is an open campus, reasonable limits may be imposed on the times and places that access will be permitted. Therefore, depending on the circumstances, any person may be directed to leave a specific area of the College although the rest of the campus may remain open to them. In exceptional cases, it may be necessary to ban a person from the entire campus.

3. Essential factors to be considered:

   a. The nature of the location. (Is it an area such as an art gallery, which is normally open to the general public; or, is it a more limited area such as an office, storage room, etc.?)

   b. The time of day (Is it normal business hours, late hours, or early morning hours?)

   c. The conduct of the person. (Does there appear to be prowling, furtive glances, other suspicious behavior which is interrupting the learning environment, disrupting a meeting or gathering, or displaying disorderly conduct?)
d. Upon questioning, is the person’s explanation reasonable?

4. Person(s) who arouse suspicion may be briefly questioned about their identify and purpose on campus. If the explanation is satisfactory, they should be courteously thanked and given the explanation that the officer’s inquiry is for the protection of the College, its faculty, staff, students, and the general public.

5. Person(s) may be directed by campus police officers to leave the campus or a specific area of the campus and given an Order to Leave and Not Return if they are guilty of any of the following (this list is not all inclusive):

a. Has been observed prowling around buildings or parking lots without a satisfactory explanation;

b. Has committed any crime on campus;

c. Has threatened, harassed, or interfered with any member of the campus community;

d. Has otherwise behaved in a suspicious, inappropriate, or disorderly manner.

6. Disciplinary problems with members of the College community (faculty, staff, students) who fall into the above categories should, if practical, be handled by the appropriate Vice President.

7. If circumstances are such that immediate action is required or administrative procedures would be impractical, any Campus Police Officer may issue an Order for the person to leave and not return to the campus.

F. Orders to Leave and Not Return.

1. Scope. Orders to Leave, either oral or written, should be limited in scope to that which is reasonably necessary for the protection of the College and its community. In most cases, a simple order to leave a specific area will be sufficient.

a. Verbal Order to Leave and Not Return. Campus Police Officers may issue a verbal order when a person’s behavior is such that the officer believes the person’s presence could escalate the situation.

b. A verbal order restricts a person from returning to campus or a specified area of the campus for a period not to exceed 48 hours. Persons violating a verbal trespass will
be subject to arrest; more serious circumstances may require that a person be banned from the entire campus for extended periods of time; e.g., in the case of serious criminal conduct. In this case, the person will receive a written order to leave and not return.

c. Written Order to Leave and Not Return. Orders to Leave and Not Return exceeding 48 hours, or which are pursuant to serious criminal activity shall be written on the specified department form (see Appendix #8). The original (face copy) of the written Order shall be retained by the police officer and maintained in the department files; the duplicate (carbon copy) of the Order shall be given to the individual to which the Order was issued.

2. Procedure. When giving an Order to Leave and Not Return, the police officer should carefully explain the following information:

a. That the police officer is an official of Gaston College with the authority to order persons to leave Gaston College property in whole or in part.

b. That the police officer believes that this Order is necessary to provide for proper campus security and individual safety, to maintain a proper learning environment, and that it is in the best interest of Gaston College that the person is being ordered to leave the entire campus or area of the campus indicated at once and not return until the date and time stated.

c. That the person’s failure to follow the Order to Leave, or return without the order expiring or being lifted by proper authority, may result in the person’s immediate arrest for trespassing.

d. That the Order is valid regardless of any association the person might have with the College.

e. That if the person has an association with the College where they are subject to a formal disciplinary or hearing process (faculty, staff, or student), the Order may be appealed to the appropriate administrative office to hear the case.

f. That the Order to Leave and Not Return remains in effect while the case is being appealed.

g. That if a written Order is issued, the individual will be requested to sign an acknowledgment of the Order. Refusal of the individual to sign the acknowledgment
or leaving without accepting a copy of the written Order does not affect the validity of the Order.

h. The officer should also offer further explanation if the person has questions.

3. Appeal Procedures.

a. If the person has an association with the College and is subject to formal disciplinary or hearing processes, they may choose to appeal the Order. If the individual chooses to appeal the Order, they must do so in writing within two (2) working days from the day the Order was issued.

(1) Appeals by faculty members shall be forwarded to the Vice President for Academic Affairs for final disposition.

(2) Appeals by staff members shall be forwarded to the Vice President for Finance, Operations, and Facilities for final disposition.

(3) Appeals by students will be forwarded to the Vice President for Student Services for final disposition.

b. The Vice President hearing the appeal is authorized to accept, reject, or modify the Order. The Vice President is authorized to hold hearings and accept relevant evidence and witnesses. The Police Officer who gave the Order shall also be notified and will attend the hearing and may also be questioned.

(1) Attendance at the hearing will be restricted to the individual filing the appeal, the police officer, the officer’s supervisor, and others having personal knowledge of the events. The individual filing the appeal shall be notified in writing of the decision. The notice of the decision will be sent by certified mail, return receipt requested.

c. The Order shall remain in effect during the appeal unchanged until the individual and the Campus Police Officer receive written notification of any modification of the conditions.

d. A person who does not have an association with the College and is not subject to formal disciplinary procedures and who has been given an Order to Leave and Not Return may appeal the Order to the Vice President for Finance, Operations, and Facilities.
(1) The appeal should include the person’s reason for being on the campus at the time, the person’s future need to be on campus, and any other information the person wishes the Vice President for Finance, Operations, and Facilities to consider. The Order shall remain in effect during the appeal.

e. The Vice President for Finance, Operations, and Facilities is authorized to accept, reject, or modify the Order and is authorized to hold hearings and to accept relevant evidence and witnesses.

(1) The officer who gave the Order shall also be notified, will attend the hearing, and may be questioned. Attendance at the hearing will be restricted to the person, the officer and others having personal knowledge of the events.

(2) The Vice President of Finance, Operations, and Facilities shall notify the person of the decision in writing and by certified mail, return receipt requested.

f. The Order shall remain in effect during the appeal process and the conditions of the Order shall remain unchanged until the individual and the Campus Police Office receive written notification of any modification of the conditions.

4. Trespass Arrest

a. Arrest may be necessary when a person has been ordered to leave and refuses to leave or when the individual returns to the campus and records indicate a previous Order to Leave and Not Return is on file.

b. Orders to Leave and Not Return older than two years should not result in arrest, but should be issued again by an officer, if appropriate, and the file updated. This excludes court-ordered warnings.

c. If there is any doubt concerning the arrest, the police officer should give another Order to Leave and Not Return, and escort the person from the campus. A later review of the case with supervisors may indicate that a trespass warrant should be obtained.

5. Report Requirements

a. A detailed report shall be completed prior to the end of the issuing officer’s tour of duty whenever any Order to Leave and Not Return is issued.
b. Copies of all current written orders shall be maintained on file in the Campus Police and Security Office and shall be accessible to all police officers. In addition, officers shall be notified whenever a new order has been issued including the name of the individual and the conditions of the order.

c. Orders shall be purged from department files one year after their expiration date.