

3354-1-30-03.11.1 Sexual Offense Felony Admission & Reporting Procedure

APPLICABILITY:

The sexual offense felony admission and reporting policy requires all students, both credit and non-credit, to self-report sexual offense felonies. This procedure and the related policy apply to all applicants who, during the online application and/or registration process, answer “yes” to any of the following questions:

Have you been convicted of a sexual offense in the past fifteen years?

Are you required to register as a sexual offender?

Have you ever been convicted of a sexual related offense or a violent crime against a minor?

All Students: At admission, upon returning or reenrolling in the College, all students are required to report all sexual offense felonies that occurred during the past fifteen years and/or that require sexual offender registration. Upon reporting such offense, a hold will be placed on the student’s application/enrollment for further review and consideration. Students will be required to provide additional documentation of their offense, including, but not limited to, timing of the offense, tier status (as determined by the State of Ohio or state of incarceration) and current probation status. At the sole discretion of the College, the applicant may be required to submit to a criminal background check, run by the College, at the student’s cost. Students who fail to report sexual offense felonies, upon discovery, will be denied admission or reenrollment and/or dismissed from the College. **Applicants and students with sexual offense felonies that are seeking admission or reenrollment can expect a delay in enrollment for additional review, which may be required.**

REPORTING PROCEDURES CREDIT STUDENTS:

New Students Having Tier II, Tier III, Pre-AWA Sexual Predator Status or Crimes Against Minors: New students applying to the College who have been convicted of a sexual offense felony and who have been given Tier II, Tier III status, Pre-AWA sexual predator status and/or have been convicted of a crime against a minor, as reported by the applicable governing body, will **not** be admitted to the College.

New Students Having Tier I Status and Pre-AWA Non-Sexual Predator Status: The following procedures apply to new students/applicants having Tier I status and Pre-AWA Non-Sexual Predator Status:

- The student must respond to supplemental Sexual Offense Felony Admissions questions working with the Dean/Assistant Dean of Student Affairs or their designee at the student’s campus.
- Answers to the supplemental questions will be verified by the Office of Legal Services and returned to the Dean/Assistant Dean of Student Affairs.
- Once Tier I status, Pre-AWA Non-Sexual Predator Status and conditions for parole/probation have been confirmed by the Office of Legal Services, the College Wide

Review Team will determine what, if any, restrictions or conditions on enrollment are required.

- The College may decide to admit, deny, defer, or place conditions upon the admission of the student depending upon the nature and circumstance of the sexual offense.
- The Dean/Assistant Dean of Student Affairs will then notify the student of the admission decision and any required actions to be taken by the student.
- The new student shall sign a form acknowledging the academic plan, the conditions and/or restrictions for admission, enrollment and the expected completion date, prior to enrolling in classes.
- Once completed, the student will be permitted to enroll; however, a hold will be placed on the student's record to require a continuing review each time the student subsequently registers for classes.
- Upon each subsequent enrollment, the Dean/Assistant Dean of Student Affairs will notify the Office of Legal Services and Legal Services will confirm the parole/probation status of the student. The Dean/Assistant Dean of Student Affairs will confirm academic progress and if appropriate, permit enrollment.

Returning or Reenrolling Students Admitted prior to Fall 2015: Students who have attended classes at the College at least one semester prior to the Fall 2015 semester, and that have been convicted of a sexual offense felony during the past 15 years, or are listed on a sexual offender registry must, upon the initial attempt to return/reenroll in the College, respond to supplemental questions prior to enrolling in any classes. Students admitted prior to Fall 2015 having sexual felony offenses or crimes against minor status may be considered for reenrollment.

The following procedures will be followed for the returning and reenrolling student admitted prior to Fall 2015:

- The student must respond to supplemental Sexual Offense Felony Admissions questions working with the Dean/Assistant Dean of Student Affairs or their designee at the student's campus.
- Responses to the supplemental questions will be verified by the Office of Legal Services and returned to the Dean/Assistant Dean of Student Affairs. Any new offenses by a student may result in dismissal from the College.
- Once Tier status and conditions of parole/probation have been confirmed by the Office of Legal Services, the College Wide Review Team will determine what restrictions or conditions on enrollment may be required.
- The Dean/Assistant Dean of Student Affairs will then notify the student of the admission decision and any required actions to be taken by the student.
- All offenders must continuously demonstrate progress toward graduation/completion. Tier II and Tier III offenders and their Pre-AWA equivalents and offenders convicted of crimes against minors will be given a maximum of four years from the date of return/reenrollment to complete their education at the College.

