MEMORANDUM

To: College Presidents
    Dean of the Law School

From: Vice Chancellor Otis O. Hill
      Vice Chancellor Frederick P. Schaffer

Re: CUNY Policy on the Submission of Fraudulent Documents in Support of an Application for Admission

On October 25, 2004, the Board of Trustees adopted the CUNY Policy on the Submissions of Fraudulent Documents in Support of an Application for Admission. The policy prohibits the submission of documents in support of applications for admission (including transfers) that are forged, fraudulent, altered from the original obtained under false pretenses, or otherwise deceptive. In the past the submission of such fraudulent documents generally only resulted in a one year bar from CUNY, and the University Council of Admissions Officers and Registrars recommended more severe penalties in light of the increasing occurrence of fraudulent submissions. The new policy makes such acts punishable by imposition of a five year bar on applying for admission or five year suspension, and a second violation results in a lifetime ban or expulsion. The policy also clarifies the process for dealing with submission of fraudulent documents and is intended to ensure that applicants and students understand the seriousness of submitting fraudulent documents and the potential consequences. Enclosed is a copy of the policy which must be followed by all of the colleges.

The Vice Chancellor for Student Development and Enrollment Management must be notified of all bars from applying for admission, suspensions, and expulsions under the policy and will implement these sanctions on a University-wide basis.

In the future, University admissions publications will include the prohibitions and sanctions contained in the policy. The colleges should also include this language in their own admissions publications, as follows:

PROHIBITION ON SUBMISSION OF FRAUDULENT ADMISSION DOCUMENTS: The submission of documents in support of applications for admission such as transcripts, diplomas, test scores, references, or the applications themselves, that are forged, fraudulent, altered from the original, obtained under...
false pretenses, or otherwise deceptive is prohibited and is punishable by a five year ban on applying for admission or five year suspension from CUNY. A second violation is punishable by a lifetime ban on applying for admission or expulsion from CUNY.

When fraudulent admissions documents are discovered prior to an applicant’s enrollment, sanctions will be imposed centrally. A first offense will be punishable by a five year ban on applying for admission and a second offense will result in a lifetime ban. The accused applicant will have the opportunity to appeal to the Vice Chancellor for Student Development and Enrollment Management.

When a fraudulent application is discovered by the college prior to enrollment, you must send written notification with documentation to the Vice Chancellor for Student Development and Enrollment Management in order for sanctions to be imposed. This will mostly occur with graduate applications processed directly through the colleges.

If the fraudulent admissions document is discovered after the student completes registration or begins classes at a college, the student shall be suspended for five years with the right to appeal through the college student disciplinary process. The Chief Student Affairs Officer should notify the student of the five year suspension and if the student appeals, the penalty is stayed and the student receives a full hearing as set forth in Article 15 of the Board Bylaws. A second offense results in expulsion.

If the fraudulent admissions document is discovered after the student has already graduated, the Chief Student Affairs Officer should notify the graduate in writing and shall provide a disciplinary hearing under Article 15 of the Board Bylaws. If the disciplinary committee sustains the charges, the committee may impose a five year suspension and in addition recommend the revocation of the degree. A second violation results in expulsion. Any recommendation to revoke a degree is subject to the approval by the Board of Trustees after considering the recommendation of the faculty of the college.

Enclosure

cc:    (w/encl)
  Chancellor’s Cabinet
  Chief Academic Affairs Officers
  Chief Administrative Affairs Officers
  Chief Student Affairs Officers
  Chief Enrollment Management Officers
  Registrars
  Admissions Officers
  Graduate Admissions Officers
  Legal Affairs Designees

H/MS05/FRAUDADMITPOLICY.doc/MS/cf
BOARD OF TRUSTEES
THE CITY UNIVERSITY OF NEW YORK

No. 5. A. THE CITY UNIVERSITY OF NEW YORK – POLICY ON THE SUBMISSION OF FRAUDULENT DOCUMENTS IN SUPPORT OF AN APPLICATION FOR ADMISSION:

The submission of documents in support of applications for admission such as transcripts, diplomas, test scores, references, or the applications themselves, that are forged, fraudulent, altered from the original, obtained under false pretenses, or otherwise deceptive (collectively referred to as fraudulent documents) is prohibited by The City University of New York (CUNY) and may be punishable by: a bar on applying for admission, suspension, and expulsion. The term applications for admission includes transfer applications.

