



PRM-018 Issuance of Trespass Warnings

Effective Date Wednesday, April 25, 2018

Status Final

Last Revised Tuesday, February 21, 2023

Policy Type [University](#)

Contact Office

[Police Department \(University\)](#)

Oversight Executive

[Associate Vice President for Safety & Security and Chief of Police](#)

[Executive Vice President and Chief Operating Officer](#)

Applies To

Academic Division The Medical Center

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Reason for Policy

The University of Virginia Police Department is committed to providing a safe workplace and environment for its employees, students, patients, contractors, and visitors. The Chief of Police, or designee, is authorized by the Code of Virginia §§ 23.1-815 and 18.2-119 to issue a Trespass Warning that excludes individuals from all University or Medical Center property or a specific building or area. This policy governs the issuance of a Trespass Warning by the University of Virginia Police Department.

Definition of Terms

[Threat Assessment Team \(TAT\)](#)

The TAT is the team required by Virginia Code §23.1-805 to implement the University's assessment, intervention, and action protocol.

[Trespass Warning](#)

A written notice issued by the University of Virginia Police Department, the UVA Medical Center, the Division of Student Affairs, or Office for Equal Opportunity and Civil Rights that warns a person that they are not permitted to enter or remain upon the University or UVA Medical Center property described in the Trespass

Warning.

Policy Statement

The University and the Medical Center retain the authority to ban individuals from all University or Medical Center property or a specific building or area. A Trespass Warning may be issued by Authorized University Officials. For this policy, Authorized University Officials include:

1. ***University Police Officers*** are authorized to issue a Trespass Warning that bans individuals from all University or Medical Center property or a specific building or area.
2. ***Medical Center Office of Patient Safety and Risk Management Authorities*** are authorized to issue Trespass Warnings to patients and visitors at the University Medical Center.
3. ***Division of Student Affairs (Student Affairs) Officials*** are authorized to issue a Trespass Warning to a student they reasonably believe poses a threat to themselves, to the health or safety of other members of the University, to University property, or to the educational process, pending a hearing on an underlying offense charged under the Standards of Conduct (see [STAF-003: Statement of Students' Rights and Responsibilities](#)). Student Affairs officials may temporarily or permanently issue a Trespass Warning to a student to enforce an interim disciplinary suspension or disciplinary outcomes for violations of the Student Standards of Conduct.
4. ***Office for Equal Opportunity and Civil Rights (EOCR) Officials*** are authorized to issue an interim Trespass Warning to employees or students to provide remedial or protective measures per [HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#), [HRM-009: Preventing and Addressing Discrimination and Harassment](#), or [HRM-010: Preventing and Addressing Retaliation](#). EOCR officials may issue a temporary or permanent Trespass Warning to a student or employee found responsible for violation of University policies HRM-041, HRM-009, or HRM-010.

I. Issuance of a Trespass Warning:

Authorized University Officials may issue a Trespass Warning for:

1. The commission of or upon conviction of any criminal activity occurring on or off University or Medical Center property.
2. A violation of a University regulation.
3. A violation of a University, Health System, or Medical Center policy.
4. The failure to adhere to the lawful directive of a police officer or University official.
5. Conduct that threatens the health, safety, or property of a member of the University or its Medical Center community; a patient or visitor at the Medical Center; or the educational, research, or healthcare process.
6. Enforcement of disciplinary outcomes or findings of responsibility for violation of the Student Standards of Conduct or University policy [HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#), [HRM-009: Preventing and Addressing Discrimination and Harassment](#), or [HRM-010: Preventing and Addressing Retaliation](#).

7. The provision of remedial or protective measures per HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence.

Under no circumstances shall a Trespass Warning prohibit any individual from accessing the Medical Center Emergency Department, Labor and Delivery, or any other medical facility owned and operated by the Medical Center for an examination or treatment for an emergency medical condition in accordance with Medical Center Policy [0214: Medical Screening and Stabilizing Treatment for Emergency Medical Conditions](#). Only the Medical Center Office of Patient Safety and Risk Management may authorize a Trespass Warning that prohibits an individual from seeking or receiving non-emergent care or authorize the modification or removal of such prohibition from an existing Trespass Warning.