- The returning/reenrolling student shall sign a form acknowledging the academic plan, the conditions for enrollment and the expected completion date, prior to enrolling in classes.
- Once completed, the student will be permitted to enroll; however, a hold will be placed on the student's record to require a continuing review each time the student subsequently registers for classes.
- Upon each subsequent enrollment, the Dean/Assistant Dean of Student Affairs will notify the Office of Legal Services and Legal Services will confirm the parole/probation status of the student. The Dean/Assistant Dean of Student Affairs will confirm academic progress and if appropriate, permit enrollment.

Returning and Re-Enrolling Students Admitted Spring 2016 and Subsequently: Returning and reenrolling students must self-report any new sexual offense felony and/or confirm that they have not been added to any sexual offender registry. Tier II, Tier III, Pre-AWA and sexual offenders of minors will **not** be permitted to return/reenroll in classes. Any new offense by a student may result in dismissal from the College.

- All offenders must continuously demonstrate progress toward graduation/completion.
- The returning/reenrolling student shall sign a form acknowledging the academic plan, the conditions for enrollment and the expected completion date, prior to enrolling in classes.
- Once completed, the student will be permitted to enroll; however, the student's record will have a conduct hold placed to prompt review each time the student subsequently registers for classes.
- Upon each subsequent enrollment, the Dean/Assistant Dean of Student Affairs will notify the Office of Legal Services and Legal Services will confirm the parole/probation status of the student. The Dean/Assistant Dean of Student Affairs will confirm academic progress and if appropriate, permit enrollment.

REPORTING PROCEDURES NON-CREDIT STUDENTS:

Non-Credit Students Having Tier II, Tier III, Pre-AWA Sexual Predator Status or Crimes Against Minors: Individuals applying to the College for non-credit courses who have been convicted of a sexual offense felony and who have been given Tier II, Tier III status, Pre-AWA sexual predator status and/or have been convicted of a crime against a minor, as reported by the applicable governing body, will **not** be permitted to attend non-credit courses that are, at any time, held on College property. These students may be permitted to attend non-credit courses not held on College property following a review and determination by the College Wide Review Team.

Non-Credit Students Having Tier I Status and Pre-AWA Non-Sexual Predator Status: The following procedures apply to individuals applying to the College for non-credit courses with Tier I status and Pre-AWA Non-Sexual Predator status:

- The individual must respond to supplemental Sexual Offense Felony Admissions questions.
- Answers to the supplemental questions will be verified by the Office of Legal Services.

- Once Tier I status, Pre-AWA Non-Sexual Predator Status and conditions for parole/probation have been confirmed by the Office of Legal Services, the College Wide Review Team will determine what, if any, restrictions or conditions on enrollment are required.
- The College may decide to admit, deny, defer, or place conditions upon the admission of the individual depending upon the nature and circumstance of the sexual offense.
- The College will then notify the individual of the admission decision and any required actions to be taken by the individual.

DISCIPLINE:

The College reserves the right to dismiss a sexual felony offender for any violation of the student code of conduct and/or any College Policy. <http://www.tri-c.edu/policies-and-procedures/>.

APPEALS PROCESS:

All students may appeal the College's decision based on a perceived inaccuracy or new information not available at the time of the College Wide Review Team's decision. The student will be in pending status during this appeal process and unable to enroll in classes. A decision reached by the College Wide Review Team may be appealed within ten (10) business days of the date the decision letter is issued. The appeal must be requested in writing to the Office of the Dean of Student Affairs at the campus where the student submitted the enrollment application. An Appeals Panel will be convened, which will consist of the Campus President (or designee) from the campus the appealing student and the Director of Compliance and Risk Management (or designee). A member of the Office of Legal Services may serve in a non-voting, advisory role to the Appeals Panel. The Appeals Panel may confirm or overturn the decision to deny enrollment or revise the conditions and/or restrictions placed on registration and/or reenrollment, based on the evidence submitted by the student and the nature and circumstance of the sexual offense and the academic progress of the student.

- Documentation will be reviewed by the Appeals Panel and a determination communicated to the returning student within 15 business days.
- The convening campus of the Appeals Panel will inform the student/applicant's Campus(es) of attendance in writing, and will record the outcome into the student conduct database.

Accreditation requirements, future licensing, professional rules and other factors may preclude a student with certain felonies from obtaining employment in a field. Admittance to the College is not a representation that a sexual offense felony will not be a factor or negatively impact a student's ability to find employment or advance study in a particular field. This procedure represents the College's written policy and oral comments made to the contrary should not be viewed as overriding any provision of this procedure or the related policy.

Effective Date: November 8, 2019

Prior Effective Dates: April 8, 2016; June 25, 2015

Procedure amplifies: 3354: 1-30-03.11