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## Students with Felony Convictions in Higher Education: An Examination of the Effects of Special Admissions Policies on Applicants and on Campus Communities

Bradley Dean Custer  
*Wright State University*

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STUDENTS WITH FELONY CONVICTIONS IN HIGHER EDUCATION:  
AN EXAMINATION OF THE EFFECTS OF SPECIAL ADMISSIONS POLICIES ON  
APPLICANTS AND ON CAMPUS COMMUNITIES

A thesis submitted in partial fulfillment of the  
requirements for the degree of  
Master of Arts

By

BRADLEY DEAN CUSTER  
B.A., Capital University, 2010  
B.M., Capital University, 2010

2012  
Wright State University

WRIGHT STATE UNIVERSITY  
SCHOOL OF GRADUATE STUDIES

March 15, 2012

I HEREBY RECOMMEND THAT THE THESIS PREPARED UNDER MY SUPERVISION BY Bradley Dean Custer ENTITLED Students with Felony Convictions in Higher Education: An Examination of the Effects of Special Admissions Policies on Applicants and on Campus Communities BE ACCEPTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF Master of Arts.

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## ABSTRACT

Custer, Bradley. M.A., Department of Leadership Studies in Education and Organizations, Wright State University, 2011. Students with Felony Convictions in Higher Education: An Examination of the Effects of Special Admissions Policies on Applicants and on Campus Communities.

There is limited research documenting the outcomes of college admission policies that screen applicants with prior felony convictions. Without this data, there is no evidence to support that these policies make college campuses safer. Additionally, there is no information available on the effects of special admissions policies on the applicants or on academic performance of students with prior felony convictions. This mixed-method study examined the applications of 54 undergraduate applicants with prior felony convictions at a mid-sized, public institution in the Midwest to reveal demographic trends among the population, to reveal themes from written narratives, and to examine the academic performances of admitted students. The study revealed that none of the 37 enrolled students with felony convictions violated any student policies during their enrollment, indicating that individuals should not necessarily be perceived to pose a heightened level of risk just from having felony convictions. Analysis of written statements revealed that some applicants were distressed and some were ultimately deterred from the institution, indicating that the process may be stressful, marginalizing, stigmatizing, or discriminatory. Finally, descriptive statistics showed the enrolled students' average grade point averages and retention rates were low, indicating that students with prior felony convictions may need special academic and support services. The researcher recommended that the research institution discontinue general admissions policies that screen applicants with felony convictions and that all institutions assess their own special admissions policies.

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## **I. INTRODUCTION TO THE STUDY**

Equitable access to higher education has evolved to allow people from many different backgrounds the opportunity to attend college. These different backgrounds include but are not limited to race, color, creed, religion, age, sex, national origin, ancestry, citizenship, disability, and socioeconomic status. Students with felony convictions are a population of students who are not included in the groups listed above but face challenges being admitted to colleges and universities. In 2009, the U.S. Department of Justice's Bureau of Justice Statistics reported that 1,617,478 people were incarcerated in the U.S.A. (West, 2010). This statistic is also described as 504 incarcerated people per 100,000 U.S. residents, making it the highest incarceration rate in the world. The incarceration rate has increased on average by 2% annually since 2000 and has only begun to taper off in the past year (West, 2010). Regardless, one can be sure the number of people with criminal histories applying to college will also increase. This growing population of students can be viewed from different perspectives: a group of students who poses a threat of harm to the campus community; or a group of students who deserves access to education as all other students. As a result of viewing this group as deserving limited access but also as a threat to campus safety, an emerging trend is for institutions of higher education to screen applicants based on criminal history by requiring self-disclosure of criminal history or by conducting background checks.

There are several explanations for requesting student criminal histories. First and foremost, administrators are increasingly concerned with the safety of staff and students. Infamous acts of college campus violence, such as those at Virginia Polytechnic Institute and State University in 2007 and at Northern Illinois University in 2008, have resulted in the development of new policies and procedures on campuses designed to promote a safer, more

secure environment (Hughes, White, & Hertz, 2008; Hughes & Wolf, 2008). More recent events, such as the shooting in Tucson, Arizona on January 8, 2011 by a former Pima Community College student, may continue to instigate the development of these policies (Reis, 2011). One such policy is using criminal histories as a selective measure in the admissions process.

In addition, specific academic programs have an important stake in the need for requiring criminal history. Sensitive programs such as education, counseling, nursing, social work, criminal justice, and other health care fields are often legally required to conduct background checks or to require self-disclosure of criminal history (Farnsworth & Springer, 2006; Erwin & Toomey, 2005; Magen, Emerman, Scott, & Zeiger, 2000). Because state licensing boards for these areas may not grant licenses to people with felony convictions, institutions may not let students with criminal histories enter into or complete these programs. However, the focus of this study is whether institutions of higher education should request such information as a condition of general undergraduate admission, not as a condition of admission to sensitive degree programs.

Another reason for requesting criminal history is the idea that students with felony convictions face a more drastic transition to college compared to those without convictions. Individuals with felony convictions may be applying to college directly after incarceration or after being unsuccessful in finding work. Students with felony convictions can benefit from special attention by college personnel to help with transitioning to student life. In a study of four college students with felony convictions, Copenhaver, Edwards-Willey, and Byers (2007) found that support groups and assistance from campus personnel are needed to help with the transition to college. Student affairs professionals can make an intervention for these students by reviewing their special admissions application materials to search for student success risk factors and by

referring them to appropriate campus resources and support services. While one study revealed that some institutions are doing such interventions, there is no research on a systematic approach or outcomes of providing special services to ex-offenders who are identified through the general admissions process (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010).

Many colleges and universities either do not require disclosure of criminal history or do not take any action when that information is provided or otherwise obtained. Correctional rehabilitation and social justice advocates support this policy. They propose that this method provides fair opportunities for people with felony convictions to pursue higher education (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010). Additional requirements in the admissions process for applicants with felony convictions may be marginalizing and stigmatizing (Copenhaver, Edwards-Wiley, & Byers, 2007); such marginalization and stigmatization may deter applicants from continuing with the application process.

Legally, court decisions and laws have allowed colleges and universities to establish their own college admissions policies and screen applicants (Langhauser, 2001). Institutions of higher education are increasingly likely to implement these policies based on the perception that the policies will contribute to campus safety efforts even though there is little research defining the effect on the institution or on the prospective student. The first purpose of this study is to determine whether students with felony convictions pose more of a threat to the campus community and property than students without prior felony convictions. The second purpose of this study is to examine the experiences of applicants with felony convictions who completed additional admissions processes in order to be admitted. The third purpose of this study is to examine the academic progress of those students with prior felony convictions who were admitted and enrolled.

## **Statement of the Problem**

Criminal history information has become a factor in admissions decisions for many institutions of higher education. Denying or revoking admissions based on criminal history has been added to the selection criteria to promote campus security (Dickerson, 2008). The higher education community, however, lacks data on the relationship between adding selective admissions criteria and increased campus safety. Without data to support that students with felony convictions pose more risk to colleges, colleges may be unfairly denying admission to applicants who are otherwise academically eligible for admission (Langhauser, 2001). The reentry of convicted felons into society is a difficult process due to barriers to housing, employment, and education. Education, however, is known to be a pivotal factor in successful reentry and reduced recidivism (Stevens & Ward, 1997). Requiring additional admissions procedures for applicants with felony convictions may be a marginalizing experience that creates another barrier to successful reentry (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010).

The purpose of this study is to examine two of the important factors that are considered when implementing policies to use criminal history in the admissions process: concerns for campus safety and the experience of the applicant during the admissions process. First, it will be determined whether students with prior felony convictions violate university policy or law at a higher rate on average than students without prior felony convictions. This will indicate whether students with prior felony convictions pose more of a threat of harm to the campus community than students without felony convictions. In addition, the researcher will analyze the written admission statements of applicants with prior felony convictions to uncover themes of common experiences.

## **Definition of Terms**

1. Background check – a formal review of official state, local, and/or federal law enforcement records provided by either the student, the institution, or an outside agency (Milam, 2006).
2. Criminal history – For the purpose of this study, criminal history refers only to an individual’s felony convictions and does not include expunged records, arrests, or lower offenses.
3. Discipline history – in college student conduct systems, a listing of an individual’s policy violations.
4. Felony – generally, a serious crime carrying the potential penalties of imprisonment or death.
5. Negligence – “refers to acts or omissions demonstrating a failure to use reasonable or ordinary care” (Roth, McEllistrem, D’Agostino, & Brown, 2006, p. 365).
6. Recidivism – “a tendency to relapse into a previous condition or mode of behavior; *especially*: relapse into criminal behavior” (Recidivism, n.d.).
7. Reentry – “providing released prisoners with the services and supports (and often correctional supervision) that is presumed necessary for their successful reintegration into their home communities” (Veysey, Martinez, Christian, 2009, p. 2).
8. Student Code of Conduct – an institution of higher education’s policies that outline appropriate and expected student behavior.

## **Research Questions**

This ex post facto study aimed to examine the factors that influence whether an institution of higher education should use criminal history information in the general admissions decision process. First, the issue of campus safety was examined. The study attempted to



determine if students with felony convictions pose a different amount of risk to the campus community and property than students without felony convictions. Second, the issue of adverse effects on applicants was examined. This study attempted to reveal the experiences of students who had to self-disclose their felony convictions during the college admissions process. Finally, the academic performance of those applicants who were granted admission was studied to determine if they were successful as college students.

### **Hypothesis**

- There is a difference in the number of Student Code of Conduct violations during the time of enrollment between students with prior felony convictions and students without prior felony convictions.

### **Null Hypothesis**

- There is no difference in the number of Student Code of Conduct violations during the time of enrollment between students with prior felony convictions and students without prior felony convictions.

### **Directional Hypothesis**

- The number of Student Code of Conduct violations during the time of enrollment will be higher for students without prior felony convictions than students with prior felony convictions.

### **Research Questions**

This study will address the following research questions:

- **Research Question 1:** Do students with prior felony convictions pose more of a risk to the campus community than students without prior felony convictions?

