

**THE UNIVERSITY OF WEST FLORIDA
NOTICE OF PROPOSED AMENDMENT TO REGULATION**

DATE: July 24, 2025

REGULATION TITLE AND NUMBER: UWF REGULATION 5.020 Trespass Warning and Access to University Property

PURPOSE AND EFFECT: The purpose of this amendment is to ...

SUMMARY: The proposed amendment to this regulation is as follows:

- Clarification that University Property includes all campuses and centers operated by the University whether owned, leased, or controlled by the University
- Added camping, staying in a tent, or sleeping outdoors overnight as a cause for issuing a Trespass Warning
- Appoints the Vice President for Finance and Administration to review appeals
- General formatting and revisions for clarity

AUTHORITY TO AMEND THE REGULATION: Board of Governors Regulation 1.001; Section 1012.97, Florida Statutes

NAME OF UNIVERSITY OFFICIAL INITIATING PROPOSED REGULATION AMENDMENT: Betsy Bowers, Vice President of Finance and Administration/CFO

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED AMENDMENT TO THE REGULATION OR CHALLENGE: Office of the General Counsel at, 11000 University Parkway, Building 10, Pensacola, Florida 32514 or gcfrendesk@uwf.edu.

THE FULL TEXT OF THE REGULATION: The full text of the proposed amendment to the regulation is attached below this Notice. The full text of the proposed amendment and existing regulation is also posted on UWF's website: <https://uwf.edu/offices/board-of-trustees/regulations/>



Number: UWF/REG 5.020
Title: Trespass Warning and Access to University Property
Responsible
Department: University Police Department

I. General Statement

~~To designate the University of West Florida's Police Department to enforce trespass warnings and arrests on University of West Florida properties and to provide a clear process for the issuance and appeal of trespass warnings.~~

The University of West Florida (the "University") is committed to providing an orderly and safe environment for its faculty, staff, students, and visitors. Visitors and guests are welcome on ~~the University of West Florida campus Property~~ as authorized by this regulation. The University ~~of West Florida's~~ Police Department and its officers are authorized to communicate a ~~€~~Trespass ~~w~~Warning.

II. Definitions

Authorized University Business – activity ~~which-that~~ furthers the mission and purpose of the University and ~~which-that~~ has been approved by the appropriate University officials.

Common Areas – University ~~p~~Property generally open to non-University persons including, but not limited to, the library, food service areas, bookstore/retail areas, theater, and specific sports areas. These areas are considered ~~e~~Common ~~A~~Areas only at the times they are open to the public.

~~Outside University Community (Non-University Persons)~~ – all ~~other~~ persons who are not classified ~~above~~ as University ~~s~~Students or University ~~community members~~Persons including, but not limited to, admitted but not enrolled students, visitors, invited guests, job applicants, students of other institutions, ~~and~~ employees of other entities, ~~and~~ persons who have applied but have not been admitted to the University, and anyone else not meeting the definition of University ~~Community Members~~Persons.

Trespass Warning – a document issued by a designated University authority providing notice against entering or remaining in or on University ~~p~~Property.

~~Community Members ("University Persons")~~ – ~~those persons~~community members who are faculty, staff, other employees, volunteers or agents of the University, and persons on University

pProperty fulfilling contractual obligations with the University or authorized members of registered University organizations.

University Property – 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 aAuthorized University bBusiness, whether owned, leased, or controlled by the University.

University Students – all persons enrolled at the University of West Florida, either full-time or part-time, degree seeking or non-degree seeking.

III. General

- A. Non-University pPersons are allowed to use the eCommon aAreas of the University during normal business hours and are allowed to attend lectures, plays and other activities on University pProperty when such attendance is permitted by the sponsoring organization. Non-University pPersons are permitted in non-eCommon aAreas of the University, including offices and administrative areas only when expressly invited or on aAuthorized University bBusiness.
- B. University sStudents may access all eCommon aAreas of the University and other University pProperty open and available to students for aAuthorized University bBusiness. Only University sStudents registered for a class may attend that class unless express permission of the instructor is granted.
- C. University pPersons may access all eCommon aAreas of the University and other campus areas open and available to University pPersons for aAuthorized University bBusiness.
- D. Except as otherwise noted below herein, athletic, intramural and recreational facilities are for the use of University sStudents, University pPersons, and their authorized invited guests. Identification may be requested-required for the use of these facilities. If a guest is not accompanied by the University sStudent or University pPerson, he/she/the guest may be asked to leave. Refusal to do so may result in a tTrespass wWarning.
- E. University tennis courts, outdoor track, and cross-country trails are open for public use when not in use for intercollegiate athletics, intramural programming, or academic instruction. Non-uUniversity pPersons may be asked to leave to accommodate priority use of these facilities. Refusal to do so may result in a tTrespass wWarning.
- F. No person is permitted in a residence hall except authorized University pPersons, resident University sStudents, and resident University sStudents' invited guests in accordance with University Housing visitation and guest policies. Identification may be requested-required for entry to and use of these facilities. Resident University sStudents must accompany their guests at all times. If a guest is left unaccompanied, he or she will be asked to leave. A guest's refusal to leave may result in a tTrespass wWarning.

