

BOARD OF TRUSTEES OF THE NEBRASKA STATE COLLEGES

ITEMS FOR DISCUSSION AND ACTION STUDENT AFFAIRS, MARKETING, AND ENROLLMENT

ACTION: First and Final Round Approval of Revisions to Board Policy 3001; Student Criminal History

Proposed revisions to Policy 3001 eliminate the use of criminal background information for purposes of admission and enrollment decisions. Therefore, the criminal background question will be eliminated from the admissions application.

The Colleges will retain the ability to utilize student criminal background information for purposes of housing, employment and as required for athletics. Additionally, the Colleges are still permitted to deny or condition admission, readmission, or continuing enrollment of any individual who presents an unreasonable risk to the safety and welfare of the campus or persons thereon.

The System Office recommends approval of the Revisions to Board Policy 3001; Student Criminal History.

ATTACHMENTS:

- [Revisions to Board Policy 3001 \(PDF\)](#)

Board of Trustees of the Nebraska State Colleges

Student Affairs

POLICY
NAME: Student Criminal History

POLICY
NUMBER: 3001

A. PURPOSE

To provide guidance to the Colleges as to evaluation of student criminal background information in decisions regarding ~~admission, enrollment,~~ housing, and employment.

B. DEFINITIONS

1. **Criminal Background Information:** State, local, and/or federal law enforcement records, sex offender registry information, and/or juvenile court records.

C. POLICY

1. General

- 1.1. As provided in Board Policies 3000 and 3010, any State College may deny or condition admission, readmission, or continuing enrollment of any individual who, in the judgment of the College, presents an unreasonable risk to the safety and welfare of the campus and persons thereon.
- 1.2. Certain criminal convictions may disqualify students from access to academic programs. Institutional academic programs, such as teacher education and health sciences programs require externship experience and eventual licensure. As a result of these requirements, a student with a disqualifying criminal conviction may not be able to participate in the externship experience or obtain licensure.
- 1.3. Any State College can deny housing requests and/or student employment if an unreasonable risk to the safety, welfare and property of the campus and persons exists. Board Policy 5040 addresses the terms and requirements for student employee criminal background checks.

2. Applications

- 2.1. Individuals are required to self-disclose law violations and juvenile court adjudications that resulted in probation, community service, jail sentence, or revocation/suspension of a driver's license on all ~~admission applications~~ ~~and~~ housing applications.

- According to state law, individuals are not obligated to disclose a sealed juvenile record of arrest, custody, complaint, disposition, diversion, adjudication, or sentence.
- The Colleges may:
 - Rely on the applicant's self-disclosure statements;
 - Require the applicant to provide additional documentation; and/or
 - Conduct a separate criminal background check as part of the housing application process.
- A criminal conviction or juvenile court adjudication will not constitute an automatic bar for ~~admission or~~ housing purposes but will be considered.
- Falsification or omission of information may result in a denial, revocation or loss in regards to admission, continued enrollment, College housing or employment decisions.

3. Evaluation

- 3.1. When evaluating risks, the College may consider criminal background information, including, but not limited to:
- The nature, severity and number of the law violations or juvenile court adjudications;
 - The amount of time that has passed since the law violation or juvenile court adjudication occurred;
 - The victim and consequences related to the law violation or juvenile court adjudication;
 - Any extenuating circumstances surrounding the law violation or juvenile court adjudication;
 - Sex offender registry reporting classification;
 - Reparations, remediation, or treatment that occurred after the law violation or juvenile court adjudication;
 - Terms of probation, parole or prison release;
 - Continuing treatment, counseling, and rehabilitation information; and
 - Evidence or opinions from law enforcement officers, parole officers, or mental health providers.

FORMS/APPENDICES:

None

SOURCE:

Policy Adopted: June 2010

Policy Revised: January 2014, September 2018, April 2022, September 2022, September 2023