

Housing Policy for Discipline - and - Justice-Involved Students

Accommodations for individuals with disabilities in accessing these policies are available upon request by emailing accessiblepolicy@wcupa.edu

Purpose and Scope

This policy has been established to provide consistent and equitable decisions regarding access to residential housing for those individuals with prior involvement with justice or student conduct actions.

Policy Statement

West Chester University strives to provide a safe campus and learning environment. As a part of that effort, when the Office of Residence Life and Housing Services receives an application for housing¹ from an individual who has been convicted of certain criminal offenses and/or received a disciplinary sanction from an institution of higher education, the application will be forwarded to the Dean of Students as chairperson of the Discipline/Justice Review Committee.

A conviction or disciplinary action does not, in and of itself, disqualify an applicant from residential housing. The Committee's task is to evaluate the nature and extent of the applicant's potential threat to campus safety and the University's learning environment based on considerations of the nature and age of the offense, its severity and the relation of offense or disciplinary action to campus housing.

The Committee will review the completed documentation and determine if the applicant is eligible for residential housing. As part of this process, the University may

¹ Please note that "housing" refers to university-owned residential housing. The term also applies to affiliate housing at those universities where the university has a written agreement with the affiliate that provides for university receipt and review of applications for housing.

request additional documentation from the applicant and may, where appropriate, request that the applicant appear for an interview with the Committee. The Committee's decision is final.

If the relevant requested documentation is not received from the applicant, the application will remain incomplete. Should the requested documentation not be received within 2 weeks of the document request date, the Office of the Dean of Students has the option to direct the Office of Residence Life and Housing Services to cancel the application as incomplete.

If an applicant answers no to the criminal background or the disciplinary history application question(s) and it is later found the applicant did not truthfully respond to the questionnaire or provide complete and truthful information, the University has the right to rescind the offer of residential housing or take disciplinary action that may include removal from housing and/or dismissal from the University.

Procedures

See appendix.

Definitions

Criminal Conduct refers to a felony or misdemeanor conviction. A conviction is an adjudication of guilt, including pleas of nolo contendere (no contest). For purposes of this definition, convictions for traffic citations, summary offenses, or which have been expunged or sealed are not considered. This term also specifically excludes an adjudication of delinquency for a criminal offense.

Disciplinary Action refers to a disciplinary sanction of removal from housing, suspension, expulsion, or other form of dismissal from an institution of higher education for behavioral misconduct. For purposes of this definition, interim measures (e.g., Interim Suspensions, interim housing removal, etc.) are not considered. Pending initiation of student conduct charges is not considered unless the student withdraws

or has withdrawn prior to disposition of the charges.

Reviewed by: PASSHE General Counsel, Director of Residence Life and Housing Services, Assistant Vice President for Identity, Health and Wellness

Policy Owner: Marion Mckinney, Director of Residence Life and Housing Services

Approved by:



Dr. Zebulun R. Davenport

Vice President for Student Affairs

April 7, 2021

Effective Date: March 18, 2021

Next Review Date: March 18, 2025

History:

Initial Approval:

Review Dates:

Amended:

APPENDIX

ON-LINE HOUSING APPLICATION LANGUAGE

Please answer the following questions. Please note that failure to provide this information may result in a delay or denial of your housing application. At this time, you do not need to provide additional information. If additional information is needed, the Office of the Dean of Students will contact you.

1. Have you ever been subject to disciplinary sanction(s) for behavioral misconduct at any post-secondary educational institution? (Note: You do not need to disclose interim measures taken prior to final disposition of student conduct matters, academic dismissal, suspension, or probation for poor grades.)

Yes

No

2. At any post-secondary educational institution, are you currently subject to disciplinary action or have you withdrawn prior to final disposition of any pending student conduct charges?

Yes

No

3. Have you been convicted of a crime? (Note: This excludes conviction for summary offenses or traffic citations, or adjudication of delinquency for criminal offenses. If your criminal conviction has been "expunged" pursuant to applicable law, then you are not required to answer YES to Question #3.)

Yes

No

4. Are you currently subject to pending misdemeanor or felony charges?

Yes

No

If your answer to any of the questions above are YES, you will receive a request for additional information to be completed from the Office of the Dean of Students.

Please note that failure to respond truthfully to the questions above may result in disciplinary action or rescission of an offer of housing.

By checking, I certify that any information submitted is true and correct. I understand that any incomplete or untruthful responses may result in denial or rescission of housing or, if housing is granted, disciplinary sanctions and/or removal from housing.

'PRIOR CONDUCT STATEMENT FORM' LETTER

West Chester University of Pennsylvania

Dear Student,

Thank you for your residential housing application to the Office of Residence Life and Housing Services. At this time, your application is on **hold** until further information is provided.

On your application you checked “yes” to the following question(s):

1. Have you ever been subject to disciplinary sanction(s) for behavioral misconduct at any post-secondary educational institution?

Yes

No

2. At any post-secondary educational institution, are you currently subject to disciplinary action or have you withdrawn prior to final disposition of any pending student conduct charges?

Yes

No

3. Have you been convicted of a crime?

Yes

No

4. Are you currently subject to pending misdemeanor or felony charges?

Yes

No

All applicants who check yes on their housing application to a misdemeanor/felony conviction or previous disciplinary action will be required to submit a completed [Justice/Discipline Supplemental Form](#) to the Office of the Dean of Students.