G. Any person on University ~~p~~Property who, in the sole discretion of the President, the President's designee, or the University Police Department, may be directed to leave the property and/or issued a Trespass Warning by the University if that person is doing one or more of the following:

1. ~~is v~~Violating ~~or has violated~~ the law.;

2. ~~is v~~Violating ~~or has violated~~ any University regulation or policy, including, ~~the~~ UWF/REG 3.010, Student Code of Conduct, or HR-22-~~00-2004/07~~, Employee Standards of Conduct.;

3. ~~w~~Whose continued presence may adversely affect the health, safety, and welfare of the University Community.;

4. ~~, or who is p~~Prowling or loitering.;

5. ~~n~~Not using University facilities in an appropriate manner.;

6. ~~e~~Obstructing traffic or impeding entry or exit.;

7. ~~d~~Damaging property.;

8. ~~e~~Creating hazardous or unsafe conditions.;

9. ~~d~~Disrupting University operations.;

10. ~~m~~Making threats toward any person or University ~~p~~Property, whether expressed or implied ~~or express~~.;

11. ~~who is e~~Creating an atmosphere not conducive to the use of ~~such~~ University facilities by others, ~~may be directed to leave the property and/or issued a trespass waring by the University.~~

~~12.~~ Camping, staying in a tent, or sleeping outdoors overnight unless it is part of a University-sanctioned event. See also UWF/REG 5.050, Speech, Assembly, and Public Expression on Campus.

~~G.H.~~ Violation of a ~~t~~Trespass ~~w~~Warning may result in arrest and appropriate criminal prosecution.

IV. Appeals

A. A ~~t~~Trespass ~~w~~Warning may be appealed. An individual wishing to appeal the warning must file a written appeal with the University Police Department within ~~(14)~~ fourteen calendar days of the date of issuance of the ~~t~~Trespass ~~w~~Warning. The written appeal should

include: the name of the person appealing, the reason for the person's presence on campus, the reason the person was issued the warning, the reason the person believes the warning was issued in error and the name of the issuing employee. The ~~€T~~trespass ~~w~~Warning will remain in effect during the course of the appeal process. The appeal will be reviewed by the Chief of Police or the Chief's designee. The decision of the Chief of Police or the Chief's designee will be provided to the person appealing within ~~(14) fourteen~~ calendar days after the submission of the written appeal.

- B. Individuals not satisfied with the result of the appeal to the Chief of Police, may proceed to the next level by filing a written appeal with the Vice President for ~~Student Affairs~~Finance and Administration ("Vice President-F&A"); within ~~fourteen~~ 14 calendar days of being informed of the decision of the Chief of Police. The person appealing should submit a detailed written statement of the basis for the appeal explaining why the decision of the Chief of Police was in error, and provide any relevant documents, photos, witness statements, data, or other items to be considered.
- C. After receiving the written appeal, the Vice President-~~F&A for Student Affairs~~, or their designee may: 1) request additional information or documentation from any involved party for further consideration; 2) schedule a meeting with the parties involved; or 3) uphold or reverse the issuance of the notice or ~~€T~~trespass ~~w~~Warning based on the information received.
- D. The ~~€T~~trespass ~~w~~Warning shall only be invalidated or modified by the reviewing official if, in his/her/the official's sole discretion, the requesting individual has shown, by clear and convincing evidence, that the underlying reason for the ~~€T~~trespass ~~w~~Warning did not occur or does not warrant the ~~€T~~trespass ~~w~~Warning as it was issued.
- E. The Vice President-~~F&A for Student Affairs~~ or their designee will notify the person appealing of his/her decision within ~~(14) fourteen~~ calendar days. The decision of the Vice President-~~F&A for Student Affairs~~ or their designee is the final decision of the University and may not be appealed.

V. Reconsideration

A ~~€T~~trespass ~~w~~Warning may remain in full force and effect for an indefinite period or for a defined period indicated in writing on the Trespass Warning document. A request for reconsideration may be made in writing no more than once every six months from the first issuance. The ~~€T~~trespass ~~w~~Warning may only be lifted after reconsideration by the Chief of Police, or the Chief's designee. Persons subject to ~~€T~~trespass ~~w~~Warnings shall direct reconsideration requests to the Chief of Police. Reconsideration shall only be granted by the reviewing official if, in his/her/the official's sole discretion, the requesting individual has shown, by clear and convincing evidence, that the underlying reason for the ~~€T~~trespass ~~w~~Warning is no longer a concern and no other reasons exist to keep the ~~€T~~trespass ~~w~~Warning in force. The passage of time, in and of itself, shall not serve as the basis for revoking the ~~€T~~trespass ~~w~~Warning.

VI. Statutory Authority

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

Effective Date: [date]

Authority: Board of Governors Regulation 1.001
§1012.97, Florida Statutes

History: Adopted June 2014; revised [date]

Last review: [date]