

## UC Davis Policy and Procedure Manual

### Chapter 390, Emergency Management and Campus Security

#### Section 20, Maintenance of Order

Date: 12/30/16

Supersedes: 9/5/12

Responsible Department: Offices of the Chancellor and Provost

Source Document: California State Penal Code 626

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#### I. Purpose

This section describes the policy and procedure for maintaining order on all properties under the jurisdiction of UC Davis, as authorized by the California Penal Code. Refer also to [Section 390-30](#) for information on preventing and responding to disruptive, threatening, or violent behavior; and to [Section 390-25](#) for suspension of individuals from UC Davis properties during a declared state of emergency.

#### II. Policy

##### A. Exclusion from UC Davis properties

1. An individual may be excluded from UC Davis premises under the following circumstances:
  - a. Faculty, staff, students, visitors, and individuals not directly connected with the University may be excluded under the Penal Code Sections described in this section, or by a court-issued restraining order.
  - b. In the event of a state of emergency declared by the Chancellor, individuals may be excluded using the procedures in [Section 390-25](#).
2. Violations of Penal Code Sections 626.4 and 626.6 are criminal offenses punishable as a misdemeanor.

##### B. Authority

1. Withdrawal of consent
  - a. In accordance with Penal Code Section 626.4, the Chancellor (or designee) is authorized to notify a person who has the University's consent to enter UC Davis properties (such as faculty, staff, students, and visitors) that consent has been withdrawn whenever there is reasonable cause to believe that the person has willfully disrupted the orderly operation of UC Davis.
  - b. Consent may be withdrawn for up to 14 days.
2. Order to leave
  - a. Penal Code Section 626.6 authorizes the Chancellor (or designee) to order a person who is not a University student or employee to leave UC Davis properties when it appears that the person is committing or intending to commit any act likely to interfere with the peaceful conduct of UC Davis activities.
  - b. The order to leave is effective for 7 days.

##### 3. Designees

The Chancellor has designated the following University officers/employees to withdraw consent or order to leave as described in Penal Code 626:

- a. Provost & Executive Vice Chancellor

- b. Vice Chancellor--Student Affairs
- c. Associate Vice Chancellor--Student Life, Campus Community and Retention Services
- d. Director, Office of Student Support and Judicial Affairs
- e. Vice Chancellor—Finance, Operations, and Administration
- f. Associate Vice Chancellor--Human Resources
- g. Vice Provost--Academic Affairs
- h. Dean, School of Medicine
- i. Chief Executive Officer, UCDMC
- j. Executive Director--UCDHS Human Resources
- k. Chief of Police

### III. Procedures

#### A. Withdrawal of consent

##### Report of withdrawal of consent

1. When any of the authorized officers/employees acts to withdraw consent in accordance with Penal Code Section 626.4 (II.B. 1, above), the officer/employee must, as soon as reasonably possible, submit a report to the Chancellor and the Chief of Police containing the following:
  - a. The description of the person whose consent was withdrawn including, if available, the person's name, address, and telephone number.
  - b. A statement of the facts giving rise to the withdrawal of consent.
2. Confirmation of withdrawal of consent
  - a. If the Chancellor finds that there is reasonable cause to believe that the presence of such person constitutes a substantial and material threat to the orderly operation of UC Davis, written confirmation must be made of the exclusion from UC Davis.
  - b. If the Chancellor has not confirmed the exclusion within 24 hours, the withdrawal of consent must be deemed void.
3. Reinstatement of consent
  - a. If consent to remain on UC Davis properties has been withdrawn pursuant to II.B. 1, above, and has been confirmed as described, consent will be reinstated when the Chancellor has reason to believe that the presence of the person no longer constitutes a substantial and material threat to the orderly operation of UC Davis.
  - b. In no case may consent be withdrawn for longer than 14 days.
  - c. The person whose consent has been withdrawn may submit a written request for a hearing on the withdrawal within the 14-day period.
    - 1) The Chancellor will grant a hearing not later than 7 days from receipt of the request and send a written notice of the time, place, and date of the hearing, and the name of the hearing officer, to such person.
    - 2) The Chancellor will determine whether or not to reinstate consent based on the findings and recommendations of the hearing officer.

4. Designees

- a. In the absence of the Chancellor, the authority to receive and review reports, to confirm withdrawal of consent, to reinstate consent, and to grant hearings is delegated to the Provost & Executive Vice Chancellor.
- b. In the absence of the Provost & Executive Vice Chancellor, this authority is delegated to the Vice Chancellor--Student Affairs.

B. Order to leave

No particular procedure is required by Penal Code Section 626.6, except that the person ordered to leave must be informed that he/she will be guilty of a crime if he/she returns within 7 days.

**IV. Further Information**

Further information and guidance on exclusion from UC Davis properties is available from the following offices:

- A. For students (except School of Medicine students), the Associate Vice Chancellor--Student Affairs.
- B. For staff employees, the Associate Vice Chancellor--Human Resources.
- C. For academic employees, the Vice Provost--Academic Affairs.
- D. For individuals at the UC Davis Medical Center and primary care clinics, the Executive Director--UCDHS Human Resources.
- E. For individuals not directly affiliated with UC Davis, the UC Davis Police Department.

**V. References and Related Policies**

- A. [California State Penal Code 626](#).
- B. [UC Davis Policy and Procedure Manual](#):
  1. Section 390-25, Suspension of Individuals During Declared State of Emergency.
  2. Section 390-30, Disruptive Behavior in the Workplace.