

Admission Policy and Process for Consideration of Criminal and Disciplinary History

I. PURPOSE

The policy of the State of Maryland is to promote the admission of students with criminal records, including formerly incarcerated individuals, and provide an education that prepares students within a broad, humane perspective for a life of inquiry, creativity, and critical and analytical thinking. To that end, Goucher College developed this policy governing how criminal and disciplinary history is evaluated as part of the admission process.

II. SCOPE

The admission policy and process detailed below applies to all undergraduate, certificate and graduate applications.

III. PROCEDURES

A. Consideration of Criminal History

In accordance with Maryland law, Goucher does not include a question on its admissions' applications (The Common Application (1st year and Transfer), the Goucher College transfer application & the Goucher College Graduate Application) regarding an applicant's criminal background.

Goucher College believes that if a prospective student has a criminal background for which they have completed their required rehabilitation, we will not consider this information for admission.

Although Goucher does not generally conduct background checks of applicants for admission, the College reserves the right to investigate applicants if information related to a criminal background not disclosed by the student comes to the College's attention. A criminal history does not disqualify an applicant from admission to the College and is considered a part of its holistic admissions process.

Specifically, if information about an applicant's criminal history comes to the attention of the College, the Admissions Office reviews such information together with other information about the applicant and makes a final determination about admissions. In making this determination, the Admissions Office considers the following factors and, after that, communicates its final decision to the applicant:

- The age of the student at the time any aspect of the criminal history occurred.
- The time elapsed since criminal history occurred.
- The nature of the criminal history.

- Evidence of rehabilitation or good conduct.
- The safety and security of members of the campus community and campus assets.

Goucher considers information about criminal history that comes to its attention to determine admission to the academic program, access to campus residence halls, and participation in community-based learning. The College has the right to consider modifications or restrictions in their admissions which may include participating in an athletic team, on-campus housing, student engagement, study abroad, and participating in an internship, among others. Admissions and/or Athletics may conduct criminal and disciplinary background checks and admittance may be altered or rescinded based on findings. An ad-hoc committee may be convened to review and make final determinations concerning applications from students who request housing on Goucher's campus, the Admissions Office consults with the Office of the Vice President of Student Affairs, or designee, who decides whether the student may reside in the college's residential facilities. The college will consider the above factors in making this determination.

B. Consideration of Disciplinary History

Goucher does not include a question on its admissions' applications (The Common Application (1st Year & Transfer), the Goucher College Transfer Application & The Goucher Graduate Application) regarding an applicant's disciplinary background. However, transfer students who have been previously enrolled at a post-secondary institution will need to have the prior institution complete the [Goucher College Transfer Student Conduct Report form](#) and return to the Office of Admissions. Applications will not be considered complete until this form has been received.

Although Goucher does not generally conduct background checks of applicants for admission, the College reserves the right to investigate applicants if information related to a disciplinary background not disclosed by the student comes to the College's attention.

A negative disciplinary history does not disqualify an applicant from admission to the College and is considered a part of its holistic admissions process.

Goucher considers information about a negative disciplinary history that comes to its attention as it determines admission to the academic program, access to campus residence halls, and participation in community-based learning.

Specifically, if information about an applicant's disciplinary history comes to the attention of the College, the Admissions Office reviews such information together with other information about the applicant and makes a final determination about admissions. In making this determination, the Admissions Office considers the following factors in coordination with the Vice President of Student Affairs, and communicates its final decision to the applicant:

- The age of the student at the time any aspect of the disciplinary history occurred.
- The time elapsed since disciplinary history occurred.
- The nature of the disciplinary history.
- Evidence of rehabilitation or good conduct.
- The safety and security of members of the campus community and campus assets.

Concerning applications from students who request housing on Goucher's campus, the Admissions Office consults with the Vice President of Student Affairs, or designee, who decides whether the student may reside in the college's residential facilities. The College will consider the above factors in making this decision.

Consideration of Disciplinary History for Student Athletes

The National Collegiate Athletic Association (NCAA) has set forth rules for student athletes with a disciplinary history.

A student athlete who transfers to any NCAA institution while the student is disqualified or suspended from the previous institution for disciplinary reasons (as opposed to academic reasons) must enroll in a full-time academic program (as defined by the institution) during a regular term of an academic year prior to being eligible to participate in an NCAA sport. A summer term may not be used to satisfy an academic term. Any student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of satisfying an academic term. (NCAA 14.4.1.1 & 14.02.10) Students who transfer to the certifying institution and meet the requirements of the two-year nonparticipation exception (see below) are not required to enroll in a full-time academic program.

"Two-Year Nonparticipation Exception. The student transfers to the certifying institution from a two-year college or from a branch school that conducts an intercollegiate athletics program and for a consecutive two-year period immediately before the date on which the student begins participation (practice and/or competition), the student has neither practiced nor competed in the involved sport in intercollegiate competition and has neither practiced nor competed in organized noncollegiate amateur competition while enrolled as a full-time student in a collegiate institution. This two-year period does not include any period of time before the student's initial collegiate enrollment."(NCAA 14.5.4.2)

[NCAA Association-wide Policy on Campus Sexual Violence Annual Attestation](#)

All incoming, continuing and transfer student-athletes complete an annual disclosure related to any conduct that resulted in discipline through a Title IX proceeding or in a criminal conviction for sexual, interpersonal, or other acts of violence. Transfer student-athletes also must disclose whether a Title IX proceeding was incomplete at the time of transfer. Failure to make a full and accurate disclosure could result in penalties, including loss of eligibility to participate in athletics as determined by the member institution.

