
	<u>SUBJECT</u> DEBARMENT OF PERSONS FROM A CAMPUS OR DISTRICT PROPERTY		<u>NUMBER</u> 402/15
	EFFECTIVE DATE: 08-25-09	AMENDS: 07-29-08	RESCINDS:
DISTRIBUTION: Administration, CID, Patrol, Communications, Clerical		REFERENCES: CALEA / IACLEA / TPCFA	

.10 INTRODUCTION

- A. These guidelines for Debarment of Persons From Campus, or District Properties, are designated to assist the officer in determining how and when it is appropriate to withdraw consent for District property.
- B. Officers exercise discretion in the use of their authority to withdraw consent of a person to remain on campus.
- C. [Section 51.231](#) through [51.244](#), of the [Texas Education Code](#), establishes the authority of the Chancellor, or the President of the College, or his designated representatives, i.e., Vice-Presidents, Dean of Extended Services, to maintain order on campus and the withdrawal of consent of persons to remain on a campus or District property.
- D. Whenever there is a period in which it reasonably appears there is a threat of destruction to campus property, injury to human life, or a threat of willful disruption of the orderly operation of a campus, action may be initiated to withdraw the consent of a person to remain on the campus to ensure a peaceful enrollment is maintained.

.20 GENERAL PROCEDURES

- A. The Chancellor and/or the President of the College has the primary responsibility of ensuring the day-to-day operation of the District and/or the campus is carried out in an orderly manner and the maintenance of order. To accomplish this mission the Chancellor and/or President delegates certain authority to the District Chief by requiring a person to present evidence of identification during periods of disruption and ejecting persons who have no legitimate reason to be on campus or District property.
- B. During periods of disruption, officers may require a person to present evidence of identification. The identification may consist of a driver's license or the official campus identification card. Persons refusing, or failing upon request to present


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proper identification, and it reasonably appears the person has no legitimate reason to be on campus, the individual will be instructed to depart the campus. A report on the officer's action will be prepared.

- C. Under emergency conditions the District Chief may withdraw consent of a student, faculty, or staff member, to remain on a campus if it appears the person is a potential hazard to life or property.
- D. Whenever an individual's right to remain on campus is withdrawn, the person removing this right must advise the person of the reason of withdrawal, the length of debarment (not to exceed 14 days), their right to appeal through a hearing, and the consequences if he should violate the debarment order.

.30 DEBARMENT REPORT


- A. Whenever the consent of a person to remain on a campus or District property is withdrawn the person initiating the action may submit a written report to the appropriate administrator within twenty-four (24) hours. The report must contain the following:
 - B. Description of the person from whom consent was withdrawn, including, if available, his name, address and telephone numbers.
 - C. A statement of facts giving rise to the withdrawal of consent.
 - D. If the Chancellor, President, upon reviewing the report, finds that there was reasonable cause to believe the person had willfully disrupted the orderly operation of the College or District, and his presence on a campus will constitute a substantial and material threat to the orderly operation of the College or the District, he may enter written confirmation upon the report and prepare a letter to the person confirming the debarment action. The letter must contain the following:

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1. That the consent to remain on a campus has been withdrawn and the number of days for which consent has been withdrawn, not to exceed 14 days.
 2. The name and job title of the person withdrawing consent, along with an address where the person withdrawing the consent can be contacted during regular working hours.
 3. A brief statement of the activity or activities resulting in the withdrawal of consent.
 4. Notification that he is entitled to a hearing on the withdrawal no later than three (3) days from the date of receipt by the Chancellor or President of a request for hearing.
- E. If the Chancellor or President does not confirm the debarment action a letter will be prepared within twenty-four (24) hours advising the person barred that the withdrawal of consent is void and not in effect.

.40 DEBARMENT HEARING

- A. A person requesting a hearing on a debarment order issued must submit his request for a hearing in writing to the Chancellor or the President of the College. The Chancellor or President shall grant the person a hearing within three (3) days from the date of receipt or the request, and shall immediately mail a written notice of the time, place, and date of the hearing.
- B. In no instances shall the person issuing the debarment order, or causing it to be issued, serve on the Disciplinary Hearing Committee where the validity of the order of withdrawal is in question.
- C. A person from whom consent to remain on the campus has been withdrawn is entitled:

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1. To be represented by Counsel.
2. To the right to call and examine witnesses and to cross examine adverse witnesses.
3. To have all information upon which the decision may be based introduced into evidence at the hearing in his presence.
4. To have the decision based solely on the evidence presented at the hearing.
5. To prohibit the introduction of statements made against him unless he has been advised of their contents and the name of the persons who made them, and has been given the opportunity to rebut unfavorable inferences that might otherwise be drawn.
6. To have all findings made at the hearing be final, subject only to his rights to appeal to the Chancellor of the Alamo Community College District and the Board of Trustees.

.50 PENALTIES

- A. A person who violates [Section 51.239](#), [51.241](#), or [51.242](#), of the [Texas Education Code](#), is guilty of a misdemeanor and upon conviction is subject to a fine of not more than \$500.00 or imprisonment in the county jail for not more than six months, or both.