II. Enforcement:

University Police serve as the enforcement body for all trespass warnings enforceable within their jurisdiction, and Authorized University Officials from the Medical Center, Student Affairs, and EOGR must notify University Police in writing when a Trespass Warning is issued so that enforcement can occur. University Police must maintain a list of trespassed individuals. If an authorized University Official lifts a trespass warning, written notification to University Police must be provided within 24 hours so records may be updated. Prior to granting permission for a trespassed person to come on University or Medical Center property for a hearing, to receive medical care, or for other purposes, an Authorized University Official must consult with the University Police to consider safety issues and provide details pertaining to the location, date, time, and approximate duration that the individual will be on University or Medical Center property.

III. Responsibilities:

An *Authorized University Official* is responsible for:

- Issuing a Trespass Warning when circumstances are warranted per the criteria set forth in Section I.
- Notifying University Police within 24 hours when a Trespass Warning has been issued.
- Notifying University Police within 24 hours when a Trespass Warning has been modified or removed.
- Notifying the Office of the Executive Vice President and Provost in the event the employee in question is a member of the faculty or listed as an instructor of record for the current term.
- Consulting with the University Police Department prior to a determination expressly granting permission for a trespassed individual to be on University or Medical Center property.
- Reporting violent or threatening behavior in accordance with University Policy [HRM-028: Preventing and Addressing Threats or Acts of Violence](#) or Medical Center Policy [0172: Preventing and Responding to Violence in the Workplace](#), respectively, as it pertains to the issuance of the Trespass Warning.

The *University Police Department* is responsible for:

- Enforcing a Trespass Warning.
- Maintaining a current listing of all individuals issued a Trespass Warning by any Authorized University Official.
- Consulting with the Medical Center Office of Patient Safety and Risk Management prior to issuing, modifying or withdrawing a Trespass Warning to an individual that meets the criteria set forth in Procedure I.1.a or b.

- Consulting with Student Affairs, EOCR, and the Threat Assessment Team within 24 hours of issuance of a Trespass Warning to an enrolled, suspended, or unenrolled student.
- Consulting with Employee Relations and the Threat Assessment Team within 24 hours of issuance of a Trespass Warning to an employee, employment applicant, or contractor/vendor.

The *trespassed individual* is responsible for abiding by all terms and conditions as set forth in the Trespass Warning.

IV. Compliance with Policy:

Violation of a Trespass Warning constitutes a Class 1 Misdemeanor and is grounds for arrest pursuant to Virginia Code §18.2-119.

Trespass Warnings issued by the University Police Department will automatically expire four (4) years after the date the Trespass Warning was served, unless otherwise noted in the Trespass Warning. University Police Trespass Warnings can be reissued prior to the four-year expiration to persons engaged in ongoing conduct that threatens the health, safety, or property of a member of the University or its Medical Center community, a patient or visitor at the Medical Center, the educational process, or for other reasons described above.

Trespass Warnings issued by the Office of Patient Safety and Risk Management, Student Affairs, or EOCR will expire per the terms and/or conditions noted on the Trespass Warning.

For questions about Trespass Warnings and the appeal process:

- University Police-issued Trespass Warnings – questions/appeals should be directed to the Office of the Associate Vice President for Safety and Security or designee at safety@virginia.edu.
- Student Affairs-issued Trespass Warnings – questions/appeals should be directed to the Vice President and Chief Student Affairs Officer or designee at vpsa@virginia.edu.
- EOCR-issued Trespass Warnings – questions should be directed to the Associate Vice President, Office for Equal Opportunity and Civil Rights or designee at uvaeocr@virginia.edu.
- Medical Center-issued Trespass Warnings – questions should be directed to the Office of Patient Safety and Risk Management/Appeals should be directed to the Chief Executive Officer (CEO) of the Medical Center or to such other office or individual as the CEO of the Medical Center may designate to review such appeals on the CEO's behalf.

