



UCCS CAMPUS POLICY

Policy Title: Assessing Student Criminal/Disciplinary History Pre- and Post-admission

Policy Number: 100-004

Policy Functional Area: Enrollment Management & Student Affairs

Effective: December 19, 2024

Approved by: Jennifer Sobanet, Chancellor

Responsible Vice Chancellor: VCEMSA

Office of Primary Responsibility: Enrollment Management

Policy Primary Contact: Office of Admissions, 719-255-3084, go@uccs.edu

Supersedes: N/A

Last Reviewed/Updated: December 19, 2024

Applies to: Students

Reason for Policy: To assist in maintaining a safe environment for all students, faculty and staff, to comply with state law, and to implement system policy.

I. INTRODUCTION

In furtherance of the commitment to facilitating a safe environment conducive to academic learning and progress, the University of Colorado Colorado Springs (UCCS) requires student *applicants* to disclose criminal and disciplinary history. However, UCCS recognizes that requiring broad disclosure prior to admission can deter otherwise academically eligible individuals from pursuing higher education and undermine UCCS' commitment to providing inclusive access to higher education. Therefore, this policy balances these commitments and complies with applicable law that limits the nature of criminal and disciplinary history UCCS can consider for the purposes of admission.¹

II. POLICY STATEMENT

UCCS requires applicants to disclose certain, limited criminal and disciplinary history on the *application*. After UCCS has determined an applicant is academically eligible for admission, UCCS will review the applicant's criminal and disciplinary history for purposes of determining whether the applicant is admissible to UCCS. If UCCS has made an offer of admission to an applicant, UCCS will require applicants to disclose broader criminal

¹ This policy, and related procedure, complies with Regent Laws and Policies, system and campus policies including APS 8004, federal law, and state law, including the Ensuring Access to Higher Education Act, Colorado Senate Bill 19-170, as codified in C.R.S. § 23-5-106.5.

and disciplinary information, for the purposes of determining the extent of eligibility to participate in *campus life*, as further described below.

A. *Pre-admission* Disclosures

1. Application

Applicants must disclose the following information on the application:

- i. Prior *convictions* for stalking, sexual assault, and domestic violence.
- ii. Prior convictions, within five years before submitting the application, for assault, kidnapping, voluntary manslaughter, or murder.
- iii. Prior disciplinary history at another academic institution for stalking, sexual assault, or domestic violence.
- iv. Any *criminal charges* pending against the applicant.
- v. Education records related to *academic performance*.
- vi. The criminal history disclosures are required regardless of the prosecuting jurisdiction. As jurisdiction terminology can and often does vary, applicants are required to disclose criminal history with substantially similar elements to the crimes listed above. The applicant and UCCS should consider the definitions from the prosecuting jurisdiction and the Colorado Criminal Code as guidance when determining whether a crime has substantially similar elements.

2. Applicant Responsibility

Applicants are responsible for providing accurate and thoroughly responsive disclosures. Failure to do so will jeopardize admission.

3. Admission Denial

UCCS will not use any criminal or disciplinary history other than the criminal and disciplinary history required to be disclosed above, as the basis to deny applicant admission, regardless of how that information is obtained.

4. Limitation on Use of Standard Application

If UCCS uses a standard form of application provided by a third-party contractor that is also used to apply for admission to other institutions of higher education, for example, the Common Application, UCCS will not consider for purposes of admission any information the applicant provides in response to criminal or disciplinary history questions on such application that exceeds the criminal and disciplinary history listed above.

5. Application Notice

On the application, UCCS will notify applicants that:

- i. The applicant is not required to disclose criminal history from records that are sealed under state law;
- ii. UCCS has a *post-admission* review process that will further inquire about criminal and disciplinary history for the purposes of participation in campus life; and

- iii. The applicant has the right to appeal an admission denial based on criminal or disciplinary history.

6. Right to Appeal

UCCS will afford applicants the right to appeal any denial of admission on the basis of criminal or disciplinary history.

B. Post-admission Disclosures

1. Campus Life Participation

After UCCS has made an offer of admission, the applicant is required to disclose to UCCS broader criminal and disciplinary information than what is required for the purposes of admission. For the purposes of determining the extent of eligibility to participate in campus life, UCCS may require disclosure of any criminal or disciplinary history, any requirement to register as a sex offender, and any *deferred judgment and sentence*.

