

Providing *Leadership*
in Academic and
Enrollment Services



*AACRAO Criminal History and
College Admissions Work
Group*

Advancing Global Higher Education



EDUCATION **SUSPENDED**

*The Use of
High School
Disciplinary
Records
in College
Admissions*



CENTER FOR COMMUNITY ALTERNATIVES
INNOVATIVE SOLUTIONS FOR JUSTICE

Advancing Global Higher Education

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1. The collection of applicants' high school disciplinary information by colleges and universities is widespread, and that information is used to inform admissions decisions despite the absence of formal, written policies and training around such practices.

- A.** About three-quarters (73 percent) of colleges and universities collect high school disciplinary information, and 89 percent of those use the information in admissions decision making.
- B.** Only one-quarter (25 percent) of colleges that collect disciplinary information have formal, written policies to guide their use of it, and only 30 percent of schools have trained their admissions staff to interpret disciplinary violation findings.



2.

High schools commonly disclose disciplinary information about their students to colleges and universities, although most do not have formal, written policies about disclosure and leave those decisions in the hands of individual guidance counselors.

- A. Fifty percent of high schools disclose disciplinary information about their students to colleges in at least some cases.
- B. Almost two-thirds (63 percent) of high schools do not maintain formal, written policies regarding disclosure of student disciplinary records to colleges.
- C. At 41 percent of the high schools that disclose disciplinary information, the guidance counselor is the only person to review the information prior to sending it to colleges.



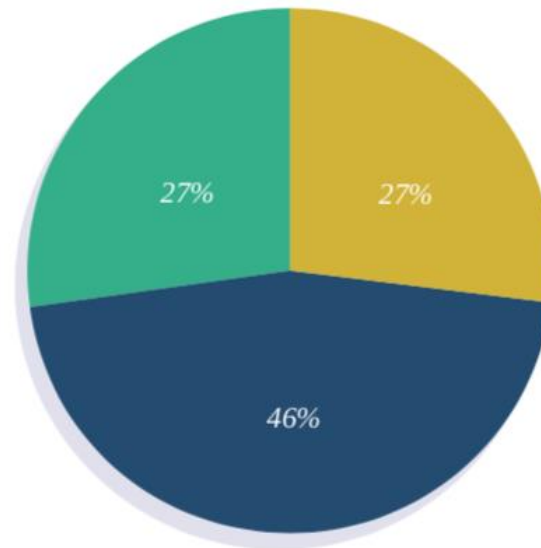
3. Those students who have a history of disciplinary violations and are admitted to college frequently face requirements and restrictions not imposed on other students.

- A. About one-third (33 percent) of colleges sometimes require special supervision of students with prior disciplinary violations, often through the office of the Dean of Students or the office of Student Affairs, or a probationary period may be imposed.
- B. Almost half (45 percent) of colleges place housing restrictions on students with prior disciplinary violations, with more than one-third (34 percent) prohibiting the student from residing in campus housing, depending on the nature of the disciplinary violations.

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Figure 1: Collection of High School Disciplinary Information by Colleges






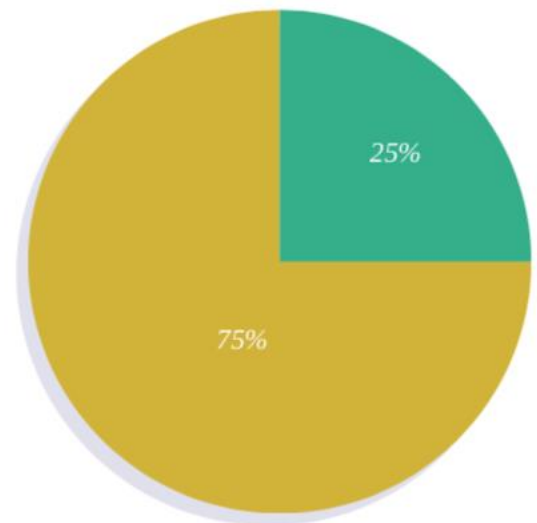
-  *Collect disciplinary information on the Common Application*
-  *Do not collect disciplinary information*
-  *Collect disciplinary information on individual application materials*