Procedures

[**Note:** The accompanying procedures do not apply to any Trespass Warning issued by *local law enforcement* for trespass on University or Medical Center property.]

For issuance and appeal of *Medical Center*-issued Trespass Warnings – Trespass Warnings shall be issued by the Medical Center Office of Patient Safety and Risk Management. Refer to Health System Policy [HSG-006: Patient](#)

[Rights and Responsibilities](#) and Medical Center Policy [0050: Patient Visitation](#). Persons seeking to appeal issuance of a Trespass Warning issued by the Office of Patient Safety and Risk Management may contact the CEO of the Medical Center, in writing, within seven business days from the date the Trespass Warning was issued.

For issuance and appeal of *Student Affairs*-issued Trespass Warnings – Refer to policy [STAF-003: Statement of Students' Rights and Responsibilities](#) and the respective procedures and appeal process.

For *Equal Opportunity and Civil Rights*-issued Trespass Warnings there is no appeal – Refer to policies [HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#), [HRM-009: Preventing and Addressing Discrimination and Harassment](#), or [HRM-010 Preventing and Addressing Retaliation](#).

For **Issuance and Appeal** of *University of Virginia Police Department*-issued Trespass Warnings.

I. Procedures Related to the Issuance of a Trespass Warning by the University of Virginia Police:

1. Consultation with the Medical Center:

Prior to the issuance of a Trespass Warning, the University of Virginia Police Department shall consult with the Medical Center Office of Patient Safety and Risk Management during normal business hours (Monday-Friday, 8:00a.m. – 5:00 p.m.) if:

- a. the incident occurred at the Medical Center¹ and
- b. the nature of the criminal activity, violation, or conduct presents a threat to public safety that may necessitate barring the individual from seeking or receiving non-emergent patient care at the Medical Center.

¹In the context of the requisite consultation, the "Medical Center" means the University Hospital, connected buildings, connective elements between them, the Medical Research Buildings on the Medical Center Complex (MR-4, MR-5, & MR-6) and all parking lots or garages serving the University of Virginia Medical Center. See [Map](#).

2. Trespass Warnings Issued to Students:

University Police Trespass Warnings issued to enrolled, suspended, or unenrolled students or student applicants can impact enrollment, return, or admission. In these cases, University Police shall consult with Student Affairs, EOCC, and the Threat Assessment Team within 24 hours to consider the circumstance under which the Trespass Warning was issued and determine whether additional actions need to be taken under disciplinary or other governing University processes.

Enrolled students who are issued Trespass Warnings for conduct that threatens health or safety shall be considered for Interim Suspension status by Student Affairs in accordance with the University's Policy on Interim Suspension (see [STAF-003](#)). Students living in residence halls who are issued Trespass Warnings will have their room and building access revoked pending the Interim Suspension determination. Housing and Resident Life and University Police will standby and have access to the room as the student vacates. Contraband and evidence will be handled in accordance with existing law, and under the control of University Police.

Trespass Warning and Interim Suspension Appeals for enrolled students will be reviewed collaboratively by the Associate Vice President for Safety & Security and the Vice President and Chief Student Affairs Officer or their designee(s)/delegate(s) (see [STAF-003](#)).

3. ***Trespass Warnings Issued to Employees and Employment Applicants:***

Employees who are issued Trespass Warnings for conduct that threatens health or safety will be placed on administrative leave or terminated in accordance with policy. In these cases, University Police shall consult with Employee Relations and the Threat Assessment Team within 24 hours of issuing the Trespass Warning. An employee's office or workspace can be accessed by University Police, Facilities Management, and other management personnel. Discovered contraband and evidence will be handled in accordance with existing law and under the control of University Police.

II. Procedures to Appeal a University Police-Issued Trespass Warning:

The Trespass Warning must be appealed in writing to the Associate Vice President for Safety & Security (AVPS&S) within five (5) calendar days after the date the Trespass Warning is served.

