Policy for the Admission of Persons with Felony Convictions or Disciplinary Dismissals

Niagara County Community College is committed to providing an opportunity for all qualified applicants to receive a quality education. In accordance with Article 23A, Section 750, 752, and 753 of the New York State Corrections Law, applicants who have been incarcerated due to any felony conviction, or have been dismissed from an institution of higher education for disciplinary reasons, may be accepted to study at Niagara County Community College, providing the applicant is able to successfully satisfy the evaluation process.

The definition of a felony provided by SUNY is as follows:

A felony in New York State is defined as a crime for which more than one year in prison may be imposed. The felony question applies if you have been convicted as an adult. If you have been adjudicated as having juvenile delinquent or youthful offender status, you are not required to respond to the felony question.

An affirmative response to either question will not automatically prevent admission, but you will be asked by your college choices to provide additional information. This information will be reviewed by a campus committee to ensure campus safety. Any falsification or omission of data may result in denial of admission or disciplinary action.

In order to insure fair and impartial screening of each applicant who has any previous felony conviction(s) or dismissal(s) from an institute of higher education, a review process that involves the Director of Admissions or designee and the Vice President of Student Services or designee, will evaluate each applicant.

Applicants’ with previous felony convictions(s) or dismissal(s) from an institute of higher education must successfully complete a questionnaire that will include, but is not limited to, personal information, intended program of study, and criminal and rehabilitative history.

In addition to the required admissions materials, applicants with one or more felony convictions must also provide a letter from his/her Probation or Parole Officer, (or character reference if Probation/Parole is not applicable) and applicant’s records/transcripts from any previously attended Colleges or Universities.

Applicants who have been dismissed from an institution of higher education for disciplinary reasons must also provide a letter of recommendation from the Vice President of Student Services or similarly ranked official from the relevant institution, and the applicant’s records/transcripts from any previously attended College(s).

Failure to disclose felony status or disciplinary dismissals, or intentional misrepresentation within any area of the application process, may result in the immediate dismissal of any student found to be culpable.
Admission for Persons with Felony or Disciplinary Convictions

A. Complete an Admissions application (full-time and part-time matriculated). Include copies of all academic information such as high school transcripts or GED. Non-matriculated students must complete the appropriate form as provided by the Records Office.

B. Complete a Request for an On-Campus Study form from NCCC Admissions office and submit completed form to the NCCC Admissions Office. All areas of the form must be completed. Areas to be addressed will include:
   1. Summary of conviction or disciplinary charge
   2. Date(s) and location(s) of offense(s)
   3. Summary of sentence or judiciary judgment, including any special provisions
   4. Date of parole
   5. Age at the time of most recent offense(s)
   6. Information regarding rehabilitation and good conduct

C. Submit a letter to the NCCC Admissions Office from the applicant’s Probation/Parole Officer.

D. The Director of Admissions will schedule an interview with the applicant to determine any special educational, financial, or personal needs. Prior to the meeting, an Admissions representative will contact the appropriate Probation/Parole personnel to verify the information submitted by the applicant.

   After the interview process is complete and contact has been made with the applicant’s Probation/Parole Officer, the Director of Admissions or his/her designee, will review all materials pertaining to applicant’s admission. The Director will have access to and will consider all available information specified above, including the applicant’s past academic record(s). All pertinent information will be reviewed.

E. Working with the Director, the Vice President for Student Services may notify the administration, faculty, and staff of NCCC on a need-to-know basis, of the applicant’s name, criminal or disciplinary record, and rehabilitative history.

   The Director submits a recommendation for review by the Vice President for Student Services. If the VP concurs with recommendation, the student is notified of the decision. If the VP requires additional documentation or review, he/she may return the application to Admissions for follow up.

F. Applicants who have been convicted of a felony offense, who meet the NCCC Admissions qualifications, may be accepted with certain conditions that will be determined on a case-by-case basis.
G. If the review process finds that applicant’s admission to NCCC would involve unreasonable risk to property, or the safety or welfare of specific individuals or the general public, as outlined in Article 23A, Section 753 of the New York State Corrections Law, the applicant will be informed that admission has been denied. No reason shall be given.

H. At the applicant’s request, a written statement of reason(s) for denial will be provided within 5 business days of the receipt of the request.

I. NCCC reserves the right to deny an applicant’s request for admission to the College or to a selected program at the College if the applicant’s prior felony conviction or incarceration or applicant’s disciplinary record would prevent the applicant from successfully completing or obtaining a required license and/or certification associated with the program.

J. An appeal process is made available to those individuals who are not in agreement with the decision of the Director of Admissions and confirmed by the Vice President for Student Services.

The appeal by the applicant to the Admissions Appeal Board must be received within five working days of the denial of admission.

The individual making the appeal must complete an Appeal Request for Admission form, including the written statement attesting to why an appeal has merit. The Appeal Board will convene as soon as possible to consider the request and render a decision. no later than 30 business days after receipt of the appeal. If the appeal is found to have merit, the Admissions Appeal Board shall establish the terms and conditions for admission. If the appeal is not found to have merit, the person filing the appeal will be notified in writing. The decision of the appeal board is considered final.

Approved by NCCC Board of Trustees
June 2005