- **Research Question 2:** Do applicants with prior felony convictions fail to complete the additional admissions processes in relation to their perceived feelings of being marginalized, stigmatized, or otherwise unwelcomed by the college admissions process?
- **Research Question 3:** What are the experiences of applicants regarding disclosing criminal history information in the general admissions process?
- **Research Question 4:** What are the experiences of the applicants with criminal history who are granted admission to the university?
- **Research Question 5:** Do the special admissions processes serve a constructive purpose?

### **Assumptions**

For the purpose of this study, the following assumptions are developed:

- All applicants within the sample are applying for undergraduate programs.
- All applicants within the sample were subjected to the same admissions policies and procedures.
- Student admissions applications and supplemental materials have been accurately managed and maintained by college personnel.
- All demographic data self-reported by the student on the admissions application are accurate (i.e., gender, age, citizenship, ethnicity, race).
- All additional data obtained from educational records are accurate (i.e., high school GPA, previous institution(s) GPA, current GPA).
- All undergraduate applicants beginning in Fall 2009 at the research institution were expected to self-disclose criminal history. However, of those applicants who indicated having no felony convictions, there is no method to confirm the accuracy of the self-

disclosure. Thus, it is assumed that applicants honestly and accurately reported their criminal history.

- Most accepted students with prior felony convictions were not permitted by the research institution to live in on-campus housing. Of those who were not restricted from on-campus housing, it can be assumed that most, if not all, chose to live off campus because of the average age of the applicants with felony convictions.
- It is against university policy at the research institution to violate federal, state, or local laws. Any student who commits a crime, especially who is convicted of a felony, during the time of enrollment at the research institution will participate in the student conduct process. It can be reasonably assumed that the university is made aware of students who have committed crimes on or off campus.

### **Scope**

The scope of this study is limited to students who have disclosed prior felony convictions on an undergraduate admissions application at a public, four-year university in the Midwest between the beginning of Fall 2009 and the end of Winter 2011 (n=54). The institution was selected because it began requiring disclosure of felony convictions in Fall 2009. Generalizations about issues of using criminal histories in the general admissions process for other institutions of higher education cannot be made from the results of this study.

Only undergraduate student applicants are included in this study because the research institution did not require disclosure of criminal history for graduate or professional applicants. It should be noted that during the time that this study was conducted, the research institution began collecting criminal history information from graduate school applications as well. However, no graduate school applicants were used in the study. The institution also required the self-

disclosure of discipline history from high schools and other institutions of higher education; those applicants completed the same additional admissions process as those who had criminal histories. This study only included undergraduate applicants who self-disclosed a history of felony convictions-

The researcher had no control over the responses that applicants provided in their statements. The responses varied in the degree to which they appropriately addressed the provided prompts in the instructions. The researcher did not have any information on applicants who did not submit their statements and who did not continue with the admissions process after completing the initial undergraduate application.

The confidentiality of information obtained from educational records and of criminal conviction information is an important ethical consideration in this study. While members of the general public are able to access some criminal history information, such as information obtained through state or national sex-offender registries and public court records, the criminal histories of student applicants obtained through the admissions process are not made available to faculty, staff, or students at the institution studied. The only exception to this is that the institution studied listed on its police department website the names of students who were registered sex-offenders. None of those students were included in this study because they did not apply during the time period studied.

The researcher is perplexed by the trend among institutions of higher education to bar applicants with prior felony convictions from general admissions without any empirical evidence to show that doing so may contribute to safer campuses. The researcher recognizes that while some released ex-offenders have the propensity for violence and a likelihood of recidivism, ex-offenders should have opportunities to access education without additional barriers as do those

without convictions. Some ex-offenders are released from jail or prison with restrictions on housing to employment to parental rights. Those who demonstrate a desire to pursue education, in the view of the researcher, are not likely to pose a risk of harm to the institution's community or property. Similarly, it is demonstrated in the literature on prison education that education is positively formative (Hughes, 2009). Education widens one's frame of reference through exposure to new and diverse ideas and expands one's capacity to make appropriate decisions in ethical dilemmas. There may be no better way to deter one from crime than by instilling in one a passion for learning, determination, work ethic, and sense of achievement from completing an educational degree program (Stevens & Ward, 1997). Providing access to education to applicants with felony convictions is much more a public service than a dangerous undertaking.

Specific academic programs should continue to screen applicants based on laws and licensure requirements that govern certain professions. As an education degree-holder, the researcher understands the limitations that are rightly imposed on individuals with criminal histories within some professions. Additionally, it is reasonable for institutions to prohibit students with felony convictions from living in on-campus housing, a consideration that is not addressed in this study. The institution studied required the disclosure of felony convictions on its housing application form. Housing officials at the research institution made decisions on all applicants' housing eligibility.

The researcher has never been arrested and has furthermore never been convicted of a felony. Nor does the researcher know anyone personally who has been convicted of a felony and who has applied for admission at an institution of higher education. The researcher recognizes inconsistencies in policies and explanations for policies that screen applicants based on criminal history and seeks to provide information that may inform the development of improved policies.

## **Significance of Study**

Institutions of higher education are increasingly screening student applicants with felony convictions during the admissions process because screening is believed to contribute to campus safety. There is a need for data to determine if students with felony convictions pose more of a risk to campus communities than students without felony convictions. This study will determine if the students who had prior felony convictions at the research institution have violated university policies at a higher rate than students without prior felony convictions.

In addition to the concerns for campus safety, there is also concern for the experience of the applicants who have disclosed criminal history information. Little is known about the negative impacts of additional admissions processes for students with felony convictions. Similarly, little is known about the academic success of these students once admitted.

This study is significant in that it examines a population of students about which little is known and to which college administrators are devoting increasing time and resources. It is also significant in that it measures the number of students who do not follow through with the admissions process after being asked to submit more information about criminal history and who do not enroll after being granted admission as a result of the special admission process. Finally, it aims to draw themes from the applicants' written statements about their feelings and experiences of going through the special admissions process.

This information could be used among the varying considerations for whether to obtain criminal histories to screen admissions applicants. The research institution, after weighing the considerations and findings of this study, may implement, change, or discontinue policies that use criminal histories as a selective criterion in the general admissions process.

## **II. REVIEW OF RELATED LITERATURE**

There are numerous issues to be considered regarding the use of criminal history in the admissions process at colleges and universities. The literature review is organized to first present the legal foundations of using criminal history in the admissions process and the corresponding negligence and liability. Next, the phenomena of campus crime and the role of education for ex-offenders as a means to reduce crime are discussed. The needs and trends for screening applicants within special college programs such as nursing, counseling, social work, and education also play an important role in this discussion. The negative impacts on ex-offenders of societal marginalization and unequal opportunities for housing, employment, and especially education are explored. Finally, the reader can review the trends in the design and implementation of current university admissions policies that address students with prior felony convictions.

### **Legal Foundations**

Federal and state laws and court decisions have allowed institutions of higher education a great deal of discretion in the selection criteria of students for admission. This includes the legal foundation for institutions that choose to implement policies to deny or revoke admission for applicants or students with felony convictions.

Historically, the law has viewed educators as the experts on the selection of students for college admission as a principle of academic freedom; therefore, the law has provided minimal regulations for admissions processes (Kaplin & Lee, 2006). One important regulation is that the college may not have admissions policies that “unjustifiably discriminate on the basis of characteristics such as race, sex, disability, age, residence, or citizenship” (Kaplin & Lee, 2006,

p. 753). Other expectations include that admissions criteria be defined clearly and that applicants must provide accurate information (Bunting, 1990; *Martin v. Helstad*, 1983).

Several court decisions have defined that the pursuit of higher education is not a right (Langhauser, 2001). “Applicants for admission do not have a legitimate claim of entitlement to post-secondary or graduate school admission and, therefore, do not generally have either a property or a liberty interest in their application” (Langhauser, 2001, p. 734). As a result, student applicants are not awarded procedural due process rights; they have no right to a hearing during the admissions process (Langhauser, 2001). Colleges may deny admission with wide discretion, but they must be able to provide rationale for their decisions to applicants.

Once admitted, students may have contractual rights and property and liberty interests as protected by the Fourteenth Amendment (Bunting, 1990). Establishment of rights and interests guarantees certain due process rights. Due process must be awarded when revoking admission. However, if an applicant commits fraud during the application process, the contract is nullified and due process rights are not awarded. Colleges may revoke admission when a student falsifies applications or otherwise deceives the institution. In the case of *Martin v. Helstad*, the University of Wisconsin revoked the admission of a law student who did not fully disclose criminal history when prompted on admissions applications. The court upheld the decision of the institution, and stated “Martin's acceptance to the law school, procured through incomplete, false and misleading information does not constitute a ‘legitimate claim of entitlement’, but rather an invalid claim founded on misrepresentation” (*Martin v. Helstad*, 1983, p. 10). Thus, the contractual agreement of admission was invalidated, and the student was not awarded due process rights.

Given the latitudes that the law has provided to institutions, colleges may deny or revoke admissions based on felony convictions. “No state or federal law prohibits institutions of higher



education from requiring admissions applicants or admitted students to submit, or submit to, criminal background checks” (Dickerson, 2010, p. 14). However, some state laws restrict the required disclosure of certain information, such as arrest histories, expunged records, or juvenile records (Langhauser, 2001).

### **Liability and negligence.**

When institutions knowingly admit convicted felons to campus, the implications for liability are uncertain. The theory of negligent admission refers to legal liability when admitting students who can reasonably be foreseen to pose a risk to the campus community. It is based on principles of negligent hiring where employers are liable for harm caused by employees whose “propensity for violence” was foreseeable (Stokes & Groves, 1996, p. 863). “An individual injured by another student’s criminal act might sue the university for negligent admission, arguing that she would not have been injured had the school more thoroughly researched the perpetrator-student’s background before offering admission” (Dickerson, 2010, p. 19).

Only one court case has addressed the liability of an institution for admitting a student with known felony convictions. In 1972, Larry Campbell was convicted of drug offenses and was sentenced to six years in prison. He was treated for serious mental health conditions while in prison. Released in 1975, Campbell enrolled in a special state-funded program for the disadvantaged at State University College in Buffalo, New York. On June 9, 1976, Campbell raped and murdered a student, murdered a second student, and severely injured a third (*Eiseman v. New York*, 1987).