Institutions take reasonable steps to confirm whether incoming, continuing and transfer student athletes have been disciplined through a Title IX proceeding or criminally convicted of sexual, interpersonal, or other acts of violence. In a manner consistent with federal and state law, all NCAA member institutions must share relevant discipline information and incomplete Title IX proceedings as a result of transfer with other member institutions when a student-athlete attempts to enroll in a new college or university.

An institution choosing to recruit an incoming student-athlete or accept a transfer student-athlete must have a written procedure that directs its staff to gather information that reasonably yields information from the former institution(s) to put the recruiting institutional leadership on notice that the student left the institution with an incomplete Title IX proceeding, was disciplined through a Title IX proceeding or has a criminal conviction for sexual, interpersonal or other acts of violence. Failure to have it written and to gather information consistent with that procedure could result in penalties.

C. Consideration of Criminal and Disciplinary History as it relates to Enrollment at Goucher College

At the time of submission of an incoming or returning student's enrollment commitment and / or enrollment deposit, students will be required to complete Goucher College's **Supplemental Background & Serious Misconduct Disclosure Form**. Goucher College values the inherent dignity of all people and seeks to create an environment free from violence including sexual violence that is accessible and inclusive to all.

Serious misconduct is defined as the following: Any act of sexual violence, dating violence, domestic violence, stalking, harassment, or instances in which behavior of an individual has resulted in significant injury to person(s) or property including use or threat of use of a deadly weapon for which the individual has been subject to referral to a school judiciary board, Title IX process, or the civil court system.

Students will be required to complete the **Supplemental Background & Serious Misconduct Disclosure Form** after submission of their enrollment commitment and deposit to the College. Students must complete the form fully, providing details of any instances of the above and include contact information of the case manager should the incident be pending resolution. The

Supplemental Background & Serious Misconduct Disclosure Form will be added as step on the New Student Roadmap and must be received before a student is registered for courses. The form will be hosted in SLATE and the COMMITTEE will be notified if the student responds "yes" to any part of the **Supplemental Background & Serious Misconduct Disclosure Form**.

Continuing student athletes:

Athletics will issue and host all continuing student-athlete disclosure notification forms [using the current process that Andrew Wu can share with us]. The form will be issued to all student athletes as a part of the beginning of the year compliance packet. A student-athlete is not permitted to engage in any countable athletically related activity until all beginning of the year compliance forms are complete. If a student-athlete responds "yes" to any of the disclosure notification form questions, the Chief Title IX Officer will be automatically notified. Student-athletes will be required to submit a disclosure notification form each academic year to maintain eligibility. Student-athletes are not permitted to practice or compete until the disclosure questionnaire has been completed and the institution has certified that the student-athlete is in compliance with this policy.

Affirmative Disclosures

Students responding in the affirmative that they have a current pending or closed referral case regarding an instance of serious misconduct will have all relevant information regarding the incident fully considered by members of a review panel.

The review panel will be announced annually and will be convened by the Office of Enrollment Management. The following representatives will be required to review all information regarding any disclosures:

1. Associate Vice President of Student Well-being and Dean of Students (or) designee
2. Deputy Title IX Coordinator (or) designee
3. Office of Admissions' senior leadership

The review panel will fully review all documentation available. It is the responsibility of the incoming student to provide all relevant documentation and to complete a waiver allowing a university

representative to speak with those deemed to have additional information that would assist the review panel in making a determination about the case, including officials at any prior institutions. Failure to disclose all associated information or sign waivers to obtain relevant records could result in a stay on enrollment until all documentation is provided, revocation of an offer of admission, or disqualification from participation in interscholastic athletics. Members of the review committee maintain the right to contact previous institutions/organizations or request documentation from police or other public agencies via open-records request to further investigate the incident(s) in question.

All members of the review committee will then conduct an unbiased review of the admitted students' records and if necessary, invite the student to speak directly with the committee regarding their case. The committee will then create a summary report, indicating their recommendation to the Vice President for Enrollment & Student Success regarding whether admission should be rescinded. The appropriate senior admissions leader (or designee) will notify the student of the decision with written rationale of the determination.

The student will then have five business days from receipt of the written notice of determination to submit a letter of appeal. Students can appeal on two grounds: (1) additional information previously unavailable has surfaced that, if considered could alter the determination (-or-) (2) on the grounds of due process, I.e., that College officials failed to follow this policy or other applicable procedure. A separate appeal committee will review the appeal on a *de novo* basis and determine whether the original determination should be overturned in the best interests of the College and consistent with applicable policies and law. The appeal committee shall be chaired by the Vice President for Student Affairs (or designee), a member of faculty, and a representative from the Admissions Office leadership team. Representatives on the appeal committee must be individuals who did not serve on the original review committee. The appeal committee will have five full business days to review render a determination. The Vice President for Student Affairs (or designee) will provide written notification to the admitted student of the outcome. No further appeals or considerations will be permitted after this notification has been made.

Student-athletes will be required to submit a disclosure notification form each academic year to maintain eligibility. Student-athletes are not permitted to practice or compete until the disclosure questionnaire has been completed and the institution has certified that the student-athlete is in compliance with this policy.

If admission is revoked due to a serious misconduct, any aid, scholarship(s), or funding will also be withdrawn.

RESPONSIBLE OFFICE

For more information or if you have questions about this policy, please contact the Office of the Vice President for Enrollment Management at admissions@goucher.edu.

IV. HISTORY

Last Updated: March 2018; March 2021; July 2024; August 2024