

Policy Statement

The use of and access to Terra State Community College ("College) and all associated facilities including but not limited to The Landings at Terra Village, will at all times be consistent with all applicable federal, state and local laws and administrative rules and management directives of the state of Ohio, and Terra State Community College.

Policy Details

A. Temporary Access Restrictions

Any person whose behavior is detrimental to the College may be issued verbally and or in writing a temporary access restriction for no longer than 72 hours to all or part of Terra State Community College campus and associated properties by any of the following persons:

1. Senior Vice President for Innovation & Strategic Planning, or Designee;
2. Vice President for Academic Affairs, or Designee;
3. Director of Human Resources;
4. Director of Campus Safety and Security;

B. Formal Access Restrictions – Students

1. The Senior Vice President for Innovation & Strategic Planning or designee may issue an interim suspension to any student in accordance with the Student Code of Conduct.
2. Pursuant to the Student Code of Conduct, an access restriction to all or part of the College campus or associated properties may be a part of an interim measure or sanction imposed for a violation of the Student Code of Conduct.
3. Violating any terms of the access restriction is grounds for further sanctions under the Student Code of Conduct up to and including dismissal from a residence hall, expulsion from the College, and/or arrest.
4. Appeals may be made by following the guidelines outlined in the Student Code of Conduct.
5. This policy does not modify or create rights beyond those provided for in the Student Code of Conduct.

C. Formal Access Restrictions – Employees

1. The authority to restrict an employee from all or part of the College rests with the Director of Human Resources or designee.
2. An employee suspected of violating a law, college rule or management directive, or who exhibit behavior detrimental to the College may be restricted from all or part of the College campus or associated properties.
3. The directive shall be issued in writing when practical but may be issued verbally. Reasonable efforts will be made to follow up any verbal dismissal from campus with written notification.
4. A violation of the directive may be subject to further disciplinary action up to and including termination and or arrest.
5. Appeals will be made in accordance with respective collective bargaining agreements or the progressive action policy.
6. This policy does not modify or create rights beyond those provided for in applicable College policy and collective bargaining agreements.

D. Formal Access Restrictions – Non-Students and Non-Employees

1. A "persona non grata" letter for a period of up to 2 years may be issued by:
 - a) Director of Campus Safety and Security or designee;
 - b) The Vice President for Academic Affairs or designee
 - c) Senior Vice President for Innovation & Strategic Planning or designee

to a person whose behavior is detrimental to the College and who poses significant risk of continued behavior detrimental to the college. The Persona Non-Grata letter may align with the Ohio Revised Code 2911.21 and 2911.211. In extraordinary cases, a longer restriction may be imposed and requires the College President's review and signature.

2. The persona non grata letter will contain:
 - a) Name and last known address of the person.
 - b) A statement of the unacceptable behavior supporting the persona non grata order.
 - c) A statement that the respondent is persona non grata and thus is barred from being on the College premises. The respondent will be informed that this status will continue until the date specified or until the order is modified following the hearing provided for in this section.
 - d) A statement that the respondent is entitled to an appeal before the threat assessment members of the College Behavioral Intervention Team (BIT). Following the hearing the team will make a determination of whether or not to maintain the respondent on persona non grata status.
 - e) Instructions on how to file an appeal.
 - f) A warning that the individual's failure to attend a requested appeal hearing shall result in a determination made without the accused individual being present.

E. Appeals

1. General

- a) This appeal process only applies to individuals covered under Formal Access Restrictions – Non Students and Non-Employees section of this policy. Students and employees are covered under the appeal processes outlined in either the:
 - a) Student Code of Conduct
 - b) Human Resource Policies, Employee Handbooks, and or collective bargaining agreements
- b) The members of the College Behavioral Intervention Team (BIT) will hear all appeals of unaffiliated persons issued a Persona Non Grata letter by the College.
- c) A respondent under the age of 18 who is appealing may be accompanied by a parent/guardian.
- d) At the appeal hearing, the respondent may challenge the grounds for issuing the persona non grata order; may challenge the evidence against him or her; confront any witnesses; and may present evidence including witnesses on his or her behalf.
- e) It is the burden of the college to show that the respondent's access restriction is based on a violation of college policy or local, state or federal law, or whose behavior is detrimental to the College.
- f) To continue the respondent on persona non grata status, the members of the College Behavioral Intervention Team (BIT) must find by a preponderance of the evidence that the respondent engaged in the behavior alleged and that the alleged behavior violates College policy, local/, state, or federal law, or behavior that is detrimental to the College community?
- g) If such a finding is made, the members of the College Behavioral Intervention Team (BIT) may take into consideration the reasons for such behavior and the likelihood of its recurrence.
- h) All past incidents and relevant information may be considered and weighed in the decision.
- i) The members of the College Behavioral Intervention Team (BIT) may continue the persona non grata status for a period of up to two years subject to conditions that the team finds reasonable to allow the college's operations or programs to be conducted free from undue disruption or interference or modify or remove the access restriction as deemed appropriate.

- j) The decision of the members of the College Behavioral Intervention Team (BIT) is final.
- k) A person violating an active Persona Non Grata letter is subject to arrest.
- l) Should a person with an active Persona Non Grata letter desire to matriculate into the college community, the Senior Vice President for Innovation & Strategic Planning or designee will consider the application in the appeal process.