The family of the deceased and the survivor sued the State of New York on claims of negligence regarding the prison physician’s failure to report Campbell’s medical history, Campbell’s release from prison, his admission to the institution, and the institution’s failure to

properly supervise him. The trial and appellate courts dismissed the survivor's claims but awarded damages to the families of the deceased finding that the institution breached its duties to protect its students. The Court of Appeals of New York reversed the decisions of the lower courts. The court determined that the institution was not liable for the Campbell's actions based on his previous criminal history, thus defeating the theory of negligent admission. The judge reiterated that Campbell, as required by law, was released from prison. Then, in applying to the university, the university did not assume a heightened legal duty to restrict Campbell because of his alleged and assumed foreseeable risk of harm (*Eiseman v. New York*, 1987). The court's decision spoke to the heart of the issue of students with criminal histories in higher education:

But even more fundamentally, the underlying premise that, once released, Campbell by reason of his past presumptively posed a continuing, foreseeable risk of harm to the community is at odds with the laws and public policy regarding the release of prisoners. Consistent with conditions of parole, an individual returned to freedom can frequent places of public accommodation, secure employment, and if qualified become a student (*Eiseman v. New York*, 1987, p. 11).

The decision in *Eiseman* was an important one that, for now, protects colleges from the duty to protect the campus community from ex-offenders who have been released for reentry by the judicial system. Dickerson (2008) was skeptical that all courts will respond similarly to cases where known ex-offender students commit crimes on campus. First, Dickerson recognized that judges continue to respect the academic freedom and professional judgment of faculty and college staff to make decisions about students and student admissions. Secondly, he warned that "other courts may view colleges and universities more like businesses that have a duty to protect invitees, such as students and employees, from dangers of which the institution knew or should

have known” (Dickerson, 2008, p. 474). Smith (1996) also warned that assuming the duty to protect by screening applicants may warrant more legal liability as it creates a contractual expectation for a safe campus.

**Blanket admissions policies.**

While there is very little legal guidance regarding admissions policies that screen students with felony convictions, there has been one case that helped define what colleges cannot do. In 2010, the Board of Trustees of Lake Michigan College adopted a policy that denied admission to and prompted the immediate expulsion without a hearing of any individual with any felony conviction or sex offense. An individual who was listed on the Michigan sex offender registry was subsequently expelled from the College. He, with the American Civil Liberties Union of Michigan, sued the college on the basis that he was denied his due process rights. In 2011, the suit was settled so that the individual was permitted to register at the College after a proper hearing by college officials revealed that the student posed no risk of harm to the campus. Lake Michigan College was also required to change its policies so that it must review each student individually who indicated having a felony conviction or sex offense before making any judicial or admissions decisions (Lake Michigan College, 2011). ACLU attorney Miriam Aukerman reiterated:

We support our colleges and universities in their efforts to screen out students who may pose a threat. However, a blanket ban that doesn't take into account a student's risk level, age of the offense and rehabilitation efforts is unfair and illegal (Lake Michigan College, 2011, n.p.).

In summary, federal and state laws and court case decisions provide only some guidance on the legality of screening students based on criminal history. Institutions are currently

permitted by law to screen applicants at their discretion so long as they follow their own policies and avoid blanket policies. At least one court case decision stands in opposition of the idea that institutions carry additional legal burden to protect its community from students with felony convictions.

## **Issues of Campus Safety**

### **Crime on college campuses.**

High profile crimes on college campuses, such as the shootings at Virginia Tech and Northern Illinois, are often cited in discussions on the accountability for colleges to ensure campus security (Hughes & Wolf, 2008; Pierce & Runyan, 2010). Generally, campus crimes are on the rise. In 2007 alone, a student at the University of Memphis murdered a football player; a University of Phoenix student murdered her roommate; and a Keene State College student killed his roommate and then himself (Dickerson, 2008). Campus administrators are attempting to promote campus security by screening applicants for criminal history. The process is intended to prevent applicants from being admitted who pose a threat to the campus community and/or property. However, in reference to criminal screening practices as a result of highly publicized incidents similar to Virginia Tech, Weissman, Rosenthal, Warth, Wolf, and Messina-Yauchzy (2010) stated that “these practices are overreactions to exceedingly rare occurrences” (p. 5).

Despite prominent incidents of campus violence, people within the campus environment are noted to be considerably safer than people in the public environment. Olszewska (2007) summarized several governmental reports to reveal that “college students are 10 times less likely to be murdered in a campus setting, one and a half times less likely to be raped, 16 times less likely to be assaulted, and three times less likely to be robbed than the average citizen” (p. 28).

Dickerson (2010) stated “the final, and ultimate, policy question is whether background checks actually will enhance campus safety” (p. 28). To answer the policy question, evidence is needed from institutions that have required self-disclosure or background checks in the admissions process. One study in particular indicated that screening applicants through self-disclosure or background checking does not yield safer campuses. Olszewska (2007) compared the campus crime statistics reported under the federal Clery Act of institutions that “explore[d] undergraduate disciplinary backgrounds” to those that did not (p. 122). Olszewska (2007) concluded that there were no statistically significant differences in the crime rates of institutions of higher education that do and do not screen applicants. Another study demonstrated that the large majority of crimes on campus are committed by students without prior criminal history. The University of North Carolina, in response to two 2004 murders by students with prior felony convictions, conducted a self-study of campus crime statistics for 2001-2004. It was determined 1,086 students participated in criminal incidents and 147 students participated in aggravated assault or higher crimes. Of those 147 students, 21 students were found to have had prior criminal histories, which means 14% of the aggravated assault or higher crimes were committed by students with prior felony convictions (University of North Carolina, 2004). Pierce and Runyan (2010), however, noted about this study that “it did not report the overall percentage of students with prior criminal convictions, making it impossible to assess whether students with or without prior convictions were more likely to commit these higher-level offences” (p. 58). Regardless, this study documented that less than 1% of the crimes on this campus were committed by students with prior felony convictions.

While prominent episodes of campus crime are reminders that crime can happen anywhere, there is a lack of evidence to support that individuals with criminal histories are

committing crimes at a higher rate on college campuses than those without criminal histories. Additionally, college campuses are noted to be safer environments than the general public environment (Olszewska, 2007). “Excluding people with criminal records from attending college will only serve to create a false sense of security, given what we know about the commission of crimes on campus” (Weissman, Rosenthal, Warth, Meyers-Peebles, & Meyers Frazier, 2008, p. 10).

### **Educating ex-offenders to reduce crime.**

Conversely, some argue that admitting applicants with criminal histories promotes rather than undermines campus safety. “Colleges and universities promote public safety in the larger community when they open their doors to people with criminal records who demonstrate the commitment and qualifications to pursue a college education” (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010, p. 30). This benefit to public safety is achieved through the formative effects of education. Stevens and Ward (1997) described the mission of correctional education, and perhaps more generally higher education, as “an agent of change” for the inmate (p. 107). Education can serve to change ex-offenders into safe, productive members of society.

Many studies on the effects of education, especially within prisons, have shown that prisoners who achieve higher levels of education are less likely to reoffend and more likely to find employment (Stevens & Ward, 1997; Gaes, Flanagan, Motiuk, & Stewart, 1999; Matsuyama & Prell, 2010). A study of the Iowa prison education system demonstrated that released prisoners who obtained at least a General Equivalency Diploma (GED) had higher employment rates compared to released prisoners without GEDs (Matsuyama & Prell, 2010). Furthermore, those ex-offenders with a GED or high school diploma “earned consistently higher wages...compared to offenders with less than a high school diploma and no GED (Matsuyama & Prell, 2010, p. 2).

Matsuyama and Prell (2010) also cited additional studies that have demonstrated that participants of prisoner education have more success finding employment and have reduced recidivism rates.

Stevens and Ward (1997) studied 60 student-inmates who completed an associate and/or bachelor degree in prison. “Results show that inmates who earned associate and baccalaureate degrees while incarcerated tend to become law-abiding individuals significantly more often after their release from prison than inmates who had not advanced their education while incarcerated” (Stevens & Ward, 1997, p. 106). Three offenders out of 60 were re-incarcerated within the three year time period of the study compared to the average 40% recidivism and re-incarceration rate. The authors stated plainly, “Positive educational intervention for inmates is necessary because it is practical” (Stevens & Ward, 1997, p. 109).

Gaes, Flanagan, Motiuk and Stewart (1999) reported similar results from meta-analysis of similar studies; “as participation in college programs increased, recidivism rates decreased” (p. 401). The authors described why prison education reduces recidivism. Teaching reading and writing skills improves literacy and increases opportunities for employment; obtaining employment is an important independent factor of reducing recidivism. Additionally, offenders develop qualities such as maturation, dedication, and better decision-making during the education process. The authors also noted that exposure to the liberal arts such as literature allows offenders to “develop a broader frame of reference within which to evaluate life choices” (Gaes, Flanagan, Motiuk, & Stewart, 1999, p. 399).

In addition to prison education serving as a means to provide job skills training, education leads to self-improvement. Hughes (2009) studied the influence of distance learning programs on prisoners in England. The author observed that prisoner education programs had

positive effects on prisoner-students' senses of self-confidence, self-esteem, self-worth, responsibility, achievement, and empowerment (Hughes, 2009). The author concluded:

Not only have their studies armed them with qualifications, and new knowledge sets, but their studies have reinforced confidence and perseverance and encouraged the development of positive roles and identities that may serve to equip them for such difficulties they may face following their release (Hughes, 2009 p. 101).

In summary, campus safety is an important concern for campus administrators. The limited research available has not proven that screening applicants based on criminal history makes campuses safer. Additionally, there is abundant research to support the positive effects of education for ex-offenders on successful reentry and reducing criminal recidivism.

### **Sensitive Academic Programs and Professional Fields**

Criminal information collected at the time of admission may also be used by academic programs within an institution of higher education. Sensitive fields of study, such as nursing, education, counseling, criminal justice, law, and social work, often require background checks or self-disclosure either at the time of admission, prior to field placements, or prior to obtaining professional licenses. Licensing boards and special academic programs may disqualify individuals with certain felony convictions.