Figure 2: Presence of a Formal, Written Policy Regarding Use of High School Disciplinary Information at Colleges that Collect information





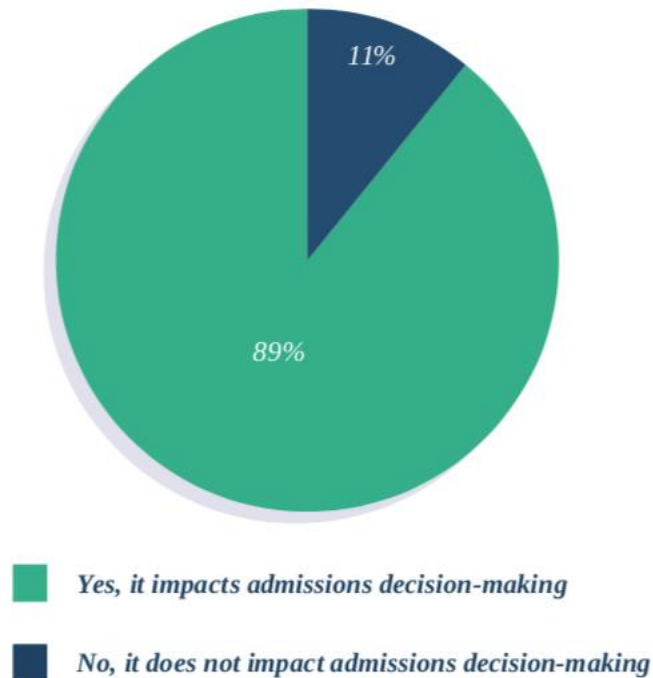
-  *Yes, there is a formal, written policy*
-  *No, there is not a formal, written policy*



Figure 3: Use of High School Disciplinary Information in Admission Decisions at Colleges that Collect Information





Beyond the Box

Increasing Access to Higher Education for
Justice-Involved Individuals

May 9, 2016

U.S. Department of Education



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- If your college or university currently collects criminal justice information, determine whether this information is necessary to make an informed admission decision and whether it would be appropriate to remove these questions from the application.
- If it is necessary to inquire about criminal history, colleges and universities should delay the request for or consideration of CJI collected until after an admission decision has been made to avoid a chilling effect on potential applicants whose CJI may ultimately be deemed irrelevant by the institution.



- If it is necessary to inquire about criminal history, colleges and universities should do so transparently and clearly inform potential students as early as possible in the application process how to respond to the inquiry.
- If inquiring about criminal history, institutions should ensure the questions are specific and narrowly focused.
- Give all prospective students the opportunity to explain criminal justice involvement and preparedness for postsecondary study.
- Provide admissions personnel and counselors training on the effective use of criminal history data