2. Appeal Hearing Process

- a) It is the sole responsibility of the respondent to file a written appeal letter within 10 business days from the date on the written notice of their persona non grata status. This letter should be filed with the Director of Campus Safety & Security.
- b) Failure by the respondent to request an appeal hearing within 10 business days from the date on the written notice will result in a continuation of persona non grata status for the period specified in the notice.
- c) The respondent will receive a written notice (email is sufficient) regarding the appeal hearing with the Behavioral Intervention Team not less than five (5) and no more than 20 calendar days from receipt of the written appeal request. The appeal meeting letter will outline the time, date, and location of the appeal hearing, documents, exhibits, and any witnesses that will testify against the respondent.
- d) Appeal hearings shall be conducted in private.
- e) The respondent may be accompanied by another individual who may serve in an advisory capacity but who may not participate directly in the hearing.
- f) The Responding Party and their advisors, if any, shall be allowed to attend the entire portion of the Appeal Hearing at which information is received (excluding deliberations). Admission a witness, called by the respondent to the conference shall be at the discretion of the Behavioral Intervention Team.
- g) Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by the Student Discipline Committee, at the discretion of the Behavioral Intervention Team Chair.
- h) All procedural questions are subject to the final decision of the Behavioral Intervention Team Chair.
- i) After the portion of the Appeal Hearing Process concludes in which all pertinent information has been received, the Behavioral Intervention Team shall determine by majority vote whether the college access restriction is warranted or not.
- j) The Behavioral Intervention Team's determination shall be made on the basis of whether it is more likely than not that the respondent behavior has violated policy or local, state, or federal law, or is detrimental to the College.
- k) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Appeal Hearing Process.
- l) There shall be a single verbatim record, such as a transcription or tape recording, of all conferences before the Behavioral Intervention Team (not including deliberations). Deliberations shall not be recorded. Transcriptions and/or tapes made during Behavioral Intervention Team hearing shall be the property of the College.
- m) If the Responding Party, with notices, does not appear before a Behavioral Intervention Team, the information in support of the charges shall be presented and considered even if the Responding Party is not present. If the Responding Party fails to attend the hearing, it shall be deemed that they deny all allegations. When appropriate, a decision will be determined and both the Responding Party and Reporting Party will be notified in writing.
- n) The Behavioral Intervention Team may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant, respondent, or other witness during the conference by providing separate facilities, by using a visual screen, and/or by permitting

participation by telephone, videophone, audio tape, written statement, or other means, where and as determined in the sole judgment of the Behavioral Intervention Team chair.

- o) A written decision to the respondent will be issued by the chair within 7 business days after the completion of the hearing; any delays in response does not compromise the response.
- p) A copy of the Persona Non Grata letter, along with a copy of the appeal outcome letter, will be provided to the initiating office and to the Director of Campus Safety & Security.

F. Court Ordered Access Restrictions

- 1. Separate from the College process, a court may issue a court ordered access restriction to some or all of the College or it’s associated properties. The length of a court ordered access restriction is determined by the court. The College has no authority to hear an appeal of a court ordered access restriction

G. Records

- 1. Records shall be maintained with the corresponding office:
 - a) Students – Office of the Vice President for Student Affairs or designee.
 - b) Staff – Office of Human Resources
 - c) Faculty - Office of the Vice President for Academic Affairs
 - d) Unaffiliated Persons – Director of Campus Safety & Security
- 2. The Office of Campus Safety & Security shall receive copies of all access restrictions

Resources

Documentation

Definitions

Term Definition

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| <i>Behavior Detrimental</i> | Includes but is not limited to actions by an individual which result in offenses against persons or property, disruption of college processes or programs, violation of a previous order given by a college official, a continuing pattern of violation of college rules and regulations or continuing pattern of disruption after actual notice of the rules or disruptive conduct, or falsification or misrepresentation of self or other information to a college office or official, or violation of local, state, or federal law. |
| <i>Persona non grata</i> | An individual no longer permitted to be present on or at specified college property or facility. |
| <i>Interim Suspension</i> | Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the College community or preservation of College property; b) to ensure an individuals own physical or emotional safety and well-being; or c) if the individual poses an ongoing threat of disruption of or interference with the normal operations of the College. During the interim suspension, the individual shall be denied access to the campus (including classes) and/ or all other College activities or privileges for which the individual might otherwise be eligible. |
| <i>Formal Access Restriction</i> | An access restriction to all or part of the college campus or associated property issued for a period of time greater than 72 hours but no longer than 2 years. |
| <i>Temporary Access Restriction</i> | An access restriction to all or part of the college campus or associated property issued for a period of time no longer than 72 hours. |

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| <i>Facility Manager</i> | Is a person who is managing a facility or business on the property of the College. |
| <i>Respondent</i> | The individual alleged to have violated college policy accused of a policy violation |

Approval History

| <i>Date</i> | <i>Policy/Procedure or Entire Document</i> | <i>Notes (Types of Actions)</i> | <i>**Approved by</i> |
|-------------|--|---|---|
| 09/27/2024 | Entire Document | Issued Developed and modified from University of Toledo Policy | Acacia Hull Tim Shaal |
| 2/26/2026 | Entire Document | CASA approved | Dr. Doug Mead, VPAA and CASA Co-Chair |
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**Full name of CASA Committee Chair, signatory, or designee

Effective Date: 02/26/2026

Next Review Date: 1/31/2029