



Policy No.

Effective Date

Revision Date

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Approved:

Date:

## Registered Sex Offender Policy

### 1.0 Purpose:

To address the admission of registered sex offenders.

### 2.0 History:

Section 23-2.2:1 of the code of Virginia requires that the VCCS send enrollment information to the Virginia State Police concerning applicants to institutions of higher education. This information is transmitted electronically and compared against the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender Registry. Language on the web application informs applicants that their information is being transmitted to the State Police. In event that the State Police determine that an applicant to Lord Fairfax Community College (LFCC) is listed on the Sex Offender Registry, the State police will notify the College.

### 3.0 Applicability

This policy applies to all persons who apply to the College and are identified as convicted sex offenders as determined by section 23-2.2:1 of the code of Virginia.

### 4.0 Policy

Lord Fairfax Community College reserves the right to deny or revoke admission of convicted sex offenders in accordance with the admission policy as published in the College catalog:

*The college reserves the right to evaluate and document special cases and to refuse admission if the college determines that the applicant is a threat or a potential danger to the college community or if such refusal is considered to be in the best interest of the College. Students whose admission is revoked after enrollment must be given due process.*

## **5.0 Definitions**

Registered sex offender: A convicted sex offender is defined as a person listed on the Virginia Criminal Information Network and National Crime Information Center Convicted Sexual Offender registry.

Convicted Sex Offender Committee (CSOC): The CSOC is a committee comprised of a panel of five (5) full-time faculty and administrators appointed by the President. The CSOC will determine if the convicted sex offender presents a threat or a potential danger to the college community. All members of the CSOC will sign a statement agreeing to hold confidential all information reviewed and discussed related to the sex offender.

## **6.0 Responsibilities**

The College reserves the right to deny or revoke admission of a convicted sex offender upon notification by local authority as designated by State Police. The college reserves the right to evaluate and document special cases and to refuse admission if the College determines that the convicted sex offender is a threat or a potential danger to the college community or if such refusal is considered to be in the best interest of the College.

Students whose admission is revoked after enrollment must be notified of the right to an appeal process and provided due process.

## **7.0 Procedures**

- Upon notification that the applicant/enrolled student is a registered sex offender, a service indicator will be placed on the applicant's record which will prevent the applicant from registering for classes.
- The convicted sex offender applicant will receive written notification at the home address listed in the student information system that admission to the College has been denied based on his/her listing on the sex offender registry. The written notification will detail the procedures for due process and will provide the applicant explicit instructions on the appeal process. The individual is required to initiate the appeal process within ten (10) calendar days of the notification by the College. Failure by the convicted sex offender to follow the appeal process within ten (10) calendar days of notification from the College will forfeit his/her right to appeal.
- The convicted sex offender who becomes an enrolled student prior to the College's notification of the individual's convicted sex offender status will receive written notification at the home address listed in the student information system. The written notification will require the individual to initiate the appeals process within ten (10) calendar days of the notification by the College in order to receive consideration to remain enrolled. The individual will remain

provisionally enrolled pending the outcome of the appeal process. Failure by the convicted sex offender to follow the appeals process within ten (10) calendar days of notification from the College will result in written notice of administrative withdrawal of all current and future classes at the college, revoked admission for future semesters, and forfeiture of the individual's right to appeal.

- Appeal process for denial of admission or withdrawal for convicted sex offender:
  - A. The applicant or withdrawn student will receive a letter from the vice president for student success detailing the appeal procedure and requesting the following information within ten (10) business days of notification from the College:
    - Formal request for an appeal
    - Disclosure of the nature of the offense for which the person has been convicted
    - Justification for consideration of admission, reinstatement, or continued enrollment
    - Statement acknowledging the individual's understanding that his/her identity and status as a convicted sex offender will be publicized within the College community in accordance with federal and state law if admitted or reinstated.
  - B. In accordance with the Federal Campus Sex Crimes Prevention Act, the LFCC College community will be advised of any known sex offenders attending, working or volunteering at the College and that the following site may be accessed to obtain information on registered sex offenders: [www.vsp.state.va.us](http://www.vsp.state.va.us). This site, maintained by the Virginia State Police, provides information about registered sex offenders in the geographical area served by Lord Fairfax Community College (as well as anywhere in Virginia).
  - C. Upon receipt of a request for appeal, within the required ten (10) business days of notification, the vice president for student success will convene the Convicted Sex Offender Committee (CSOC) for a hearing of the convicted sex offender's appeal. The purpose of the hearing will be to determine if the convicted sex offender is a threat or a potential danger to the college community. If the CSOC determines that the convicted sex offender presents a threat or potential danger to the college community, denial of admission to the College will be permanent. If the convicted sex offender is currently enrolled, and the CSOC determines that the individual is a threat or potential danger to the college community, he/she will be administratively withdrawn from classes, will receive a refund, and will be denied future admission/enrollment to the College.
  - D. The CSOC will review the information submitted and make a decision by a simple majority vote within fourteen (14) calendar days of receiving the letter of appeal. The vice president of student success will serve as the

convener of the panel and will be a member of the panel. The vice president of student success will inform the convicted sex offender by written correspondence of the CSOC decision. The decision of the appeal by the CSOC shall be final.

#### 8.0 Sanctions

Failure to comply with the terms of this policy will forfeit the right to appeal the denial of admission or enrollment at the College.

#### 9.0 Interpretation

Authority for interpretation of this policy rests with the vice president of student success.

#### 10.0 Authority/Reference

Section 23-2.2:1 of the code of Virginia

Reference: VCCS policies related to admission of registered sex offenders:

New River Community College Policy related to legislation regarding admissions  
[www2.nr.edu/students/la.asp](http://www2.nr.edu/students/la.asp) Retrieved 12-17-2007.

Germanna Community College Policy: Admission of Registered Sex Offenders.  
Draft document dated 08-15-07.