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Name:	Protection of Property Act Notice-Issuance and Appeal Process
Policy Number:	3-1059
Origin:	Facilities Management
Approved:	11 April 2016
Issuing Authority:	Senior Director Facilities Management
Responsibility:	Manager University Security
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Policy:

Saint Mary's University is a public institution of higher education that is open to the general public. Even though the University is an open campus, Saint Mary's University has the authority to determine the expectations and parameters for a person's presence on University property.

Reasonable limitations, consistent with applicable law, may be imposed on the time, place, manner and types of activities for which access to University property may be allowed.

In addition, the University has the authority to restrict, withhold, or remove a person's access to or presence on University property.

This Policy describes the circumstances under which a person's access to or presence on University property may be restricted, withheld, or removed, by issuing a Protection of Property Act Notice (PPA Notice).

Procedures:

1. A "Protection of Property Act Notice" will be served directly to a person indicating that they are not permitted to enter a premises.
2. Saint Mary's University Security is authorized to issue a PPA Notice to any person based on the following alleged behaviours:
 - Causing harm or inflicting injury to community members.
 - Threatening or intimidating members of the community.
 - Disrupting academic or administrative business.
 - Causing damage to University or personal property.
 - Violating University policy.
3. An individual is considered "trespassed" when a PPA Notice has been issued by University Security or a Law Enforcement Agency.

4. University Security will issue a PPA Notice and will provide notice by (a) presenting the PPA Notice in-person, (b) certified mail, or (c) having it served by Law Enforcement.
5. If a trespassed individual enters upon University property, the University is prepared to pursue charges of trespass pursuant to Nova Scotia Protection of Property Act. University Security will ask the individual to leave the campus.
6. Please note that nothing in this procedure in any way restricts any University official from verbally informing any individual that he or she must leave a particular area (up to and including all University property)
7. University Security will maintain documentation for all PPA Notices and will notify the following persons as soon as possible after issuance. The notification is to ask them to notify the affected faculty or staff:
 - The office of the President
 - Vice President Academic and Research
 - Vice President Finance and Administration
 - Deans
 - Associate VP Enrolment Mgmt. & Registrar
 - Senior Director Student Services
 - Senior Director Human Resources
 - Director Housing and Conference Services
 - Director Athletics and Recreation
 - SMUSA General Manager
 - Senior Director Facilities Management
 - Other University departments as necessary
8. A person who has been issued a PPA Notice may appeal the decision to the University Security Manager. The appeal process is not applicable to any criminal charge(s), which are resolved through the appropriate court system.
9. The Notice must be appealed in writing to the University Security Manager and received within seven (7) business days of the date the Notice is served. Written appeals should be hand-delivered or mailed to:
 - Manager of University Security
 - Saint Mary's University
 - 923 Robie Street
 - Halifax, Nova Scotia B3H 3C3
10. Failure to file a timely appeal shall be considered a waiver of the right to appeal.
11. Written appeals should include:
 - Appellant's contact information, including address, telephone number and email address.
 - Date of issuance of the PPA Notice and location.
 - Reason for being on university property at the time of the incident.
 - Future need to be on university property.
 - Any other information the appellant wishes to be considered.
12. Upon receipt of a timely appeal, the University Security Manager will gather all appropriate information and consult with the Senior Director Student Services and/or the Senior Director Human Resources as is applicable.
13. Whether to hold a hearing is within the University Security Manager and appropriate Senior Directors discretion. In the event that a hearing is held, it will be conducted as

soon as possible. At the hearing, the appellant will be given an opportunity to present or dispute relevant information.

14. The University Security Manager and appropriate Senior Director, may maintain, rescind or modify the PPA Notice in a written decision that will be provided to the address provided in the written appeal.
15. If an appeal is filed, the restrictions set forth in the Notice will remain in effect until the appeal process is completed. If the trespass is sustained and the subject of the Notice returns to a restricted area, he or she will be subject to arrest under the Nova Scotia Protection of Property Act legislation.