United States Government Accountability Office

Report to Congressional Requesters

March 2018

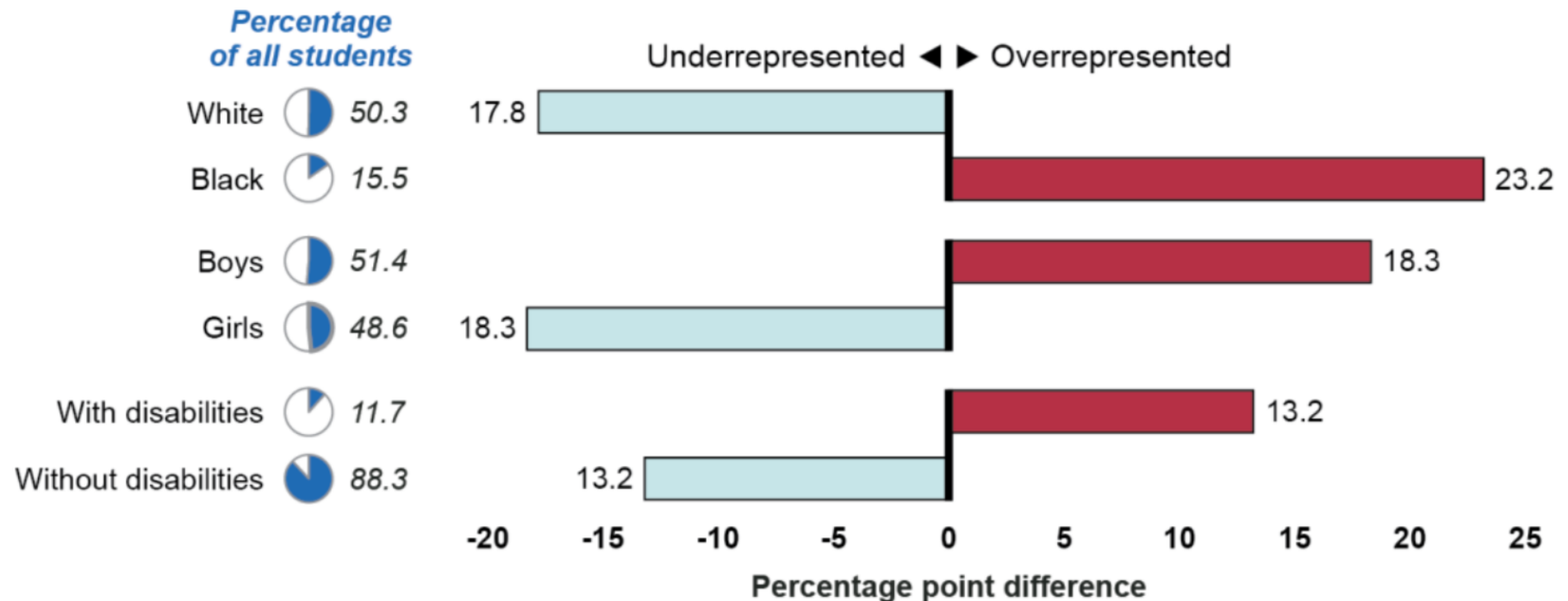
K-12 EDUCATION

Discipline Disparities for Black Students, Boys, and Students with Disabilities



Students Suspended from School Compared to Student Population, by Race, Sex, and Disability Status, School Year 2013-14

This chart shows whether each group of students was underrepresented or overrepresented among students suspended out of school. For example, boys were overrepresented by about 18 percentage points because they made up about 51% of all students, but nearly 70% of the students suspended out of school.



TRANSCRIPT DISCIPLINARY NOTATIONS



Guidance to AACRAO Members
JUNE 2017



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- AACRAO established the Transcript Disciplinary Notations Work Group in April 2016 in response to growing interest from AACRAO members, new and proposed state legislation, and the increasing public accountability of colleges and universities.
- The Work Group, comprised of ten AACRAO members who represented diverse institutional types, positions, and geographic locations was charged with developing guidance regarding the use of disciplinary notations on transcripts.



1. Recognizing that the most egregious acts of misconduct may result in the involuntary separation of the student from an institution, and may indicate a pattern of behavior that might be repeated at a subsequent institution, some form of notice should be provided to a receiving institution when a student has committed serious behavioral misconduct (e.g. including, but not limited to, that defined by the Clery Act.)



2. The academic transcript is an appropriate means to support communication about serious student misconduct, but may not be the only means of notification. A student's standing that impacts his or her eligibility to continuously enroll at an institution affects academic progress and, for this reason, is deemed transcript-appropriate.