It is known, however, that licensing boards have petition processes, and individuals with convictions are able to obtain licensure and practice in sensitive fields. For example, in the case of *In re Marcus Anthony Bryant* (2006), the Supreme Court of Louisiana granted permission to an ex-offender to sit for the bar exam and practice law. In 1995, Bryant, who was 17 and only two months older than the age of juvenility, was convicted of possession of cocaine with intent to distribute. Suspended from high school, he later obtained his GED, obtained an undergraduate



degree from Southern University, and graduated from Southern University Law School in 2004. Although his court records were expunged in 2002, the Louisiana Committee on Bar Admissions denied his application to sit for the bar exam due to his felony conviction as it related to his good character. The Supreme Court of Louisiana, in 2006, after investigating his character through extensive reference checking, determined that Bryant should be eligible to practice law. The investigating commissioner summarized that Bryant “made a mistake as a high school student” and “that he has been rehabilitated” (*In re Marcus Anthony Bryant*, 2006, p. 1). This court case is evidence that successful students with felony convictions have been able to gain access to sensitive professional fields.

College nursing programs are grappling with the same issues with which general admissions departments are grappling. Programs face concerns of increased accountability for safety, unprecedented liability issues, lack of guidance in reviewing criminal histories, lack of legal foundation, and denying admissions to academically qualified students (Farnsworth & Springer, 2006). Burns, Frank-Stromberg, Teytelman, and Herren (2004) reported that “barring a state requirement, there is no legal duty for schools of nursing to perform background checks” and that “the majority of state boards of nursing are now requiring criminal background checks on potential licensees” (p. 125). A study by Farnsworth and Springer (2006) revealed that out of 258 programs representing programs from all 50 states, 38% conducted background checks at varying junctures before or during participation in the program, 14% required self-disclosure of criminal history, 7% were planning to implement background checks or self-disclosure requirements, and 41% were not doing anything regarding criminal histories. This demonstrates the wide variance among institutional policies. Phone interviews with respondents revealed that

most programs began collecting information based on new laws, nursing licensure requirements, or clinical site placement requirements (Farnsworth & Springer, 2006).

Counseling education programs are also beginning to address the need for screening applicants. Erwin and Toomey (2005) cited that some individuals with felony convictions may be “inappropriate for the field of counseling” or “may represent a risk to clients” (p. 312). Erwin and Toomey (2005) examined the advantages and disadvantages to criminal background checking for counseling students. Their counseling program survey included questions about admissions practices and perceptions of criminal background checking. No such studies had appeared in the counseling literature at publication date. The authors reported that five of the thirty-seven participating accredited schools were currently requiring background checks for counseling students. Two schools reported having policies in place for determining admission and non-admission. Sixteen responded that obtaining clinical licensure was contingent on passing a criminal background check. The authors discussed the implications of the findings, especially the fact that some programs are requiring criminal checks while there is little consensus on the topic within the profession. The authors also discussed the ethical and legal implications of background checks, especially the recruitment of minority students in counseling programs, citing African-Americans make up nearly 50% of those incarcerated in America (Erwin & Toomey, 2005).

Magen and Emerman described one role of social work education programs as gate keeping for the profession (Magen, Emerman, Scott, & Zeiger, 2000). Selective admissions processes for applicants are the first barriers to prevent certain people from practicing as social workers, in this case, applicants with felony convictions. Social work is a state-licensed field that in some states prevents all individuals with felonies from practicing. “A social work program

that admits a student with a felony conviction engages in deception by training the individual for a professional practice role they [sic] may be barred from undertaking” (Magen et al., 2000, p. 403). The authors also described the social work profession’s ethical standards and stated that allowing convicted felons to practice social work did not protect the integrity of the profession. Courts have upheld social work program decisions to bar applicants with felony convictions.

In a case from 2006 regarding a social work program, a court upheld the notion that universities maintain the authority to use criminal history as part of the admissions criteria so long as the universities follow their policies (*Purcell v. University of Alaska*, 2005). Michael Purcell was 16 years old in 1984 when he murdered a convenience store clerk during an attempted robbery. He was convicted of murder and robbery and was sentenced to 30 years in prison. After being released after 20 years, Purcell enrolled at the University of Alaska where he was a successful student. He applied to the social work program and was denied admission based on his criminal history. The social work program had clear policies regarding the admission of students with felony convictions. He, with the American Civil Liberties Union, sued the University of Alaska on the grounds that a state law protected his right to rehabilitation and that the institution acted arbitrarily in denying him admission. The Alaska Superior Court ruled in favor of the University because the institution in fact followed its admissions policies and because the state law only provided rehabilitation privileges to persons in prison (Monaghan, 2006).

Conversely, Scott and Zeiger made a case for not barring social work program admission to applicants with felony convictions (Magen et al., 2000). The authors used the same professional standards that Magen and Emerman used to advocate for second chances for applicants with felony convictions. Scott and Zeiger believed it to be more valuable to review

each application individually and use professional judgment as to whether the applicant has the potential to be successful in the field of social work (Magen et al., 2000). The authors agreed, however, that applicants must be forewarned early that licensing boards may not be so forgiving of criminal history.

It is typical for students to go through at least two admissions processes: a general admissions process for entry into the institution; and an admissions process for entry into a specific program. While specific academic programs may have a need for collecting criminal history information during their admissions process, it has not been demonstrated that this information must be collected and used as criteria for general admission to an institution. The program, program accreditation requirements, and state licensure requirements may dictate to what degree felony convictions may prevent someone from entering into or completing a degree program, obtaining licensure, or working in a given profession. Those provisions do not extend to general admission to a college or university.

### **Stigmatization and Marginalization of Ex-Offenders**

The reentry of convicted felons into society is difficult; there are barriers to employment, housing, and education (Fishman, 2003). Convicted felons also face barriers to public assistance and welfare, to civil rights such as the right to vote, to hold public office, and to serve on a jury, and even to marriage and parenting (Petersilia, 2003). These barriers are often intentionally designed through law as post-incarceration consequences for offenders and as deterrents for non-offenders (Petersilia, 2003). Specifically in higher education, state and federal laws provide more barriers.

The Higher Education Act of 1965 (HEA) established financial aid programs for college students in the forms of federal loans and scholarships for students and increased funds to

institutions (Higher Education Opportunity Act, 2008). More recently, the HEA has been amended to make certain individuals with criminal history ineligible for federal financial aid.

In 1992 and 1998, Title IV of the HEA was amended and reauthorized with new implications for students with felony conviction (Fishman, 2003). In 1992, the HEA was amended to prohibit the award of Federal Pell Grants to any individual who was incarcerated in state or federal prisons. In 1998, the HEA was amended to limit federal aid to persons with drug convictions, known as the Souder Amendment. Under the new revision, any student convicted of a drug possession or sale offense is ineligible for receiving federal funds. For possession, a student is ineligible for one year after the first offense, two years after the second offense, and indefinitely after the third offense. For sales, a student is ineligible for two years after the first offense and indefinitely after the second offense (Higher Education Opportunity Act, 2008). A student is rendered eligible again when he/she has completed a drug rehabilitation program that meets the HEA's requirements or when the conviction is reversed or otherwise nullified.

In response to these changes, the American Bar Association wrote a letter to the Chairman and Members of the Senate Committee on Health, Education, Labor, and Pensions describing its disapproval of the amendment. In the letter, the ABA announced its belief that ex-offenders of drug offenses should be able to receive financial aid to attend institutions of higher education and that the denial of these funds is discriminatory and a form of second punishment. The author cited the importance of education in the rehabilitation of ex-offenders:

Each denial of aid constitutes a blow against the individual, their families and their communities. This loss has a multiplier effect throughout our economy. The effect can be permanent; today, a college degree can be the difference between a successful taxpaying

member in the middle class and a person suffering long-term dependence on government assistance (Cardman, 2008, p. 2).

The HEA was not the first agency to prevent students with felony convictions from receiving financial aid. In the case of *Carbonaro v. Pennsylvania Higher Education Assistance Agency* (1975), three students, each with felony convictions, sued the PHEAA for summary judgment. The PHEAA denied state funded financial aid to students who had been convicted of felonies. The students sued on the grounds that the State of Pennsylvania discriminated against them because of their felony convictions and that the State violated their rights to equal protection under the US Constitution. The US District Court for the Eastern District of Pennsylvania upheld that the State of Pennsylvania's distribution of financial aid was legal and appropriate. The court highlighted that students do not have a right to attend college and that the State was not prohibiting students with felony convictions from attending. Instead, the State reserved its limited funds for the most deserving of students who had satisfactory character. The judge wrote, "The felon classification bears a rational relationship to the legitimate state purpose of assuring that only responsible citizens receive state aid" (*Carbonaro v. Pennsylvania*, 1975, p. 6).

Juvenile offenders also face barriers when agencies require the disclosure of juvenile criminal records. In 2008, the American Bar Association proposed a new policy on reducing the collateral consequences for juvenile arrests and adjudication (Hynes, 2010). The proposal was a plea for federal, state, and local governments to improve vocational and educational opportunities for individuals with juvenile criminal records by creating laws to prevent discrimination. Specially, the proposal, which was passed by the ABA House of Delegates, asked that governments "prohibit colleges, universities, financial aid offices, and other

educational institutions from inquiring about or considering any juvenile adjudication(s) or convictions that occurred as a juvenile when determining whether a student is a candidate for admission” (ABA, 2008, p. 1). Similarly, the ABA resolved to prohibit institutions of higher education from considering any juvenile arrests or sealed or expunged juvenile records in considerations of admission. Additionally, the ABA provided specific times when licensing agencies should and should not consider juvenile criminal history and urged education institutions and employers to consider evidence of rehabilitation in admissions or hiring decisions (Hynes, 2010). The resolution recognized that requiring individuals to disclose their criminal history, especially juvenile history, is a barrier to education and opportunities.

When offenders overcome legal barriers, they still face the challenges of overcoming stigma and marginalization. “The stigma, real or perceived, which inmates encounter once released is enough to keep many from developing social, professional or educational ties and seeking life enhancing opportunities” (Copenhaver, Edwards-Willey, & Byers, 2007, p. 268).