Written appeals can be mailed to:

Associate Vice President for Safety & Security
P.O. BOX 400214
2304 Ivy Road
Second Floor
Charlottesville, VA 22903-44790

Written appeals also may be submitted by electronic mail to: safety@virginia.edu.

If the appeal is not delivered or postmarked within five (5) calendar days after the date the Trespass Warning is served, then the recipient of the Trespass Warning waives the opportunity to appeal.

Written appeals shall include:

1. Appellant's contact information, including address, telephone number, and e-mail address.
2. Date of the issuance of the Trespass Warning and the Incident Based Reporting (IBR) Number located in the upper left-hand corner of the Trespass Warning.
3. The reason for the review request.
4. A complete and candid explanation for the conduct that precipitate the Trespass Warning.
5. The basis for the desire to be on University or Medical Center property.
6. Any other information the appellant wishes to be considered.

The Trespass Warning remains in effect while the appeal is being considered, unless the University of Virginia Police modifies or withdraws the Trespass Warning.

If the basis of the appeal is for a need to be on Medical Center property for a scheduled medical procedure or appointment or to visit a registered patient at the Medical Center [in instances where a Trespass Warning otherwise prohibits the person from coming to the Medical Center for any purpose other than emergency care and treatment in accordance with the [Emergency Medical Treatment and Active Labor Act](#) (EMTALA)], the AVPS&S or a designated representative must consult with the Medical Center's Office of Patient Safety and Risk Management within 48 hours prior to finalizing a decision regarding upholding, modifying, or withdrawing the Trespass Warning.

The Associate Vice President for Safety & Security shall issue the decision upholding, modifying, or withdrawing the Trespass Warning within twenty-one (21) calendar days after receipt of the written

appeal. The AVPS&S may modify or withdraw the Trespass Warning at any time.

In cases where University Police Trespass Warnings are issued to enrolled students and Interim Suspensions are issued for conduct that threatens health and safety, appeals will be reviewed collaboratively by the Associate Vice President for Safety & Security and the Vice President and Chief Student Affairs Officer or their designee(s)/delegate(s) (see [STAF-003](#)).

Related Information

University Policy:

[Student Standards of Conduct](#)

[STAF-003: Statement of Students' Rights and Responsibilities](#)

[HRM-009: Preventing and Addressing Discrimination and Harassment](#)

[HRM-010: Preventing and Addressing Retaliation](#)

[HRM-028: Preventing and Addressing Threats or Acts of Violence](#)

[HRM-041: Policy on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence](#)

Health System and Medical Center Policy:

[HSG-006: Patient Rights and Responsibilities](#)

[0050: Patient Visitation](#)

[0172: Reporting, Preventing and Responding to Violence in the Workplace](#)

[0214: Medical Screening and Stabilizing Treatment for Emergency Medical Conditions](#)

Virginia Code:

[Virginia Code § 18.2-119. Trespass after having been forbidden to do so, penalties.](#)

[Virginia Code § 23.1-815. Campus police forces and auxiliary police forces; powers and duties; jurisdiction.](#)

[Virginia Administrative Code, Title 8, Agency 85.](#)

Federal Regulation:

[Emergency Medical Treatment and Active Labor Act \(EMTALA\)](#)

Policy Background

The Policy Statement is the codification of existing practice. This Policy and the accompanying Procedures apply to all trespass warnings issued on or after the effective date of this Policy, April 25, 2018, revised May 16, 2020.

Major Category [Physical Resource Management](#)

Next Scheduled Review Saturday, February 21, 2026

Revision History

Revised 2/21/23; Revised 5/16/20; Updated 10/8/18.

Applies To Text

Academic Division and Medical Center.

Category Cross Reference

[Safety, Security and Environmental Quality](#)

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Approved By Executive Vice President and Chief Operating Officer

Approved Date April 10, 2018 - 12:00pm