3. If a college or university decides not to record disciplinary notations on official transcripts, the following alternatives might be considered by an institution:

- Student Conduct Transcript
- Dean's Certification Letter
- Transcript Insert



AACRAO Criminal History and College Admissions Work Group



Members of the Work Group



- Tammy Aagard, University of Florida (AACRAO Board Member)
- Philip Ballinger (Co-Chair), University of Washington
- Lee Melvin (Co-Chair), University of Buffalo
- Hans Cooper, Johns Hopkins University
- Lisa Cooper Wilkins, San Joaquin Delta College - Representing Student Affairs Professionals in Higher Education (NASPA)
- Kelly Gualtieri, Maine Maritime Academy
- Louis Hunt, North Carolina State University
- Kim Johnston, Representing the National Association for College Admission Counseling (NACAC)
- Jamie Jorgensen, Pitzer College - Representing the National Association of College and University Attorneys (NACUA)
- Cassandra Moore, Anne Arundel Community College
- Adam Ross Nelson, Representing The Common Application
- Bart Quinet, Vanderbilt University (Member of the Disciplinary Notations on Transcripts Work Group)
- Sherry Wells, Lamar University
- Matt Wilcox, University of Georgia
- Maureen Woods, University of Illinois at Chicago



Charge

- To develop guidance concerning the use of student criminal history in the college admissions process.
- To review the report from the AACRAO Disciplinary Notations Workgroup and develop guidance related to the receipt of student transcripts with disciplinary notations or other notifications of disciplinary infractions at previous institutions.
- To generate a set of recommendations for the use of the disciplinary notations in the admission process.



- To generate a set of recommendations regarding criminal history questions in the admissions application or other forms of screening criminal history, including placement of questions and timing of collection of this information (prior to admission or after.)
- To generate guiding principles for the development of institutional policy regarding use of disciplinary notations and criminal history questions.



- The Work Group has created two sub-groups to better focus on the following two issues:
 - 1) Review the Criminal History question on Admission applications.
 - Sub-group is led by Sherry Wells and Phil Ballenger.
 - 2) Develop best practices in the admission process when a school receives an application with a disciplinary notation on their transcript and/or a criminal history.
 - Sub-group is led by Bart Quinet and Lee Melvin.



Other Information

Disciplinary Notations on Transcripts

- No movement on Federal Legislation mandating Disciplinary Notations on transcripts.
- Two (2) states (Virginia, New York) currently mandate disciplinary notations on transcripts.
- Similar legislation has been introduced in other states, but not passed (Texas) or is expected to be introduced in the future (Vermont, Massachusetts) .



Beyond the Box

- In February 2018, a letter signed by 18 Democratic Senators was sent to the Common App, ACE and APLU and their Board of Directors encouraging them and their members to not include Criminal Justice Involvement (CJI) questions in the admissions process.
- The states of Maryland, Louisiana and Washington have removed CJI questions on the application for public universities.
- *Beyond the Box Higher Education Act (S. 3435)* – Sen. Schatz, Durbin, Booker
 - Legislation seeks to Codify the Obama Administration’s “Beyond the Box” 2016 Guidance
 - Supported by NACAC, IHEP, Education Trust
 - AACRAO has been asked to support but has been neutral due to the Work Group
- Most recent budget that President Trump signed in September included language that encourages the Department of Education to proactively share the “Beyond the Box” guidance, which provided a recommendations for colleges and universities to remove criminal history question from their applications.
- It also includes language requiring the Department to provide the Appropriation Committees with a report within 90 days on how many colleges and universities they were able to contact.



Questions to Consider



- Does your institution ask Criminal Justice Information (CJI) questions in the admissions process?
- Does your institution have a formal written policy?
- If yes, do you train your staff on effective use of criminal history data in the application process?
- If your institution collects this information, how does it impact the admissions process?
- If you ask CJI in the application process, is the question specific and narrowly focused or in broad terms?



- If a criminal instance comes up in the application review process, do you provide the applicant the opportunity to explain the issue?
- If a criminal instance comes up in the application review process, do you have comprehensive and consistent admissions procedures in place to handle applicants with a past criminal issue?
- Are you aware of any students who have been negatively impacted by CJI questions on your college's application?