PROCEDURES FOR IMPOSITION OF SANCTIONS

I. Pre-Enrollment

Whenever an applicant for admission to any college of CUNY submits, as part of an admission application, a document that is found to be fraudulent before an admission decision is made or before the applicant has enrolled, the applicant shall be barred from enrolling in any college of CUNY the year of the application and for a period of five years after the year of the application that contained the fraudulent material. If done a second time, there shall be a lifetime ban on admission to any college of CUNY. In the event of the submission of fraudulent documents, CUNY will notify the applicant in writing of this prohibited act and the penalty, and advise the applicant of the opportunity to appeal the decision in writing to the Vice Chancellor for Student Development and Enrollment Management. The applicant may then submit a written statement and evidence demonstrating that the document is not fraudulent or advancing some other defense. The Vice Chancellor may reduce or withdraw the penalty, if he or she finds the document to be authentic, that the submission of the document was not the fault of the applicant, or otherwise deems it appropriate.

II. Post-Enrollment

If, after a student has completed registration or begun classes in a CUNY college, it is found that the student had submitted a fraudulent document in support of an application for admission, the student shall be suspended from CUNY for five years. A second offense shall result in expulsion. The suspension or expulsion shall apply to all colleges of CUNY. The accused student shall be notified of such suspension or expulsion in writing and shall be entitled to appeal within 30 days of receiving notification and request a hearing pursuant to Article XV of the CUNY Bylaws, at which the college faculty-student disciplinary committee shall determine the facts, based upon which the disciplinary committee may, if persuaded that the document is authentic or that another defense is demonstrated, withdraw or reduce the penalty. The penalty shall not take effect until after the period to appeal has expired or upon the completion of the hearing. An adverse decision of the disciplinary committee shall be appealable by the accused student to the college president and a Board committee pursuant to Article XV of the CUNY Bylaws.

III. Post-Graduation

If, after a student has graduated it is found that the graduate submitted a fraudulent document in support of an application for admission, then he or she shall be notified in writing. The accused graduate shall be entitled to a hearing pursuant to Article XV of the CUNY Bylaws, at which the college faculty-student disciplinary committee shall determine the facts, based upon which the disciplinary committee may make a decision to impose a penalty of suspension from CUNY for five years, and may also recommend the revocation of the degree or certificate that had been awarded to the student. A second offense shall result in expulsion. The suspension or expulsion shall apply to all colleges of CUNY. An adverse decision of the disciplinary committee imposing a suspension or expulsion shall be appealable to the college president and a Board committee pursuant to Article XV of the Bylaws. In the event the disciplinary committee recommends the revocation of a degree or certificate, the degree or certificate shall be revoked upon approval.

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A true copy of the resolution adopted by the Board of Trustees continued on the next page
by the Board of Trustees after considering the recommendation of the faculty of the college.

IV. NOTIFICATION TO THE VICE CHANCELLOR

The Vice Chancellor for Student Development and Enrollment Management shall be notified of all bars from applying for admission, suspensions, and expulsions under this policy and shall implement them on a University-wide basis.

V. DISSEMINATION

CUNY officials shall publicize this policy and its penalties. Where appropriate, CUNY officials shall share the decisions, findings and supporting evidence on specific cases with civil and criminal authorities.

EXPLANATION: With increasing frequency, officials of CUNY and its constituent campuses are receiving fraudulent applications for admission and fraudulent documents in support of applications for admission. The fraudulent documents include transcripts, diplomas, test scores and references. Typically, the registrars, admissions officers or other officials contact the issuing institution to confirm whether or not the document is proper and authentic. In the past, if CUNY confirmed that the document was fraudulent, the applicant has been barred from admission to any CUNY college for one year. The University Council of Admissions Officers and Registrars has recommended more severe penalties, including a lifetime ban, in light of the increasing frequency and seriousness of infractions and the importance of academic integrity. The University wishes to clarify the process for dealing with submission of fraudulent documents and to ensure that applicants and students understand the seriousness of submitting fraudulent documents and the potential consequences.

October 25, 2004 Cal. No. 5. A.

A true copy of the resolution adopted by the Board of Trustees

Joe Hershenson, Secretary of the Board

Date: 26-9-2006