

ITEMS FOR DISCUSSION AND ACTION FISCAL, FACILITIES AND AUDIT

September 12, 2019

ACTION: **First and Final Round Approval of Deletion of Board Policy 8040; Security Operations and Revisions to Board Policy 8005; Trespass; Policy and Procedure**

Board Policy 8005 is being revised to indicate that the President from each College will have the general authority to provide for security of College property. The College may use the institutional security department, contract with private security companies or contract with local public enforcement for College security services.

Board Policy 8040 is being deleted because the policy is now covered in Board Policy 8005.

The System Office recommends approval of the Deletion of BP 8040; Security Operations & Revisions to BP 8005; Trespass; Policy & Procedure.

ATTACHMENTS:

- Deletion of Board Policy 8040 (PDF)
- Revisions to Board Policy 8005 (PDF)

~~FACILITIES, NEBRASKA STATE COLLEGES~~

~~POLICY: 8040 Security Operations~~

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~~BOARD POLICY~~

~~The President of each State College shall have general control and direction of the security department of the institution. A State College may contract with private security companies or public law enforcement agencies for the provision of security services.~~

~~Each college shall establish regulations governing the possession, transportation and storage of firearms on the campus and publish said regulations in the institution's employee and student handbooks.~~

~~In order to provide a lawful and expedient means of excluding from a college's campus, buildings or other facilities, persons who commit overt, physical acts of violence or who substantially and materially disrupt or interfere with the orderly operation of the college, the college president is authorized to designate individual(s) who shall have responsibility and authority for the immediate supervision, management and control of the institution's buildings and other property.~~

~~This responsibility and authority shall include the right to prohibit or otherwise restrict access, occupation or possession of said property; and to initiate or authorize administrative, civil and/or criminal prosecution of persons or entities who violate any directive, policy or other regulation governing the use, occupancy or possession of the institution's facilities.~~

~~Whenever it reasonably appears that the continued presence of any person, who otherwise has consent to remain on the campus or within a campus building, constitutes an immediate, substantial and material threat of significant injury to, or interference with, persons, property or the orderly operation of the college, consent to remain therein shall be withdrawn. In the event withdrawal of consent is made, the employee withdrawing the consent shall, as soon as reasonably possible, submit a written report to the president, or his/her designee, which shall contain the following:~~

- ~~1. Description of person from whom consent was withdrawn, including the person's name, address and telephone number~~
- ~~2. Statement of the facts giving rise to the withdrawal of consent~~

~~Any person from whom consent has been withdrawn may submit a written request to the president for a hearing on the withdrawal and reinstatement of consent. Upon receipt of said notice, the president shall grant an opportunity for a hearing not later than seven (7) working days from the date of receipt thereof and shall mail a written notice of the time, place and date of said hearing to the person at the address specified in the request. Consent shall be reinstated whenever it reasonably appears that the presence of the person from whom consent was withdrawn will no longer disrupt the orderly operation of the campus, its programs, buildings or other facilities.~~

~~This policy shall not affect the power of any State College to suspend, dismiss, expel or otherwise discipline any student or employee at such college under alternative student or staff disciplinary procedures.~~

~~Legal Reference: RRS 85 306 State colleges; president; duties
RRS 85 314 Board of trustees; rules and regulations~~

~~Policy Adopted: 3/11/94~~

FACILITIES, NEBRASKA STATE COLLEGE SYSTEM

POLICY: 8005 Campus Security; Trespass; ~~Policy and Procedure~~ Page 1 of 1

BOARD POLICY

The President of each College shall have the general authority to provide for the security of College property. A College may utilize the security department of the institution, contract with private security companies and/or contract with public law enforcement agencies for the provision of security services.

The Nebraska State Colleges are tax-supported state institutions and may be visited by the general public under certain conditions.

College ~~campus~~ property includes buildings, grounds, and parking lots. Not all property on eCollege campuses is open to the general public. Restricted areas which are not open to the general public include, but are not limited to, the following:

- Classrooms, laboratories and storage areas;
- Faculty and staff offices;
- Student residence buildings used for student living quarters; and,
- Locked eCollege buildings during posted "closed" hours.

Visitors or guests who pose unreasonable risks to the safety and security of persons or property on campus, who violate eCollege policies or rules, or who have damaged property on campus have no "right" to be on eCollege property and may be advised to leave by the President or other authorized eCollege personnel and may be issued a written notice of trespass as provided below. Visitors and guests are responsible to understand and comply with eCollege policies and rules related to their conduct on eCollege property.

PROCEDURE

Trespass Notice

Colleges may ban individuals from eCollege property (either specified portions of the College campus or the campus in its entirety) by issuing a written notice of trespass. -Violation of a trespass notice will be deemed to constitute trespassing on College property and the person may be cited and subject to prosecution for criminal trespass in violation of Neb. Rev. Stat. §28-520 or §28-521.

Legal Reference: RRS 28-520
RRS 28-521

Criminal trespass, first degree; penalty
Criminal trespass, second degree; penalty

Policy Adopted: 6/6/08
Policy Revised: