MEMORANDUM

To: College Presidents

From: Frederick P. Schaffer  
General Counsel and Senior Vice Chancellor for Legal Affairs

Re: Admission of Students Who May Pose a Risk to a College

This is a follow-up to the memorandum that I sent on January 28, 2009 regarding the University’s policy concerning the admission of students with criminal convictions, including convictions for felony sex offenses. First, I wish to reiterate that the colleges have the right to deny admission to students who may pose a risk to the college. Second, I wish to revise the language of the provision previously supplied to you that each college should include in the appropriate document (student handbook, admissions brochure, etc.). That provision should state as follows:

The college reserves the right to deny admission to any student if in its judgment, the presence of that student on campus poses an undue risk to the safety or security of the college or the college community. That judgment will be based on an individualized determination taking into account any information the college has about the crime committed by the student and the particular circumstances of the college, including the presence of a child care center, summer camp, public school or public school students on the campus. In addition, the college may consider factors such as the amount of time since the crime was committed, the amount of jail time served by the student, the number of years the student was on probation or parole, whether the student has satisfied probation or parole requirements at the time of the student’s application, whether the student has completed drug, alcohol, sex offender or other treatment, and what work or educational experience the student has had after the conviction. Finally, if the student is known to have been assisted by a CUNY-sponsored or other re-entry program or initiative, the college will consult with a counselor or representative from said program.

The last two sentences of this provision are new. Please inform the appropriate persons on your campus about this provision, including your Chief Student Affairs Officer. If you have any questions or concerns regarding situations in which a student may pose a threat to your campus,
please do not hesitate to contact my office for guidance. Thank you for your cooperation in this matter.

c:  Matthew Goldstein, Chancellor
    Allan Dobrin, Executive Vice Chancellor and Chief Operating Officer
    Alexandra W. Logue, Executive Vice Chancellor and University Provost
    Frank D. Sanchez, Vice Chancellor for Student Affairs
    Marcia Isaacson, Chief Compliance Officer
    William Barry, Director of Public Safety
    Campus Chief Academic Officers
    Campus Chief Student Affairs Officers
    Campus Legal Affairs Designees
    Campus Public Safety Directors