A stigma can be described as a mark of disgrace on one’s reputation or as a characteristic that is discrediting (LeBel, 2009). “Stigmatized individuals, such as formerly incarcerated felons, may feel depressed and hopeless when they compare themselves with members of an advantaged majority” (Copenhaver et al., 2007, p. 279). Veysey, Martinez, and Christian (2009) describe stigma as a predictable challenge for released prisoners to change their role in society and their identity. “Possessing a stigma of criminal... is a visible blemish on the fabric or moral character” (Veysey, Martinez, & Christian, 2009, p. 4). The authors described how a visible blemish makes it easy for others to view that person as less trustworthy, and therefore, the ex-offender faces more scrutiny in the pursuit of such necessities as housing or employment.

Copenhaver, Edwards-Willey and Byers (2007) interviewed four formerly incarcerated college students to learn how they managed their stigma. The researchers asked the participants about their fears of stigmatization, about how, when, and to whom they disclosed their criminal backgrounds, and how they managed their social stigma. All four participants expressed a sense of fear or intimidation from students and faculty because of their perceived stigma of being convicted felons. They also expressed their discomfort in disclosing their criminal history to other students and faculty because of shame, anxiety, and receiving negative reactions. The participants also discussed their difficult transition to college, their feeling the need to hide their prison tattoos, their relationships with other felons, and their coping techniques for dealing their stigmas in their career fields.

College admissions policies that screen applicants based on criminal history may cause or increase feelings of stigmatization, but they may also contribute to racial marginalization and discrimination.

The unfettered use of criminal records to screen out prospective students will have unintended, but highly significant, policy consequences that undermine the gains made over the last 30 years in extending higher education opportunities to people from all walks of life, particularly people of color (Weissman, Rosenthal, Warth, Meyers-Peebles, & Meyers Frazier, 2008, p. 1).

According to West (2010), at mid-year 2009, there were 693,800 white men, 841,000 black men, and 442,000 Hispanic men incarcerated. The disparities, however, are revealed when those same statistics are described as the number of incarcerated men per 100,000 by race: 708 white men, 4,749 black men, and 1,822 Hispanic men (West, 2010). This indicates that minority men are incarcerated at an alarmingly higher rate than white men.



Institutions of higher education that screen applicants based on criminal history may screen out minorities at a higher rate. “Because racial bias, whether deliberate or inadvertent, occurs at every stage of the criminal justice system, screening for criminal records cannot be a race-neutral practice” (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010, p. 25).

One purpose for the use of criminal information in the admissions process that is intended to help students and perhaps reduce stigma is to provide post-enrollment services. Copenhaver, Edwards-Willey and Byers (2007) recommended policy changes to provide more support to this population of students. Specifically, the authors suggested creating support groups and assistance teams for students with felony convictions (Copenhaver et al., 2007). Referring to a study performed in collaboration with the American Association of College Registrars and Admissions Officers, Weissman, Rosenthal, Warth, Wolf, and Messina-Yauchzy (2010) reported that some institutions that use criminal histories in the admissions process provide special support to students. “Forty-three percent of the schools commented that their assignment of a student to special programs is made on a case-by-case basis” (Weissman, Rosenthal, Warth, Wolf et al., 2010, p. 20). Given the documented level of discomfort that individuals with felony convictions experience with reentry issues, providing extra support to these students may be the only positive aspect from their perspective of the additional admissions requirements.

Using criminal history in the admissions process has the potential to marginalize applicants with felony convictions and even discriminate against otherwise qualified applicants. During the process and once admitted, this population of students faces stigma from members of the campus community that causes them to be mistrusted or even feared. The same process also has the potential to identify students with special needs so that they can be directed to support groups or other campus resources.

## **The Use of Criminal History in Admissions Policies**

It has been demonstrated that the law provides much latitude to institutions of higher education in developing admissions criteria. Still, trends have emerged as institutions seek to be consistent in the manner that applicants are screened based on criminal history. Dickerson, a vice president, dean, and law professor, and Langhauser, general counsel for a state community college system, have published widely accepted guidelines for ethical and legal admissions policies and procedures for applicants with felony convictions (Dickerson, 2008; Dickerson, 2010; Langhauser, 2001).

### **Trends in admissions policies.**

The Center for Community Alternatives (CCA) and the American Association of College Registrars and Admissions Officers (AACRAO) published a study on the trends of 273 institutions of higher education regarding the treatment of applicants with criminal histories (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010). The authors reported the following key findings:

- Sixty-six percent of institutions collected criminal history information; requiring self-disclosure was the primary means of collecting criminal history information while some schools conducted background checks;
- Most institutions that obtained criminal information had implemented additional admissions processes, such as obtaining written statements;
- The minority of these institutions had written policies and trained staff on interpreting criminal history information;
- A wide variety of convictions were viewed negatively in the decision-making process; and

- A majority of these institutions provided support or supervision to admitted students with felony convictions (Weissman, Rosenthal, Warth, Wolf, et al., 2010).

### **Common components of admissions policies.**

The trend among institutions that collect criminal history information is to include a yes or no question regarding felony convictions on the general admissions application. In 2007, the Common Application, used by over 300 institutions, added questions regarding school discipline history and criminal history (Dickerson, 2008). Some institutions and systems, namely University of North Carolina system, North Dakota State Board of Higher Education, and Georgia College and State University, maintain policies that allow for conducting background checks on students within specific programs, specific types of students, i.e., athletes and on-campus residents, and/or on a case-by-case basis (Dickerson, 2010).

Once an institution has obtained criminal history information, the institution must determine if and how it will use the information. The evaluation of applicants' criminal histories by campus administrators is a critical step in these admissions procedures. Dickerson (2010) stated concerns for under-qualified administrators having to predict future dangerousness based on an applicant's criminal history. Langhauser (2001) also cautioned that "care should be taken not to presume an imminent threat of harm. Unfounded presumptions may be found to be arbitrary or capricious" (p. 10). While not a perfect remedy, it is recommended to include mental health counselors, law enforcement officials, attorneys, and other relevant experts in the process regarding applicants with criminal histories (Langhauser, 2001; Dickerson, 2008; Dickerson, 2010).

Langhauser (2001) and Dickerson (2008) generally agreed in their delineation of the major factors to consider when reviewing an applicant's criminal history information:

- Date of the crime – consider how long ago the violation occurred and if the offender was an adult or a minor at the time.
- Nature of conduct – “whether the conduct was against a person or property; violent or passive; intentional, reckless or grossly negligent (Langhauser, 2001, p. 9).
- Severity of harm – seriousness of misconduct
- Responsibility assumed – level of acknowledgment or contestation of responsibility and level of honest self-disclosure in the applicant process
- Punishment imposed and served – evidence of rehabilitation

**Arguments for collecting criminal history information.**

The two resounding arguments for collecting and using criminal history information are that the law largely allows it and that it is seen as a step toward making campuses safer. Both of these arguments have been described previously in detail. Additionally, Langhauser (2001) noted a need-to-know for on-campus housing applicants and applicants in special programs who may face challenges finding field placements or jobs. Finally, Langhauser (2001) noted that gathering criminal information is important for those who may be affected by federal laws that restrict financial aid.

**Arguments against collecting criminal history information.**

There are also arguments against the collection and use of criminal history information in the application process. Langhauser (2001) explained that while most laws allow these policies, some restrict the information that can be collected and used. Additionally, minorities may be disproportionately affected, and college mission statements may not support screening applicants. “Finally, and perhaps most important for college counsel, current state law may not

impose a legal duty on the college to inquire, and the college should not assume a duty that it could be held to breach” (Langhauser, 2001, p. 6).

While the AACRAO collected the data in the previously mentioned study, the CCA evaluated the data and made recommendations to institutions of higher education; “Colleges and universities should refrain from collecting and using criminal justice information in the context of college admissions” (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010, p. iii). The CCA concluded that there is little research to support that ex-offenders pose more risk to campus communities, that an increasing number of Americans have criminal histories, that these processes cannot be race-neutral, that criminal records are incomplete or inaccurate, and that colleges and universities should accept ex-offenders to promote public safety (Weissman, Rosenthal, Warth, Wolf, et al., 2010).

For those institutions that wish to continue screening applicants based on criminal history, the CCA recommends policy changes to minimize adverse outcomes:

- “Remove Criminal Justice Information disclosure requirement from initial application for admission”;
- “Limit disclosure requirements to specific types of convictions” including felonies within the past five years committed after the applicant’s 19th birthday;
- “Establish admissions criteria that are fair and evidence-based”;
- “Base admissions decisions on assessments that are well-informed and unbiased”;
- “Establish procedures that are transparent and consistent with due process”;
- “Offer support and advocacy”; and
- “Evaluate the policy periodically to determine if it is justified” (Weissman, Rosenthal, Warth, Wolf, et al., 2010, p. iv).

## **Summary**

Legal considerations, issues of campus safety, sensitive academic programs and professional field requirements, and the stigmatization and marginalization of ex-offenders are all factors that influence admissions policies regarding applicants with felony convictions. While institutions of higher education are increasingly implementing screening policies, there is little empirical evidence to support their effectiveness as a mitigation effort of campus crime. Only assessment of such policies can reveal if they serve a beneficial purpose to the campus community or if they are barriers to qualified applicants.

### III. METHODOLOGY AND DESIGN

This ex post facto study design included analysis of both quantitative and qualitative data previously collected and maintained by the research institution. Qualitative studies concern the understanding of social and human behavior (Hoy, 2010). More specifically:

Qualitative research is a situated activity that locates the observer in the world. This means that qualitative researchers study things in their natural settings, attempting to make sense of, or to interpret, phenomena in terms of the meanings people bring to them (Denzin & Lincoln, 2000, p. 1).

“Quantitative research is scientific investigation that includes both experiments and other systematic methods that emphasize control and quantified measures of performance” (Proctor & Capaldi, 2006, as cited in Hoy, 2010, p.1).

#### **Methodology**

A methodology “is a theory of how inquiry should proceed. It involves analysis of the assumption, principles, and procedures in a particular approach to inquiry” (Schwandt, 2001, p. 161). This study was framed first as a phenomenological study. A phenomenological study “describes the meaning of experiences of a phenomenon for several individuals” (Creswell, 2007, p. 236). A researcher of a phenomenological study seeks to understand the essence of an experience that is shared by several individuals by analyzing data for significant, meaningful statements (Creswell, 2007). For the purpose of this study, completing additional admissions procedures is the common experience that is shared by applicants with felony convictions.