West Chester University is committed to ensuring that all students receive equitable and consistent consideration of residential housing applications. The above requested information can be submitting using the form available at the following link: https://cm.maxient.com/reportingform.php?WestChesterUniv&layout_id=41 It is requested that the form and information requested be sent within **14 calendar days** of this letter.

Your application for residential housing is not considered complete until such time all requested information (including this documentation) is received by West Chester University's Office of the Dean of Students. Your application may be canceled as incomplete should this requested documentation not be received within **14 calendar days** of the date of this letter.

If you have any questions or concerns, please contact the Office of the Dean of Students. Again, thank you for your application and we look forward to working with you!

Office of the Dean of Students
(610) 436-3086
dos@wcupa.edu

JUSTICE/DISCIPLINE SUPPLEMENTAL FORM

West Chester University of Pennsylvania
Justice/Discipline Supplemental Form

Applicant Name: _____
Last First Middle Former/Maiden

Student Identification Number (if known)

Application Term

Part 1:

A. Have you ever been convicted of a crime?

A conviction is an adjudication of guilt and includes pleas of nolo contendere (no contest). Please disregard the following: convictions for summary offenses or traffic citations; any adjudication of delinquency for a criminal offense; any criminal conviction that has been expunged pursuant to applicable law (including any expungements occurring as a result of successful completion of an Accelerated Rehabilitative Disposition Program).

A "yes" answer will not necessarily bar approval of a housing application.

1. Please confirm the accuracy of your questionnaire response:

- No** - I have not been convicted of a crime. I erroneously answered YES on the housing application questionnaire.
- Yes** - I have been convicted of a crime.

2. If yes, with respect to each of the conviction(s), please provide:

- Copy of the docket sheet relating to offense(s) for which you were convicted
- Jurisdiction of the conviction(s)
- Identification of the criminal offense(s)
- Date of the criminal offense(s)
- Date of completion of sentence/criminal sanction; AND

3. Please provide details on why you would like to live in residential housing and how the conviction will not affect the safety and learning environment of the housing community, AND;

4. Please sign and date below.

B. Are you currently subject to pending misdemeanor or felony charges?

1. Please confirm the accuracy of your questionnaire response:

No - I am not subject to pending misdemeanor or felony charges. I erroneously answered YES on the housing application questionnaire.

Yes – I am subject to pending misdemeanor or felony charges.

2. If yes, with respect to each of the pending misdemeanor or felony charge(s), please provide:

- Copy of the docket sheet relating to offense(s) for which you were convicted
- Jurisdiction of the conviction(s)
- Identification of the criminal offense(s)

- Date of the criminal offense(s)
 - Statement of status of the pending charge(s); AND
3. Please provide details on why you would like to live in residential housing and how the pending charges will not affect the safety and learning environment of the residential housing community, AND;
 4. Please sign and date below.

C. Have you ever been subject to disciplinary sanctions for behavioral misconduct at any post-secondary educational institution?

(Note: You do not need to disclose interim measures taken prior to final disposition of student conduct matters, academic dismissal, suspension, or probation for poor grades.)

1. Please confirm the accuracy of your questionnaire response:
 - No** - I have not ever been subject to disciplinary sanctions for behavioral misconduct at another post-secondary educational institution. I answered YES erroneously on the housing application questionnaire.
 - Yes** – I have been subject to disciplinary sanction(s) for behavioral misconduct at a post-secondary educational institution.
2. If yes, with respect to each behavioral misconduct charge for which you were sanctioned, please provide the following information:
 - Identify the behavioral misconduct charge for which you were sanctioned
 - The date(s) of the charge(s) and sanction(s) imposed
 - The name of the post-secondary institution

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- Signed Release of information for the referenced post-secondary institution
 - Information about your current enrollment status at the above identified institution; AND
3. Please provide details on why you would like to live in residential housing and how the behavioral misconduct for which you were sanctioned will not affect the safety and learning environment of the residential housing community, AND;
 4. Please sign and date below.

D. At any post-secondary educational institution, are you currently subject to disciplinary action or have you withdrawn prior to final disposition of any pending student conduct charges?

1. Please confirm the accuracy of your questionnaire response:

- No** - I am not currently subject to disciplinary action at any other post-secondary educational institution and I have not ever withdrawn prior to final disposition of any pending student conduct charges. I answered YES erroneously on the housing application questionnaire.
- Yes** – I am currently subject to disciplinary action at another post-secondary educational institution and/or I have withdrawn prior to final disposition of pending student conduct charges.

2. If yes, with respect to each pending behavioral misconduct charge referenced, please provide the following:
 - Identify the pending charge(s)
 - State the date(s) of the charge(s)

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- Identify the post-secondary institution
 - Signed Release of information from the post-secondary institution
 - State the date of withdrawal and, if not withdrawn, state your current enrollment status; AND
3. Please provide details on why you would like to live in residential housing and how the behavioral misconduct for which you were charged will not affect the safety and learning environment of the residential housing community, AND;
4. Please sign and date below.

By signing below, I certify that any information submitted is true and correct. I understand that any incomplete or untruthful responses may result in denial or rescission of housing or, if housing is granted, disciplinary sanctions and/or removal from housing.

Applicant Signature

Date

Committee Membership

Tony Delgado, Interim Chairperson
Associate Vice President for Student Affairs

Marion McKinney
Director of Residence Life

Chris Brenner
Director of Student Conduct

Ray Stevenson
Chief of Police

Dametraus Jagers
Director of Dowdy Multicultural Center

Catherine Oberholtzer
Senior Associate Director of Transfer Admissions

West Chester University Housing Policy for Discipline- and Justice-Involved Students Overview of Process

