

Admission/Registration Procedure for Students with Prior Felony Convictions or with Suspensions, Dismissals or Expulsions from another College or University

I. Pre-Admission Inquiries

a. Prior Suspensions, Dismissals, or Expulsions from another College or University

All applicants for admission/registration to Suffolk County Community College must answer the following question on the application for admission/enrollment before the application will be processed:

Have you ever been suspended, dismissed or expelled from a college or university for disciplinary reasons?

Applicants who fail to answer this question will be sent a letter requesting a response.

Applicants answering “yes” will be sent a letter requesting that the following documentation be sent directly to the College:

- (1) A copy of the formal charge letter;
- (2) A copy of the notification of findings;
- (3) Records supporting any appeal;
- (4) Information detailing the administrative actions taken by the college or university;
and
- (5) A written personal statement explaining the circumstances of the suspension, dismissal or expulsion.
- (6) A personal interview to either clarify or verify information may be conducted by the Vice President for Student Affairs or his/her designee(s).

Appropriate releases may have to be executed by the applicant for receipt of educational disciplinary records. Once all the documents have been received, the completed application will be reviewed by the sub-committee of the Risk Assessment committee.

The designated members of the sub-committee of the Risk Assessment committee include General Counsel or Deputy General Counsel, College Dean for Enrollment Management, Executive Director for Risk Mitigation, Associate Vice President for Academic Affairs, and Director of Public and Fire Safety. If a title listed has no incumbent, the service of an individual in that title on the sub-committee is not necessary.

The committee will make a recommendation to the Vice President for Student Affairs or his/her designee. The committee will recommend whether to deny admission, admit the applicant, or admit the applicant with certain conditions. The decision of the Vice President for Student Affairs or his/her designee will be final.

b. Prior Criminal History

Beginning with the admissions cycle for the 2018 school year (January 1, 2018), State University of New York (SUNY) policy prohibits pre-admission inquiries into an applicant's prior criminal history. Any information regarding prior felony convictions provided on an application will not be used on a pre-admission basis.

II. Post-Admission Inquiries

a. Prior Criminal History

Once an applicant has been accepted as a student, the College shall inquire if the student has been convicted of a felony if:

- (1) The student seeks participation in clinical or field experiences;
- (2) The student seeks participation in internships; or
- (3) The student seeks to participate in study abroad programs.

The Office of Enrollment Management will coordinate the required review process. Students seeking access to the above programs or activities will be required to complete paperwork on file with the Office of Enrollment Management asking them whether they have been convicted of a felony before they can participate. The College Dean of Enrollment Management will send a letter to students who answered "yes" to this question requesting that the following documentation be sent directly to him/her:

- (1) Specifics of all prior felony convictions and dates of occurrence, including an official copy of all prior conviction records and pertinent documents;
- (2) For students in parole or probation status, references must be provided from the Department of Correctional Services Division of Parole or the Office of Probation and Correctional Alternatives, including the name and addresses of parole or probation officers. Parole and probation officials should be questioned as to whether the individual's participation in the activities/services requested is consistent with the student's parole or probation conditions or would pose a threat to the safety of the campus community;
- (3) A written personal statement explaining the circumstances of the crime; and
- (4) A completed "Consent for Review of Criminal Conviction Records" form.

Once all the documents have been received, these materials will be disseminated in a confidential inter-office envelope to the members of the sub-committee of the Risk Assessment committee, which shall act as the standing College committee for purposes of deciding whether the student shall be permitted to access clinical or field experiences, internships, or study abroad programs, and any conditions on such access.

The designated members of the sub-committee of the Risk Assessment committee include General Counsel or Deputy General Counsel, College Dean for Enrollment Management, Executive Director for Risk Mitigation, Associate Vice President for Academic Affairs, and Director of

Public and Fire Safety. If a title listed has no incumbent, the service of an individual in that title on the sub-committee is not necessary.

The sub-committee will carefully evaluate the relevance of an individual's previous felony conviction(s) to the activities/services requested, consistent with the legal standards articulated in the NYS Corrections Law. The factors to be considered by the committee are as follows:

- Public policy to encourage the licensure and employment of persons previously convicted of one or more criminal offenses;
- The specific duties and responsibilities necessarily related to the license or employment sought/held by the person;
- The bearing, if any, the criminal offense(s) for which the person was previously convicted will have on his/her fitness or ability to perform one or more of the duties or responsibilities;
- The time which has elapsed since the occurrence of the criminal offense(s);
- The age of the person at the time of the occurrence of the criminal offense(s);
- The seriousness of the offense(s);
- Any information produced by the person (or produced on his/her behalf) regarding his/her rehabilitation and good conduct; and
- The legitimate interest of the College in protecting property, and the safety and welfare of specific individuals or the general public.

A personal interview to either clarify or verify information may be conducted by the Vice President for Student Affairs or his/her designee(s) if desired. After reviewing the available information, the sub-committee must decide whether to grant or deny the individual's admission or participation in the activities/services requested, or to grant such admission/participation subject to articulated conditions. Admission to or participation in the requested activities/services may only be denied if such admission/participation would pose an unreasonable risk to property or the safety or welfare of specific individuals or the general public.

The committee's recommendation shall be subject to the review and acceptance by the Vice President for Student Affairs or his/her designee. The decision of the Vice President for Student Affairs or his/her designee will be final. The College Dean of Enrollment Management will inform the student and the applicable Chair, Program Coordinator, or Academic Dean of the decision.

The Director of Public and Fire Safety will act as a liaison with the Department of Correctional Services Division of Parole, the Department of Probation and Correctional Alternatives, and local parole or probation offices.

III. Effect of Prior Felony Convictions on Completion of Certain Academic Programs or Ability to Meet Licensure Requirements of Certain Professions

While students will not be prohibited from pursuing a particular course of study, students must be advised that a prior conviction may impede their ability to complete the requirements of certain academic programs and/or to meet the licensure requirements for certain professions, including, *but not limited to:*

- Sitting for the National Physical Therapy Examination (NPTE) required for certification and employment as a physical therapist assistant in New York State;
- Becoming certified in New York as a physical therapist assistant;
- Sitting for the national certification examination for occupational therapy assistant administered by the National Board for Certification in Occupational Therapy (NBCOT);
- Attaining licensure in New York State as an occupational therapy assistant;
- Taking the licensing examination for licensure as a practical nurse or registered nurse;
- Obtaining New York State licensure as a practical nurse or registered nurse;
- Obtaining certification as a pharmacy technician from the national Pharmacy Technician Certification Board (PTCB);
- Obtaining certification as an ophthalmic assistant technician or ophthalmic technician from the Joint Commission on Allied Health Personnel in Ophthalmology (JCAHPO);
- And any such similar programs as registered and approved by SUNY, the New York State Education Department (SED), and external accreditation in the future.

Applicants and students with criminal convictions who are interested in pursuing a program leading to professional licensure or certification are encouraged to consult with the appropriate licensing/certification authority. Students with criminal convictions who are considering transfer to or subsequent enrollment in a program at another institution that will lead to professional licensure or certification are also encouraged to consult with the appropriate licensing/certification authority.

Approved notice language that should be used to accomplish this required notification is available from the Office of Legal Affairs.

*Approved by Executive Council
10-10-2017*