

**SOUTH FLORIDA STATE COLLEGE  
ADMINISTRATIVE PROCEDURES**

**PROCEDURE NO. 3332**

**TITLE:** ADMISSION/READMISSION OF A REGISTERED SEX OFFENDER

**BASED ON POLICY:** 3.15 ADMISSION TO BACCALAUREATE, ASSOCIATE, CERTIFICATE, DIPLOMA, OR SPECIAL COURSES/PROGRAMS

**OFFICE OF PRIMARY RESPONSIBILITY:** VICE PRESIDENT FOR ACADEMIC AFFAIRS AND STUDENT SERVICES

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I. Purpose:

To establish standards for admission or readmission of students who are registered sex offenders to South Florida State College

II. Definitions

A. Sexual offender

1. An individual who has been convicted as an adult of a qualifying sexual offense in Florida or another jurisdiction as defined in multiple Florida Statutes (F.S.) that re-listed in section 943.0435, Florida Statutes

OR

2. An individual who was adjudicated delinquent on or after July 1, 2007, for one of the following offenses and is 14 years of age or older at the time of the offense:
  - a. Sexual battery (section 794.01, Florida Statutes, excluding subsection 10)
  - b. Lewd/lascivious battery where the victim is under 12 years of age or the court finds sexual activity by the use of force or coercion (section 800.04(4)(a)2, Florida Statutes)
  - c. Lewd/lascivious molestation, victim under 12 years of age, where the court finds molestation involving unclothed genitals (section 800.04(5)(c)1, Florida Statutes)
  - d. Lew/lascivious molestation, victim under 16 but more than 12 years of age, where the court finds the use of force or coercion and unclothed genitals (section 800.04(5)(d), Florida Statutes)
  - e. A violation of a similar law of another jurisdiction (i.e., federal, military, other state)

B. Sexual predator

1. An individual who has been convicted of a sexually violent offense as defined in section 775.21, Florida Statutes, (which may include offenses from another jurisdiction) and has a written court order designating the individual a sexual predator

OR

2. An individual who is civilly committed under the Florida Jimmy Ryce Sexually Violent Predator Act, sections 916.31-9.16.49, Florida Statutes (1998 supplement) and has a written court order designating the individual as a sexual predator

III. Procedure:

- A. The College attempts to protect the safety of the campus community by screening applicants for admission or readmission who are registered sex offenders as well as by responding to new information concerning sex offender-related criminal charges for current students.
- B. When a local law enforcement agency notifies the College that a sexual predator or sexual offender is enrolled or planning to enroll at the College, such notification shall be delivered to the attention of the president, who shall then deliver it to the dean, student services.
- C. If it is determined that there is a sexual offender applying or enrolled about whom the College has not been notified through official channels, this procedure will also be followed to determine the appropriateness of the student's attendance.
- D. Once notified, the dean or designee will consult the FDLE website of Florida Sexual Offenders and Predators for information on the level of the individual's offense and will consult student records to see if the offender has filed an application to the College.
- E. If the offender has applied to the College and is classified as a sexual predator, the dean or designee shall immediately send a certified letter to the applicant, return receipt requested, denying admission.
- F. If the individual is classified as a sexual offender and has applied, or if the individual is already in attendance and is classified as either a sexual predator or sexual offender, the dean or designee shall immediately send a certified letter, return receipt requested, to the individual, requesting submission of the following documents within 10 business days of request:
  1. A letter of explanation from the offender explaining the criminal offense and subsequent rehabilitation
  2. The following items from the Clerk of Courts:
    - a. Arrest affidavit
    - b. Information sheet
    - c. Court minutes

3. Order terminating probation (this would be acquired through the probation department ONLY if offender was released from supervision)
  4. Other information which the dean or designee determines to be necessary to render a decision
- G. If the documentation is not received in a timely manner, the application shall be denied, or the current student shall be suspended or expelled.
- H. If the offender/predator provides all required documentation to the College in a timely manner, the dean or designee shall notify the offender/predator of the time and place of an interview with a three-member committee comprised of the dean or designee, the director, safety and security, and a faculty/staff member. After the interview, the committee shall recommend to the vice president for academic affairs and student services (VPAA/SS) whether or not to allow the applicant to attend the College or the current student to continue to attend the College with or without restrictions. This decision shall be communicated to the offender/predator by certified mail, return receipt requested, from the VPAA/SS or designee within three business days of the meeting.
- I. If the VPAA/SS, or designee, determines that conditions should apply to offender/predator's attendance, then:
1. The offender/predator will be notified in writing of the conditions of attendance as set forth in paragraph H above.
  2. The Office of Safety and Security shall be notified of the offender's presence on campus by the VPAA/SS or designee.
  3. The offender/predator's enrollment in classes shall be monitored each semester by the dean or designee.
  4. Each term that the offender/predator is enrolled, the dean or designee shall notify the following personnel and offer the opportunity to provide additional details on the nature of the sexual offense by personal consultation with VPAA/SS or designee:
    - a. Each instructor in whose course the offender/predator is enrolled prior to course commencement
    - b. Each employee supervising an activity in which the offender/predator participates prior to participation
    - c. Each employee who, in the opinion of the dean or designee, has a need to know of the offender/predator's presence
  5. Other conditions may apply as are appropriate in regard to the nature of the offender/predator's crime, including, but not limited to, the age of the victim. For example, offenders/predators may be prohibited from participating in certain activities, enrolling in certain courses, or entering certain areas of the campus.
  6. The decision of the VPAA/SS is final.

**HISTORY: Last Revised: 4/27/20**

**Adopted: 6/15/17**

**Reviewed**

**Revised: 4/27/20**