2. UCCS Housing

The nature of UCCS' housing environment was designed to be conducive to academic learning and, for example, includes a communal living environment with close proximity to bathing and sleeping quarters of others and with residents that may include minor *students* and children. Based on the nature of UCCS' housing environment, UCCS does not authorize registered sex offenders to reside in university housing, absent rare, extenuating circumstances provided by the applicant or student, clearly demonstrating that there is not unreasonable risk to the safety or security of the UCCS housing environment. Applicants and students who are required to register as sex offenders are encouraged to seek off campus housing options.

C. Disclosure of New or Updated Criminal or Disciplinary History

Applicants are required to promptly update the above required disclosures with any new or updated criminal or disciplinary history that may occur during the time after they apply to UCCS but before they begin *attending* UCCS.

D. Procedures

UCCS shall have a standing committee of staff representatives with student affairs, admissions, law enforcement, and equity and compliance experience to adopt procedures for implementing and further refining the requirements of this policy. At a minimum, such procedures shall address: the format for applicant disclosures, provide a fair and equitable individualized review of applicant criminal and disciplinary history, and an appeal process for applicants who are denied admission based on criminal or disciplinary history. The procedures are available [here](#).

E. Enforcement

1. UCCS may revoke admission or take disciplinary action against any applicant or student who is found to have violated the requirements of this policy or the accompanying procedure.

2. UCCS may take disciplinary action against any student with criminal charges or a conviction for conduct that occurred prior to applying, regardless of the timing of the charges or conviction; provided however, that if such charges or conviction is for conduct other than that UCCS could have considered for purposes of admission, UCCS will not use it as the sole basis to expel or revoke the admission of the student from UCCS.
3. Nothing herein is intended to, nor shall it, limit UCCS from addressing any criminal or disciplinary history that UCCS lawfully receives by any means, including but not limited to the applicant's transcript from previous institutions. If such criminal or disciplinary history is other than that which UCCS can consider for purposes of admission, UCCS will not deny or revoke admission.

III. KEY WORDS

- A. *Academic performance*: conduct that could affect academic standing at an institution including academic integrity violations such as plagiarism, cheating, fabrication, lying, bribery, unauthorized access to academic materials, resubmission, or aiding academic dishonesty.
- B. *Applicant*: a person who has submitted an application for admission as a student to UCCS and who may have been offered admission by UCCS and confirmed their intent to enroll in courses by paying a confirmation deposit.
- C. *Application*: a document submitted to UCCS requesting consideration for admission as a student to UCCS for an undergraduate, graduate, professional, non-degree, or noncredit program at UCCS, whether full or part-time.
- D. *Attending*: a student who is taking academic courses at UCCS.
- E. *Campus life*: UCCS housing, student employment, and/or any other university sponsored activity or program, other than student status.
- F. *Criminal charges*: the commencement of prosecution by the filing of an indictment or presentment, the issuing of a warrant which is binding over the offender, or by the filing of information.
- G. *Conviction*: a guilty verdict, a guilty plea or a nolo contendere (no contest) plea to a misdemeanor or felony offense in-state, out-of-state, or internationally. "Conviction" does not include a plea to a deferred judgment and sentence until the deferred judgment and sentence is revoked.
- H. *Deferred judgement and sentence*: a plea of guilty in a criminal case that has been continued for the purpose of entering judgment and sentence.
- I. *Pre-admission*: the stage of time before an offer of admission by UCCS.
- J. *Post-admission*: the stage of time after an offer of admission by UCCS.
- K. *Student*: a person who is defined as a student under the Student Code of Conduct.

IV. RELATED POLICIES, PROCEDURES, FORMS, GUIDELINES, AND OTHER RESOURCES

A. Administrative Policy Statements (APS) and Other Policies

1. APS 8004: <https://www.cu.edu/ope/aps/8004>

B. Procedures

1. Process and Procedure for Applicants for Student Admission and Participation in Campus Life with Previous or Pending Criminal or Disciplinary History: <https://compliance.uccs.edu/SB19-170>.

C. Other Resources

1. Colorado Senate Bill 19-170, codified in C.R.S. § 23-5-106.5.

V. HISTORY

Initial policy approval December 19, 2024