



Responsible Executive: Vice Provost for Student Affairs

Responsible Office: Office of Student Life

Effective: February 14, 2018

Last Revised: February 14, 2018

University Policy 02-015

Admission and Attendance of Students with Criminal Histories

1. Policy Statement

- 1.1. Oregon State University (“university”) welcomes all educationally qualified students and supportively transforms the lives of its students by providing access to an excellent education in inclusive and innovative learning environments, including at its campuses in Corvallis and Bend and through on-line learning.
- 1.2. The university is committed to safe campus environments as a priority of learning, teaching, research, and community engagement.
- 1.3. The university embodies a welcoming, safe, and healthy environment for all students, employees, and visitors to enable all concerned to excel in their education, careers, and engagement with the university.
- 1.4. In keeping with its educational mission and values as Oregon’s Land Grant university, OSU supports educational opportunities and engagement in society for all students, including those rehabilitated from past crimes.
- 1.5. This document establishes the university’s mission-driven policy for addressing applicants for admission and students who have been convicted of any felony or are Registered Sex Offenders (“RSO”).

2. Reason for Policy

- 2.1. In adhering to this policy, the university serves its commitment to student access and success. In accordance with its Land Grant mission, the university provides accessible, equitable, safe, diverse, and inclusive educational campuses and communities.
- 2.2. The university understands that education is a key path toward rehabilitating those with criminal histories. Every individual should have the opportunity to seek an

education and that opportunity should be curtailed only when that individual's pursuit of an education jeopardizes the safety and well-being of others.

3. Scope & Audience

- 3.1. This university policy applies to students who have been admitted to the university and are seeking to enroll.

4. Definitions

- 4.1. **Conviction:** When a court of law has entered a final judgment on a verdict or finding of guilt, a plea of guilty, or a plea of nolo contendere (no contest).
- 4.2. **Criminal history check:** The review of any and all criminal records containing any information collected and stored in a state or county repository or the criminal records repository of the Federal Bureau of Investigation.

5. Responsibilities & Procedures

5.1. Process for Reporting Criminal Histories

- 5.1.1. The university is committed to enrolling any and all students who have the ability to succeed at Oregon State. This includes those with criminal histories.
- 5.1.2. After students have been accepted for admission to the university, but prior to enrolling, they will be asked to disclose any prior felony convictions and current registered sex offender status.
- 5.1.3. Students currently enrolled at the university have an ongoing duty to disclose all felony convictions to the Dean of Students immediately upon conviction.
- 5.1.4. A student with a felony conviction or RSO status will not be automatically rejected from participating in any university program. The university's goal will be to support participation by students with prior felony convictions or RSO status, while also ensuring any risk of harm to others is sufficiently mitigated. All reported felony convictions or RSO status will be reviewed by the Criminal History Attendance and Participation Committee ("Committee") on several factors, such as federal and state laws regarding participation by those with felony convictions or RSO status, patterns of behavior, how recently the conviction occurred, severity of the crime, age of the student at the time of the crime, other manners of risk mitigation measures for participation in the requested activity or program, etc. The university may request additional information to inform its review.

- 5.1.5. Based upon its review, the Committee will recommend to the Dean of Students whether there are particular activities or areas in which the student will not participate or whether additional risk mitigation measures should be put in place prior to participation in those activities. The Dean may approve, reject, or modify any recommendations made.
- a. Examples of activities/areas in which students with felony histories or RSO status may not be able to participate or may only be permitted to participate with additional measures to mitigate the risk of harm to others:
- i. Programs that involve contact with vulnerable populations, such as minors who are not students, and those with impaired decisional capability or mental disabilities. Animals are also included as a vulnerable group.
 - ii. Programs that necessitate contact with sensitive or controlled equipment or substances.
 - iii. Certain educational programs that require background checks by law (e.g. pharmacy, teaching certification).
 - iv. University-sponsored study abroad programs.
 - v. Residing in a university residence hall or housing, or any housing that is part of the University Affiliated Housing Program.
- 5.1.6. The Director of the Department of Public Safety and the Director of Student Conduct will meet with students with felony histories periodically, with the frequency dependent upon the severity of the crime, the recommendation of the Committee and the decision of the Dean of Students.
- 5.1.7. The Committee will strive to keep confidential the information that it receives regarding student histories and will only share it on a need-to-know basis or where legally required.
- 5.1.8. A student who has been convicted of a felony or is designated as an RSO after enrolling is required to update their self-disclosure with the university before the beginning of the next term in which they are enrolled after their conviction. The university's student conduct code addresses criminal convictions that take place while someone is a student, and any action affecting student status related to these convictions will take place in accordance with that code. If the student remains a student at the university, any reported conviction or designation that arises while someone is a student will be treated as described in Section 5.1. The student will also be expected to complete any and all requirements resulting from action taken under the student conduct code.

5.2. Appeals

- 5.2.1. A student may appeal a decision made under this policy to the Vice Provost for Student Affairs, who will make the final determination for the university. The request for appeal must include specific grounds that justify the appeal. The allowable grounds for appeal will be determined by the Committee in standing guidelines.

5.3. Sanctions

- 5.3.1. Students who are required to report a felony conviction or RSO status and fail to do so accurately are subject to sanctions up to and including suspension or expulsion under the Student Conduct Code.

5.4. Support for Students with Criminal Histories

- 5.4.1. Students with criminal histories face challenges related to employment, out-of-class opportunities, licensure, and living options, among others. Current OSU students with criminal histories, even if they are not required to report under this policy, are encouraged to seek out the range of existing OSU services that can help them navigate their specific circumstances. Contact the Office of Student Life for more information and further assistance.

5.5. Other Relevant Policies

- 5.5.1. University Policy 576-055 *Criminal History Check* governs criminal history checks for any students seeking certain types of employment and volunteer positions.

6. Forms & Tools

- 6.1. None.

7. Frequently Asked Questions

- 7.1. None.

8. Related Information

- 8.1. University Standard 580-023 *Criminal Background Checks*:
<http://policy.oregonstate.edu/policy/criminal-background-checks>
- 8.2. University Standard 576-055 *Criminal History Check*:
<http://policy.oregonstate.edu/policy/criminal-history-check>

9. History

- 9.1. Last review date: February, 2018.
- 9.2. Next scheduled review date: February, 2019

10. Website

- 10.1 University Policy 02-015 *Admission and Attendance of Students with Criminal Histories*: http://policy.oregonstate.edu/UPSM/02-015_admission_attendance_students_criminal_histories.

11. Contacts

Department	Phone Number	Website
Office of Student Life	541-737-8748	http://studentlife.oregonstate.edu