



Standard Administrative Policy and Procedure

Subject: Dean of Student's Admission Consultation Policy

Number: UW SAP 11-1.1

I. PURPOSE

This policy provides a process for the review of information regarding the admission of an applicant to the University of Wyoming who has a felony conviction or a probation, suspension, expulsion, or dismissal from a high school or post-secondary institution. This policy applies to all persons seeking admission to the University and all applicant types, degree-seeking and non-degree-seeking.

II. DEFINITIONS

Admission: The general standards of admission as described in UW Regulation 2-201, Admission of Undergraduate and Graduate Students.

Appeals Committee: A Committee comprised of a UWPD designee, Risk Management designee, Vice President for Student Affairs, and an Academic Affairs designee.

III. POLICY

The University may deny admission to an applicant based on previous felony conviction(s) or disciplinary action(s) where admission would involve an unreasonable risk to property or a risk to the safety or welfare of individuals within the campus community or the general public considering the full context of an applicant's history. The University also may deny admission to an applicant for not disclosing their previous felony conviction(s) or disciplinary action(s) on their application.

Admitted students who did not disclose required felony conviction(s) or disciplinary action(s) may be immediately removed or trespassed from the University pending further investigation by the University. Admitted students who did not disclose required felony conviction(s) or disciplinary action(s) may also be referred for disciplinary action through the Student Code of Conduct.

Previous conviction(s) or previous disciplinary action(s) do not automatically bar an applicant from admission.

IV. APPLICATION PROCESS

Upon applying for admission to the University, all applicants are required to respond in writing to the following questions:

- A. Have you ever been convicted, plead guilty, or accepted deferred prosecution or judgment to a felony?
- B. Have you ever been registered as a sex offender?
- C. Have you ever been found responsible for a disciplinary violation(s) at an educational institution you have attended from the 9th grade forward (or the international equivalent), whether for academic or behavioral misconduct that resulted in disciplinary action (e.g., probation, suspension, expulsion, etc.)?
- D. Do you have any pending disciplinary action(s) at an educational institution you have attended from the 9th grade forward (or the international equivalent), whether for academic or behavioral misconduct that may result in disciplinary action (e.g., probation, suspension, expulsion, etc.)?
- E. For transfers only: Would you have been permitted to return to your most previous institution for the upcoming academic term?

Applicants who disclose, or admitted students who the University determine failed to disclose, (1) a felony, (2) probation, suspension, expulsion, or dismissal from a post-secondary institution, or (3) a suspension and/or expulsion from high school (or equivalent institution) must provide a detailed explanation of the situation, accompanied by court documentation, if applicable, that specifies terms of the conviction or probation, and documentation the applicant has met the terms. Applicants must also provide references and/or documents from objective impartial and/or disinterested individuals who have an awareness of the applicant and the incident(s) in question.

Applicants may be asked to provide additional specific information relevant to the incident(s) and closure at the discretion of the Dean of Students. Requested documents may include: sentencing documents, a personal statement, three references, and any other material relevant to the situation (e.g. probation and parole completion, sanction completion documents). An applicant's application will be placed on hold until information is received and reviewed. If an applicant does not provide the requested documentation, Admissions will notify the applicant that their admission has been denied, but that they can reapply.

V. APPLICATION REVIEW PROCESS

Upon receipt of supplemental information from the applicant, former institution, or court, the Office of Admissions will forward the documents to the Dean of Students Office for review. In consultation with the University's Behavioral Intervention Team (UW CARES representatives), the Dean of Students will determine whether the applicant presents a potential threat to the safety of the campus community.

If a potential threat is identified, the Dean of Students may request, through the third-party of their choice, a criminal background check on that applicant. The level and content of review will be determined by the Dean of Students, and may include a criminal history check, sex and violent offender registry check, and verification of identity.

For all background checks the applicant is responsible for granting the Dean of Students access to the results, uploading documents related to their disclosed charge(s)/conviction(s), and paying the required background check fee. If an applicant would like to review the results of their background check, they may request a copy from the third-party provider, not the University.

When reviewing the criminal background check, the Dean of Students shall:

- A. Compare the results of the criminal background check to the application and supplemental information supplied by the applicant to determine any discrepancies. If there are no discrepancies, and if the Dean of Students has made a determination that the applicant does not pose an unreasonable risk to property or a risk to the safety or welfare of individuals within the campus community or the general public, the Dean of Students will recommend to the Director of Admissions, or designee, that the applicant be admitted.
- B. If there are discrepancies between the information provided by the applicant and the criminal background check, the Dean of Students shall provide the applicant an opportunity either to demonstrate that the report of criminal, disciplinary or other relevant history was erroneous or to explain the discrepancy.
- C. If the report is determined to be accurate and there is a discrepancy between the reported information and the application or supporting material the applicant submitted, the Dean of Students may recommend to the Director of Admissions, or designee, that the applicant be denied admission. The burden is on the applicant to demonstrate that the omission or misinformation was the result of an honest mistake, that it was not intended to mislead, and that the applicant should be admitted despite the failure to disclose.
- D. If there is additional information that draws the decision to admit into question, the Dean of Students shall make an individual determination as to whether the nature of any crime committed or other behavior disclosed, together with other available information, suggests that the applicant will pose an unreasonable risk to property or a risk to the safety or welfare of individuals within the campus community or the general public.
- E. If the Dean of Students determines the applicant poses a threat to campus safety, the Dean may recommend that the applicant is admitted with specific conditions that will minimize or eliminate that threat.

Upon completion of the Dean of Student's Admission Consultation, a formal referral and related documentation are filed in the Office of Admissions. A copy is also filed in the Dean of Student's Office.

VI. APPEAL

The applicant may submit a written appeal of the Director of Admissions' decision to the Vice President for Student Affairs within ten (10) business days. The Vice President for Student Affairs will convene the Appeals Committee, which consists of a UWPD designee, a Risk Management designee, the Vice President for Student Affairs, and an Academic Affairs designee. The outcome of the appeal is final.

VII. UNIVERSITY EMPLOYMENT

Acceptance of an applicant for admission as a student does not ensure eligibility for employment at the University.

VIII. REQUIREMENT TO DISCLOSE

After admission, the University requires students who have been charged with, or convicted of a felony, to report such charges or proceedings immediately to the Dean of Students. This disclosure will not result in an automatic separation from the University; however, the Dean of Students may proceed with disciplinary action under UW Regulation 11-1, Student Code of Conduct in advance of or during the pendency of criminal proceedings.

Responsible Division/Unit: Office of Student Affairs

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: UW Regulation 2-108 Student Attendance Policy; UW Regulation 2-201 Admission of Undergraduate and Graduate Students; UW Regulation 11-1 Student Code of Conduct; University of Wyoming Criminal Conviction Hiring Policy

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