More specifically, this study was a hermeneutical phenomenological study. “Hermeneutics is the theory of interpretation” (Parker, 2011, p. 83). While some forms of phenomenology focus on the descriptions of participants, hermeneutical phenomenology

emphasizes the interpretations of the researcher. “Phenomenology is not only a description, but it is also seen as an interpretive process in which the researcher makes an interpretation of the meaning of the lived experiences” (Creswell, 2007, p. 59). The researcher in this study reviewed and interpreted the written statements to find themes of meaning derived from the shared experience.

## **Paradigm**

A paradigm is “the philosophical stance taken by the researcher that provides a basic set of beliefs that guides action” (Creswell, 2007, p. 248). “Each interpretive paradigm makes particular demands on the researcher, including the questions he or she asks and the interpretations the researcher brings to them” (Denzin & Lincoln, 2000, p. 19). The researcher used pragmatism as the main paradigm for this study.

The individual using this worldview will use multiple methods of data collection to best answer the research question, will employ both quantitative and qualitative sources of data collection, will focus on the practical implications of the research, and will emphasize the importance of conducting research that best addresses the research problem” (Creswell, 2007, p. 23).

In employing pragmatism for the design of the study, the researcher will incorporate quantitative and qualitative data to answer the research questions. Most importantly, the researcher will emphasize the practical implications of the research findings as empirical data to support or refute the development and/or revision of institutional admissions policies.

## **Methods**

A method is a “procedure, tool, or technique used by the inquirer to generate and analyze data” (Schwandt, 2001, p. 158-159). This researcher used two main methods in this study to



analyze data that was previously collected by the research institution. Mixed methods “is the notion of using multiple methods to generate and analyze different kinds of data in the same study” (Schwandt, 2001, p. 164). For the purpose of this study, two different sets of evidence were generated by document analysis (a qualitative inquiry) and by using descriptive statistics (a quantitative inquiry).

Document analysis is a method that “refers broadly to various procedures involved in analyzing and interpreting data generated from the examination of documents and records relevant to a particular study” (Schwandt, 2001, p. 60). More specifically, the analysis of words, phrases, and lengthier segments such as written documents is referred to as textual analysis (Schwandt, 2001). While the terms “record” and “document” are often employed interchangeably, for the purpose of this study, documents will be the term employed.

Applicants were prompted to submit a written statement after indicating having been convicted of a felony (see Appendices A and B). The researcher analyzed these written statements from the applicants which were submitted to the admissions office at the research institution (see Appendix C). Contextually, the applicants as authors may have intended to persuade admissions officers of their deservingness to be admitted. These written statements, while official in nature, are “closer to speech” and “require more contextualized interpretation” (Hodder, 2000, p. 703).

The second method of this study generated statistics that reflected the frequency of certain events during a specified period of time. The researcher was provided with the number of times each applicant violated a university policy during the time of enrollment (see population and data analysis below). Descriptive statistics generated percentages of occurrences of policy violations among the student population who had prior felony convictions. Additionally,

descriptive statistics were performed on data derived from the textual analysis, such as code frequencies. The generation of these data was not affected by the methodology, epistemology, paradigm, or positioning of the researcher. Both sets of data, those generated by the document analysis and the descriptive statistics, are relevant to address the purpose of the study.

Each applicant was assigned a code which indicated the academic quarter and year of submission and a number. For example, the first application submitted in Fall 2009 was assigned the code “F-09-1”. These codes were used to link an applicant’s written statements to his/her admissions application but were not linked to personally identifying information.

### **Population**

All undergraduate students starting in Fall 2009 were required to self-disclose any prior felony convictions on the general admissions application. All undergraduate admissions applications submitted between the beginning of Fall 2009 and the end of Winter 2011 where applicants reported felony convictions were included in this study ( $n=54$ ). The research institution provided de-identified data for all applicants with prior felony convictions to be reviewed for the purpose of the quantitative study. Of those applications, the de-identified written responses provided by applicants were reviewed for the qualitative study.

### **Sampling Procedures**

The sampling strategies employed can be described as both convenient and purposeful. Convenience sampling procedures “represent sites or individuals from which the researcher can access and easily collect data” (Creswell, 2007, p. 126). The research institution provided previously collected and de-identified data to the researcher. Similarly, the sampling strategy was purposeful because the research institution implemented policies requiring the self-disclosure of felony convictions in the admissions application process in Fall 2009. The sample population of

this study consists of the entire Fall 2009 to Winter 2011 population of applicants who disclosed they had felony convictions ( $n=54$ ). All applications submitted between Fall 2009 and Winter 2011 where the applicant indicated having a previous felony conviction were included in this study.

### **Data Collection Procedure**

Completed student admissions applications and supplemental materials were de-identified and provided to the researcher by the research institution. Each individual application was delivered as a redacted hard-copy file. The researcher then assigned each file an identifying code which did not link the file to any personally identifying information of the actual applicant. Each code was formulated to include the academic quarter, year of submission and an identification number. For example, the first application submitted in Fall 2009 was assigned the code “F-09-1”.

Data collected from these files included the applicant’s age, gender, ethnicity, high school GPA, previous institution of higher education attendance and GPA, felony convictions with corresponding conviction dates, de-identified written statements, the committee’s admissions recommendation decision, and any conditions of admissions (see Appendices D through I). The written statement is a personal essay that the applicants provided to address specifically their criminal convictions. Any applicant who indicated having been convicted of a felony on the undergraduate admissions application (see Appendix A) was directed to a petition form (see Appendix B). Section B of the petition form was where an applicant answered ‘yes’ to the question, “Have you ever been convicted of a felony?” Then, the student was directed to page two of the petition form which provides the following instructions: “In the space that follows, please state your reasons for requesting admission/readmission to (the research institution) and

why you believe you can do satisfactory academic work at this time. Please specifically address any questions to which you answered ‘yes’ in Section B. Any documentation to support your petition is encouraged” (see Appendix C). The de-identified information obtained from these application materials were provided to the researcher (see Appendices D through G).

In addition, supplemental descriptive data on the applicant post-admission, including enrollment status and history, current college cumulative GPA, commuter/ residential student status during the time of enrollment, and student discipline history during the time of enrollment, were provided by the research institution within the original redacted hard-copy files (Appendix H).

Finally, the researcher was provided simple conduct violations statistics from the student conduct databases. Data about the general population of the institution, including ratio of men and women, racial group ratios, and average GPA, were obtained from data sets published on the institution’s institutional research website.

### **Data Analysis and Coding Procedures**

First, information obtained from admissions application files and from university databases were compiled. The number of students with prior felony convictions who had violated university policy was compared to the total population of students who had violated university policy within in the period of study.

Second, the researcher reviewed all available written statements from the sample and used content analysis coding:

Data analysis in qualitative research consists of preparing and organizing the data for analysis, then reducing the data into themes through a process of coding and condensing

the codes, and finally representing the data in figures, tables, or a discussion (Creswell, 2007, p. 148).

“Coding is the procedure that disaggregates the data, breaks it down into manageable segments, and identifies or names those segments” (Schwandt, 2001, p. 26). The researcher read and coded the written statements by identifying themes. These codes represent types of factual information and attitudes expressed by the applicants. The first round of coding resulted in 19 individual codes. A second round of coding resulted in the consolidation of several codes, resulting in a final set of 16 codes. These codes were then grouped into four general thematic categories. The evolution of the coding can be seen in Tables 1, 2, and 3, and a more detailed description of the codes and thematic groups are found below. Creswell (2007) also suggested for phenomenological studies to search for significant statements that best describe the essence of the shared experience. Then the researcher provided a summary description of what the applicants experienced using the identified themes and verbatim significant statements (See Appendix I).

Table 1

*Original Codes*

Code Number	Code Description
1	Mistakes, poor choices/decisions, regrets, young, impressionable
2	Accept responsibility
3	Change, different person
4	Religious influences/motivation
5	Thankfulness for conviction/ means for growth
6	Thankfulness for application opportunity, pleading for admission
7	Seeking better life, need education, wanting to be a productive member of society
8	Bad place, bad people, wrong place, wrong time, bad relationships
9	Improvement since convictions/ life back on track
10	Self-reported personal ideals: morals, good person, smart
11	Report on current school, work, or family successes
12	Frequent reminders of conviction/ judgment
13	Need education for job
14	Paid debt to society, rehabilitated
15	Expunge/seal records
16	Fear of conviction preventing educational opportunities, anger about needing to re-describe events, discrimination
17	Emphasis on time passed since convictions
18	Lowered self-esteem, personal impact, embarrassment from convictions
19	Description of incident, felony convictions, and or court sanctions

Table 2

*Adapted/ Combined Codes*

Code Number	Code Description
1	Mistakes, poor choices/decisions, regrets, young, impressionable, addict
2	Accept responsibility
3	Change, different person, improvement since convictions, life back on track, thankfulness for convictions, means for growth (3+5+9)
4	Religious influences/motivation
6	Thankfulness for application opportunity, pleading for admission
7	Seeking better life, need education, need education for a job or to provide for family, wanting to be productive member of society (7+13)
8	Bad place, bad people, bad relationships, wrong place/wrong time
10	Self-reported personal characteristics: morals, good person, smart, successful student
11	Report on current school, work, family, or treatment successes
12	Frequent reminders of conviction/ judgment/ lost opportunities
14	Paid my debt to society, rehabilitated
15	Expunge/seal records: currently expunged or seeking expungement
16	Fear of conviction preventing educational opportunities, anger about needing to re-describe events, discrimination
17	Emphasis on time passed since convictions
18	Lowered self-esteem, personal impact, embarrassment from convictions
19	Description of incident, felony convictions, and or court sanctions

