



Category:
Student Affairs

Responsible Office:
[Enrollment Management](#)

Policy Title:

Admission of Persons with Prior Felony Convictions or Disciplinary Dismissals

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This policy item applies to:
Community Colleges
State-Operated Campuses

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Summary

The State University of New York (University) policy requires applicants for admission as undergraduates and graduate students to report whether they have been convicted of a felony or have been dismissed from an institution of higher education for disciplinary reasons. Applications from such candidates must be reviewed by a campus committee.

Policy

The University-wide application for undergraduate admission to campuses of the University contains a question regarding whether the applicant previously has been convicted of a felony or dismissal from an institution of higher education for disciplinary reasons. It is the policy of the University that such a question be included in applications for both undergraduate and graduate admissions, full-time and part-time, by campuses processing local applications or not participating in the Application Service Center (ASC).

Campus Admission Review

New York State Corrections Law [Sections 750, 752 and 753] forbids discrimination against individuals previously convicted of criminal offenses. However, University counsel advises that the law allows an institution to deny admission to an applicant based on prior criminal convictions where such admission would involve an unreasonable risk to property or would pose a risk to the safety or welfare of specific individuals or the public. Campus policy should include procuring appropriate information related to previous criminal and incarceration records and obtaining recommendations from corrections officials and, at times, current employment or educational supervisors. Campuses must utilize a standing committee to review applicants who affirm that they have either been convicted of a felony or been dismissed from a college for disciplinary reasons.

The purpose of the campus committee is to review appropriate information and decide whether an applicant with a felony conviction or disciplinary dismissal from an institution of higher education should be admitted. If admitted, the conditions of admissibility must also be decided; for example, eligibility for on-campus housing and counseling

services. The committee may request the applicant to provide the following:

1. The specifics of the felony conviction or disciplinary dismissal such as background, charges filed and date of occurrence. Appropriate releases may have to be executed by the applicant for receipt of criminal history information or educational disciplinary records;
2. For applicants with felony convictions, references must be provided from the Department of Correctional Services, Division of Parole, including the name and addresses of parole officers. For those currently in parole status, the committee should obtain the conditions of parole and determine if the campus environment affords compliance. The committee should also review whether specific services will be needed for the ex-offender. Parole officials should be questioned as to whether the applicant would pose a threat to the safety of the campus community;
3. A personal interview to either clarify or verify information will be necessary.

After review of all available information, the committee must decide whether to deny admission, admit the applicant or admit the applicant with certain conditions. To clarify the lines of communication, the president of each campus should designate a campus official to act as the liaison person with the Division of Parole of the Department of Correctional Services and the local parole office.

Definitions

Dismissal from a college for disciplinary reasons – Permanent separation from an institution of higher education on the basis of conduct or behavior.

Suspension – A sanction imposed for disciplinary reasons that results in a student leaving school for a fixed time period, less than permanently.

Other Related Information

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[NYS Corrections Law](#):

§ 750 (Definitions)

§ 752 (Unfair discrimination)

§ 753 (Factors to be considered).

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

Procedures

There are no procedures relevant to this policy.

Forms

[SUNY Common Application](#)

Authority

Memorandum Presidents from the Assistant Vice Chancellor for University Life and University Police, dated April 27, 2000.

History

Amended – May 11, 2001

- Application Processing of Persons with Felony Convictions and/or Disciplinary Dismissals Addendum to Proposal.

Established – April 27, 2000

- Admissions of Persons with Felony Conviction of Disciplinary Dismissals.
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Appendices

There are no appendices relevant to this policy.