



TRESPASS ON COLLEGE PROPERTY APPEAL / RECONSIDERATION FORM

TYPE OF REQUEST (CHECK ONLY ONE):

- Request for Immediate Appeal (students only) per Procedures Manual §201.7(D) – **complete Sections 1, 2, 4**
- Request for Reconsideration per Procedures Manual §201.7(E) – **complete Sections 1, 3, 4**

Section 1 – Requestor’s Information

Requestor’s Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone Number: _____ EFSC ID B# _____

Email Address: _____

Section 2 – Request for Immediate Appeal (for current students only)

EFSC Procedures Manual §201.7(D): Trespassed students may request an immediate appeal of the College’s decision to issue a trespass notice, subject to the following:

1. The appeal shall be made in writing to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient) within two (2) business days of the date of issuance of the trespass notice (not including the date of issuance), and shall be based upon at least one of the following:
 - a. An egregious error pertaining to the student’s involvement; or
 - b. The student does not pose an ongoing threat of harm to the health, safety or general welfare of the College community, or to College property.
2. The student shall have the burden of proof by clear and convincing evidence.
3. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the appeal, who may be or include the Vice President of Academic and Student Affairs/CLO.
4. The student may be required to be evaluated by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College’s selected mental health provider to provide a summary of findings and recommendation to the presiding College official(s).
5. The student will be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the student will not be allowed to appear in person as a result of being trespassed from College property).
6. Prior to rescinding any trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.
7. The appeal will be completed within ten (10) business days of receipt of the request, which may be delayed due to a semester break, closing of the College, or other extenuating circumstances.
8. The student shall be notified of the outcome within three (3) business days of decision.
9. If the student does not request an immediate appeal, or if the trespass is affirmed after immediate appeal, the trespass will remain in effect indefinitely until further notice.

Date of Issuance of Trespass Notice: _____

Explain the egregious error pertaining to student’s involvement; and/or provide reason(s) why student does not pose an ongoing threat of harm to the health, safety or general welfare of the College community, or to College property (use additional sheets as necessary): _____

Description of supporting evidence, if any (use additional sheets as necessary): _____

Section 3 – Request for Reconsideration

EFSC Procedures Manual §201.7(E): Trespassed persons may request reconsideration of a trespass notice within one (1) year of the date of issuance, subject to the following:

1. The request shall be made in writing to the Vice President of Academic and Student Affairs/CLO (e-mail is sufficient), and shall be based upon at least one of the following:
 - a. The person does not pose a threat of harm to himself or herself or the College community or to College property;
 - b. The person is unlikely to cause future disruption or interference with normal College operations; or
 - c. Other good cause exists to reconsider the trespass notice.
2. The trespassed person shall have the burden of proof by clear and convincing evidence.
3. The Vice President of Academic and Student Affairs/CLO will determine the College official(s) who will hear the request, who may be or include the Vice President of Academic and Student Affairs/CLO.
4. The trespassed person may be afforded a reasonable opportunity to be heard and present evidence to the extent possible and practicable under the circumstances (the person will not be allowed to appear as a result of being trespassed from College property). However, the presiding College official(s) may demand the trespassed person provide additional information and/or submit to medical and/or mental health evaluation(s) at the trespassed person's own expense by a mental health provider selected by the College before hearing or considering any request. The individual may be required to sign a release of information allowing the College's selected mental health provider to provide a summary of findings and recommendation to the presiding College official(s).
5. If the trespassed person desires to attend classes in an upcoming term, requests must be made at least thirty (30) days prior to the start of such term.
6. Prior to rescinding any Trespass, the presiding College official(s) shall consult with the Vice President overseeing the Security Department to ensure awareness of all updated safety and security concerns involving the individual in question.
7. If a trespassed person does not request reconsideration within one (1) year of the date of issuance, or if the trespass notice is affirmed after hearing a request for reconsideration, the trespass will remain in effect indefinitely until further notice. Timely made requests for reconsideration (i.e. made within 1 year of the date of issuance) which are denied will not be considered again until the expiration of one (1) year from the date of denial (and only if a new request is made).

Date of Issuance of Trespass Notice: _____

Date(s) of Previous Denial(s) of Request(s) for Reconsideration (if any): _____

Reason(s) why the individual does not pose a threat to himself or herself or the College community (use additional sheets as necessary): _____

Reason(s) why the individual is unlikely to cause future disruption or interference with normal College operations (use additional sheets as necessary): _____

Description of other good cause to reconsider the issuance of a trespass notice (use additional sheets as necessary): _____

Section 4 – Signature of Requestor

*****I affirm that the information provided herein is true and correct to the best of my knowledge and belief.***

Signature of Requestor: _____

Date: _____

Receipt by Vice President/CLO: _____

Date: _____

College Official(s) Designated to Hear Immediate Appeal or Request for Reconsideration: _____

Hearing Date(s): _____

Outcome: _____

Signature of College Official(s) Hearing Immediate Appeal or Request for Reconsideration (print name and date below signature):

Eastern Florida State College is dedicated to providing a nondiscriminatory environment which promotes equal access, equal educational opportunity and equal employment opportunity to all persons regardless of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender, sexual orientation, pregnancy, disability, marital status, veteran status, ancestry or political affiliation in its programs, activities, or employment.

Inquiries regarding the College's nondiscrimination policies may be directed to:

Ms. Darla Ferguson, Chief Equity and Diversity Officer

Cocoa Campus, Building 2, Room 103
1519 Clearlake Road, Cocoa, FL 32922
Phone: 321-433-7080
E-mail: fergusond@easternflorida.edu

OR

Mark Renkens, Title IX Compliance Coordinator

Melbourne Campus, Building 10, Room 215
3865 N. Wickham Road, Melbourne, FL 32935
Phone: 321-433-7180
E-mail: renkensm@easternflorida.edu

Inquiries regarding veterans' programs may be directed to:

Military & Veterans Service Center

Student Services Center/Administration
Building 1, Room 140
3865 N. Wickham Road, Melbourne, FL 32935
Phone 321-433-7880

OR

Military & Veterans Service Center

Ralph M. Williams Student Center,
Building 11, Room 113
1519 Clearlake Road, Cocoa, FL 32922
Phone: 321-433-7880