Table 3

*Categorized Codes*

Code Theme	Code Number	Code Description
Attitudes about responsibility for incidents and felony convictions	1	Mistakes, poor choices/decisions, regrets, young, impressionable, addict
	2	Accept responsibility
	8	Bad place, bad people, bad relationships, wrong place/wrong time
Factual Information	11	Report on current school, work, or family successes
	19	Description of incident, felony convictions, and or court sanctions
Reasons for and attitudes about applying	3	Change, different person, improvement since convictions, life back on track, thankfulness for convictions, means for growth
	4	Religious influences/ motivation
	6	Thankfulness for application opportunity, pleading for admission
	7	Seeking better life, need education, need education for a job or to provide for family, wanting to be productive member of society
	10	Self-reported personal characteristics: morals, good person, smart, successful student
Negative attitudes about convictions/application process	12	Frequent reminders of conviction/ judgment/ hindrance/ lost opportunities
	14	Paid my debt to society, rehabilitated
	15	Expunge/ seal records
	16	Fear of conviction preventing educational opportunities, anger about needing to re-describe events, discrimination
	17	Emphasis on time passed since convictions
	18	Lowered self-esteem, personal impact, embarrassment from convictions



The first thematic group of codes referred to an applicant's expressed attitude about responsibility for the felony convictions and related incidents. The researcher found three distinct themes regarding responsibility. A code of "1" identified statements where applicants indicated that they made mistakes or poor decision, often because they were younger or were a drug addict. For example: "I really don't have much to say about this incident other than I was young, going through life the way I pleased, with no direction, and made a mistake" (SM-10-3). Code "2" indicated that the applicant expressed acceptance of responsibility: "I have taken full responsibility for my mistake..." (SM-10-16). Finally, code "8" represented statements where the applicant displaced the responsibility for their actions onto the circumstances, such as being around the wrong people or place: "My senior year of high school I became involved with some people that were not good for me. As a result of the involvement I committed a felony by fighting with another person" (F-10-2).

The second thematic group of codes consists of factual information provided by the applicant. Code "11" referred to statements indicating current accomplishments regarding work, school, or family circumstances: "I met [omitted] who has been a student at [the research institution] and was married. We have a son who is 17 years old. I haven't had a drink since he was born. I have been involved with the Red Cross and the community since my release. I have been employed since then also, up to now" (SM-10-11). A code "19" is factual information regarding the criminal incident, convictions, and/or legal sanctions: "I was in a stolen car, which I did not know was stolen. The police wanted to pull the car over, but I did not stop and pull the car over. I just kept driving. I was charged with receiving stolen property and failure to comply. I went to prison for 3 years. One year for receiving and 2 years for failure to comply" (SM-10-7).

The third thematic group referred to expressed reasons and/or motivations for applying to college. It included positive or neutral attitudes about the application process itself. Code “3” indicated that the person expressed change, personal growth, maturation, or thankfulness for the felony conviction as it was a means for growth: “Although this was a terrible time in my life, it has made me a STRONGER WISER MATURE PERSON. So some good came of this situation, im a better person. Since this conviction, I had stayed on the right path, which is not hard to do, because it just who I am now” (SM-10-15). Code “4” indicated that the applicant attributed successes and motivation to continue in college to religious ideals: “Since my conviction, I have remained alcohol free for two years. I can take no credit for this, it is made possible by the love of God and the willingness of others to give me a second chance and help me along the way” (F-09-1). Code “6” represented particularly strong sentiments of thankfulness for the application opportunity or pleading for admission to the university: “Please allow me this opportunity to further my education” (SP-10-1). Code “7” represented statements where applicants expressed the need to attend the university to have a better life, to get a job, to be a productive member of society, or to provide for their family: “I need this education more than anything so I can obtain financial stability and housing for myself and family” (F-10-5). Code “10” represented statements about self-reported personal characteristics, such as being a good person or student: “I do believe that I can do satisfactory academic work here at [the research institution] because I know as well as my family knows that I am a very smart person. I have always done well in school when I apply myself” (SM-10-3).

Finally, the fourth thematic group referred to negative attitudes expressed by the applicant about his/her convictions or the application process. Code “12” indicated statements where an applicant expressed the feeling of being frequently reminded of their conviction, of

judgment, or that their convictions have been a hindrance or have caused the loss of opportunities: “Having this on my record has cost many opportunities that I will not have another chance at” (SM-10-21). Code “14” identified statements about the sentiment of being rehabilitated or having had paid debt to society: “I believe that I have been fully rehabilitated so that I can be a viable member of society. I’ve made a mistake and paid for it” (SM-10-18). Code “15” indicated a statement about an applicant’s criminal records being sealed or expunged or about intentions to have records expunged: “I have hired an attorney to process my expungement because the only blemish on my record is due to this incident” (SM-10-4). Code “16” referred to statements where the applicant expressed a fear of not being able to go to college because of their conviction, anger about being required to re-describe the events, or discrimination based on criminal history: “I am writing this letter with the sole reason of obtaining admission into [the research institution]. I believe that writing this letter is merely another form of discrimination due the fact that my felony conviction should have nothing to do with my enrollment in college because it is not and has nothing to do with a ‘drug or weapons’ charge” (F-10-7). Code “17” referred to statements where the applicant emphasized that a considerable amount of time has passed since the felony conviction: “My felony was 15 years ago and would hope that it has no affect on my attending [research institution]” (SM-10-17). Finally, code “18” indicated that applicants expressed a lowered self-esteem, personal impact, or embarrassment from the convictions: “It is truly one of my lifelong regrets that I obtained a criminal record. To make a long story short, I lost my job, my last check, and my self-respect” (SM-10-8).

### **Goodness of Design**

Consistency in the prompts for the written statements served as a measure of credibility of the study. Students received the same form with instructions which prompted specific

responses regarding their criminal history and other information (see Appendix C). Only in rare circumstances, where students did not answer the questions completely, were students asked to resubmit statements with more specific instructions. These additional statements were also reviewed in conjunction with original statements. As an additional measure of credibility, the researcher read the statements once, reread the statements a second time and coded. Then he reread statements and recoded to ensure consistency and clarity in his understanding of the texts and themes.

In addition, the researcher provided rich descriptions of each applicant, including high school GPA, current college GPA, gender, ethnicity, felony convictions, and criminal sanctions, in order to provide for transferability of the study.

### **Limitations**

Because the research institution began obtaining criminal history information during the admissions process in Fall 2009, the researcher only studied students, their discipline history, and their academic progress through the end of Fall 2011. This study did not include any policy violations or academic activity that occurred after Fall 2011.

Another limitation of this study is that there was no contact or engagement with the participants. The researcher only reviewed statements that were submitted as a requirement of the admissions process that address the felony conviction and the applicants' preparedness to attend college. Richer data could be obtained from applicants through follow-up interviews or focus groups. It should be noted that the applicants are in effect advocating for themselves. Therefore, their statements may have been intended to persuade the application evaluators. The ambitiousness of an applicant's statement of intentions and goals for attending the research institution may vary widely. Similarly, self-reported accounts of criminal history and of the

impact of the criminal activity may be distorted to persuade the reader of the applicant's preparedness to attend college.

In spite of these limitations, the process of content analysis and descriptive statistical analysis revealed valuable insight into the effects of special admissions policies on applicants with felony convictions and on campus safety.

## IV. RESULTS

This study attempted to determine the extent to which special admissions policies that screen applicants with prior felony convictions affect the safety of college campus communities and property. The statistical analysis of the comparison between populations of students with and without prior felony convictions and their respective number of student code policy violations served as an indicator of risk for campus safety.

In addition, this study attempted to reveal the experiences of applicants who were required to participate in the special admissions process through analysis of written admissions statements. Analysis of the narrative material revealed themes and significant statements.

Finally, this study attempted to examine the academic progress of those applicants who were granted admission and who enrolled at the research institution. Data from the research sample were compared to data from the entire population at the research institution by using descriptive statistics.

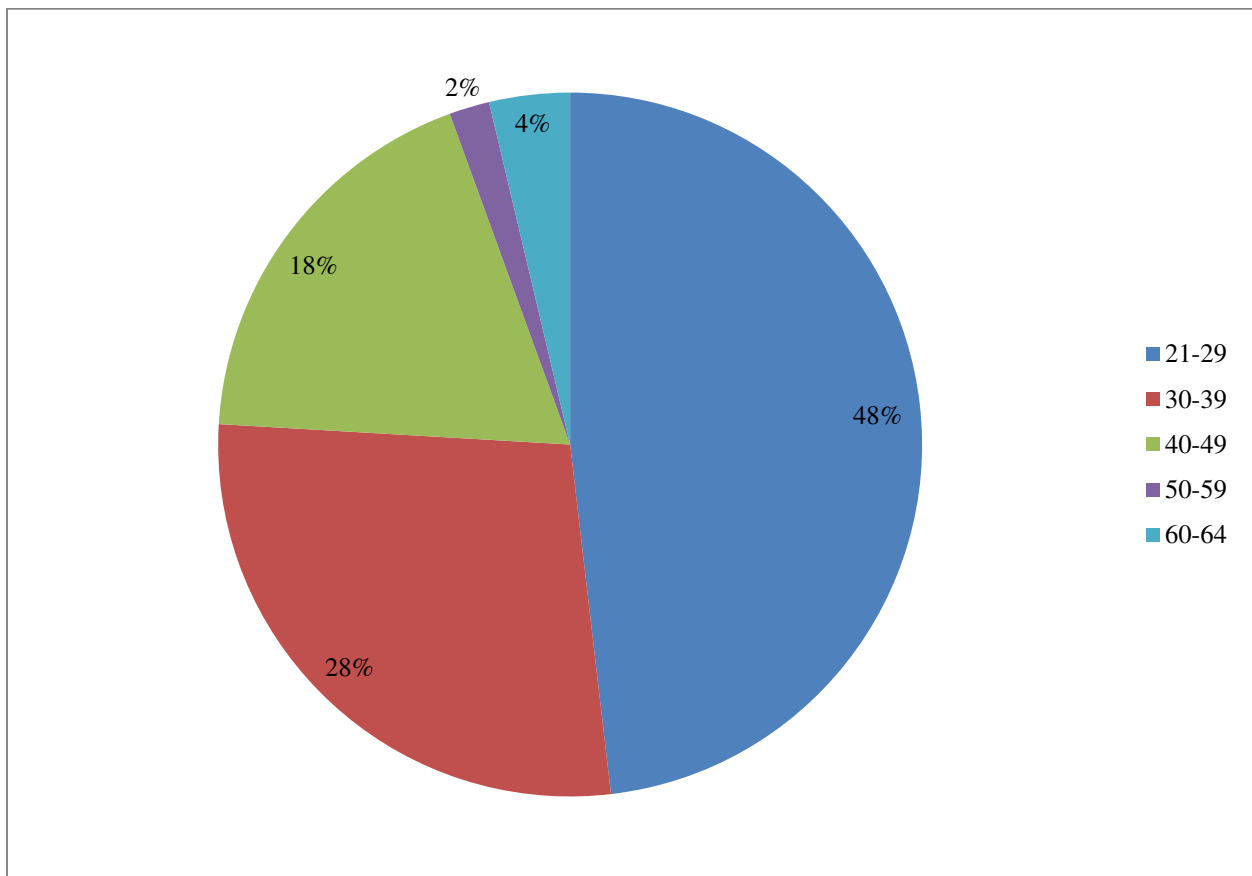
The following data were gleaned from the admissions applications of applicants who indicated having a prior felony conviction. This entire population is hereafter referred to as “PFC” for “prior felony conviction” in the display of data. The term “PFC” may be employed to refer to the applications or the applicants themselves. Data published on the research institution’s website will also be displayed. The research institution will hereafter be referred to as “RI”. Descriptive statistics were used to generate the data.

