

Eastern Shore Community College Policy Related to Admissions of Students on the Sex Offender Registry

The Federal Campus Sex Crimes Prevention Act of 2000 requires all colleges to issue a statement advising the campus community where information on registered sex offenders can be obtained. The Virginia State Police Sex Offender and Crimes Against Minors Registry website, <http://sex-offender.vsp.virginia.gov/sor/> , provides information about registered sex offenders.

Section 23-2.2:1 of the Code of Virginia requires that the ESCC 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 Crime Information Center Convicted Sexual Offender Registry. Language on the College's electronic Admissions Application informs applicants that their information is being transmitted to the Virginia State Police.

In the event that the State Police determines that an applicant to Eastern Shore Community College is listed on the Sex Offender Registry, the State Police will notify the local sheriff's department who relay that information to ESCC. When the college determines that an applicant is listed on the registry, the following procedures apply:

1. The applicant will be denied admission to Eastern Shore Community College in accordance with its published admission policy as follows: "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."
2. If the applicant registers for classes and becomes a student before the College determines that he/she is on the Sex Offender Registry, the student will be immediately informed in writing that he/she is being administratively withdrawn from classes and will receive a refund, if eligible.
3. When a convicted sex offender is denied admission to or is administratively withdrawn from classes at Eastern Shore Community College, he/she will receive a certified letter from the Dean of Student Services stating his/her denial of admission or administrative withdrawal from classes and detailing his/her right to appeal this decision.

If the applicant/withdrawn student wishes to appeal his/her denial of admission or administrative drop, he or she must follow the following process:

1. The applicant/withdrawn student may write a letter of appeal to the

Dean of Student Services within seven (7) calendar days of receiving the denial of admission or administrative withdrawal letter.

2. In the letter requesting an appeal, he/she must provide the following information:
 - a. Details of the nature of the offense for which he/she has been convicted;
 - b. Justification for consideration of admission/reinstatement;
 - c. Statement acknowledging his/her understanding that his/her identity and status as a convicted sex offender will be publicized on the college campus in accordance with federal and state law if he/she is admitted or reinstated.
3. An appeal committee of three (3) full-time faculty and/or administrators will review the information submitted and make a decision by a simple majority vote within ten (10) calendar days of receiving the letter of appeal. The President will serve as the convener of the committee.
4. Within five (5) days, the Dean of Student Services will inform the applicant/withdrawn student by certified letter of the decision of the appeal committee. The decision of the appeal committee shall be final.

Approval date 6-25-09
Effective date 7-01-09