### **Demographic Descriptive Statistics**

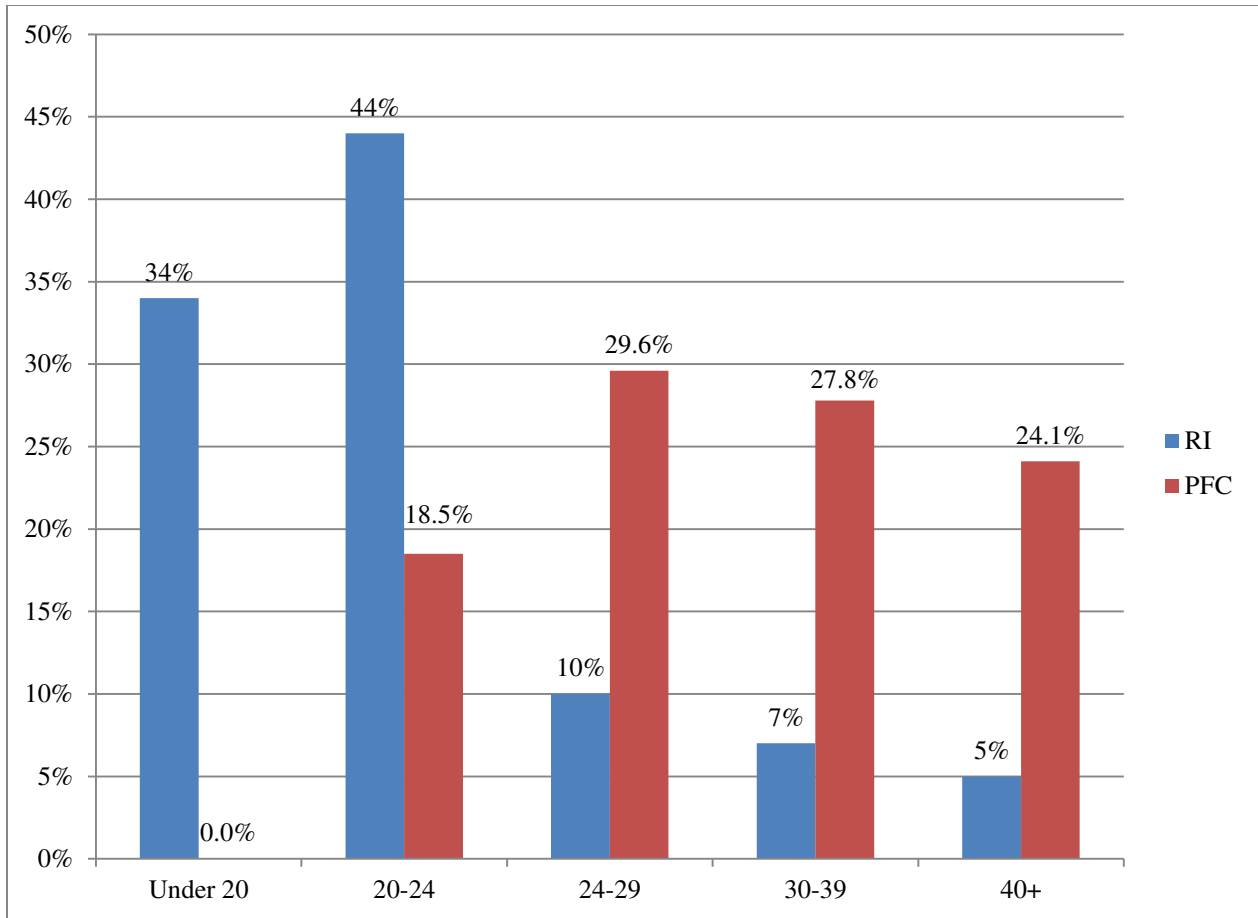
The researcher obtained a total sample of 54 PFC representing the entire population of applicants with prior felony convictions who submitted admissions applications between Fall 2009 and Winter 2011.

**Age at the time of application.**

Within the PFC, the ages of the applicants ranged from 21 to 64. The mean age was 32, the median age was 30, and the mode age was 28. Twenty-six applicants (48%) were between the ages of 21 and 29. Fifteen applicants (27%) were between the ages of 30 and 39. Ten applicants (19%) were between 40 and 49. One applicant (2%) was between 50 and 59. Two applicants (4%) were between the ages of 60 and 64. Figure 1 displays the age distribution of the PFC population. Figure 2 displays the age distribution of the RI population compared to the PFC population.



*Figure 1.* Age distribution of PFC population. Pie chart represents number of PFC applicants within given age brackets ( $n=54$ ).

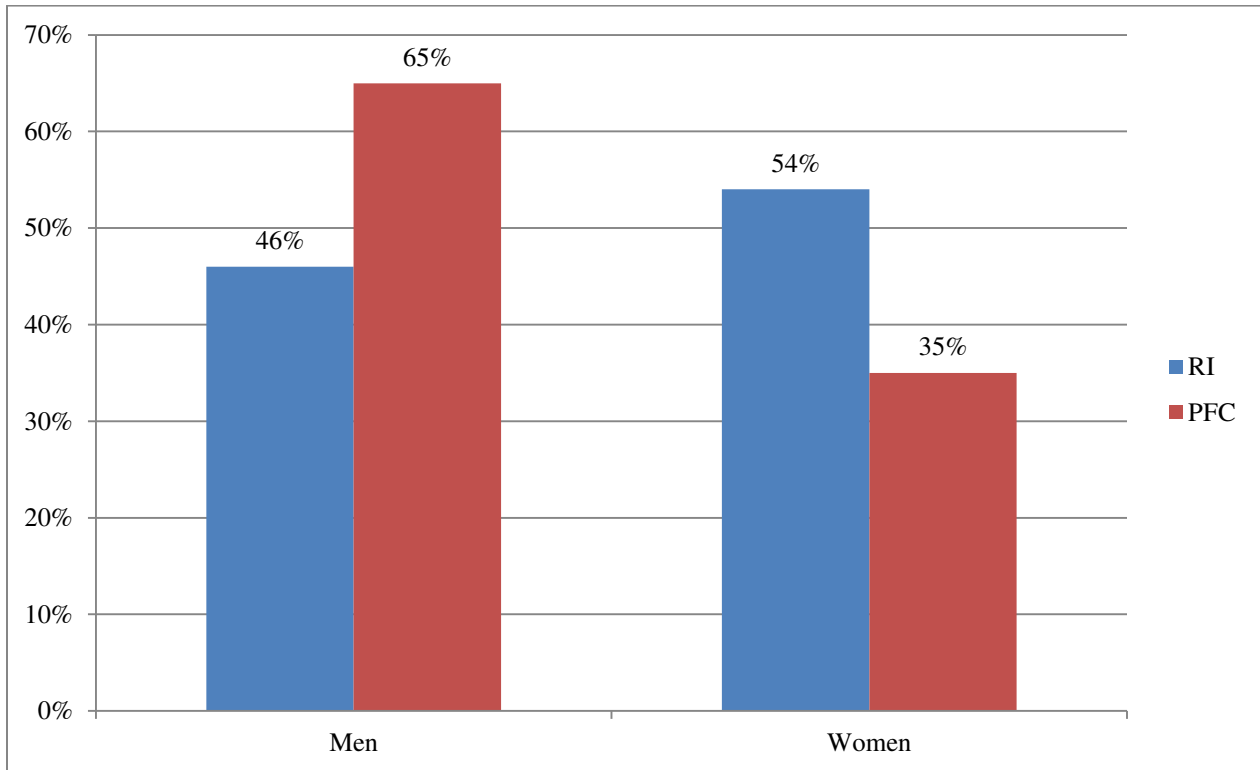


*Figure 2.* Age distribution of IR and PFC populations. Bar graph represents the percentage of each age bracket to the entire population for the IR and PFC populations. Total undergraduate IR population ( $n=14,366$ ) and total PFC population ( $n=54$ ).



## Gender.

The sample showed that 19 of the total 54 applicants (35%) were female compared to 35 of 54 applicants (65%) who were male. At the RI, 6,563 students were male (46%) and 7,803 students were female (54%). Figure 3 displays the distribution of gender between the PFC and the IR populations.



*Figure 3.* Gender distribution of IR and PFC populations. Bar graph represents the percentage of men and women compared to the entire population for the IR and PFC populations. Total IR population ( $n=14,366$ ) and total PFC population ( $n=54$ ).

### Ethnicity.

An analysis of ethnic groups showed 37 (68%) identified as Caucasians, 13 (24%) identified as African-Americans, and 2 (4%) selected two or more ethnic groups. Two applicants (4%) did not indicate an ethnic group on their applications. Figure 4 displays the comparison of percentage distribution of ethnicities within the PFC and IR populations.

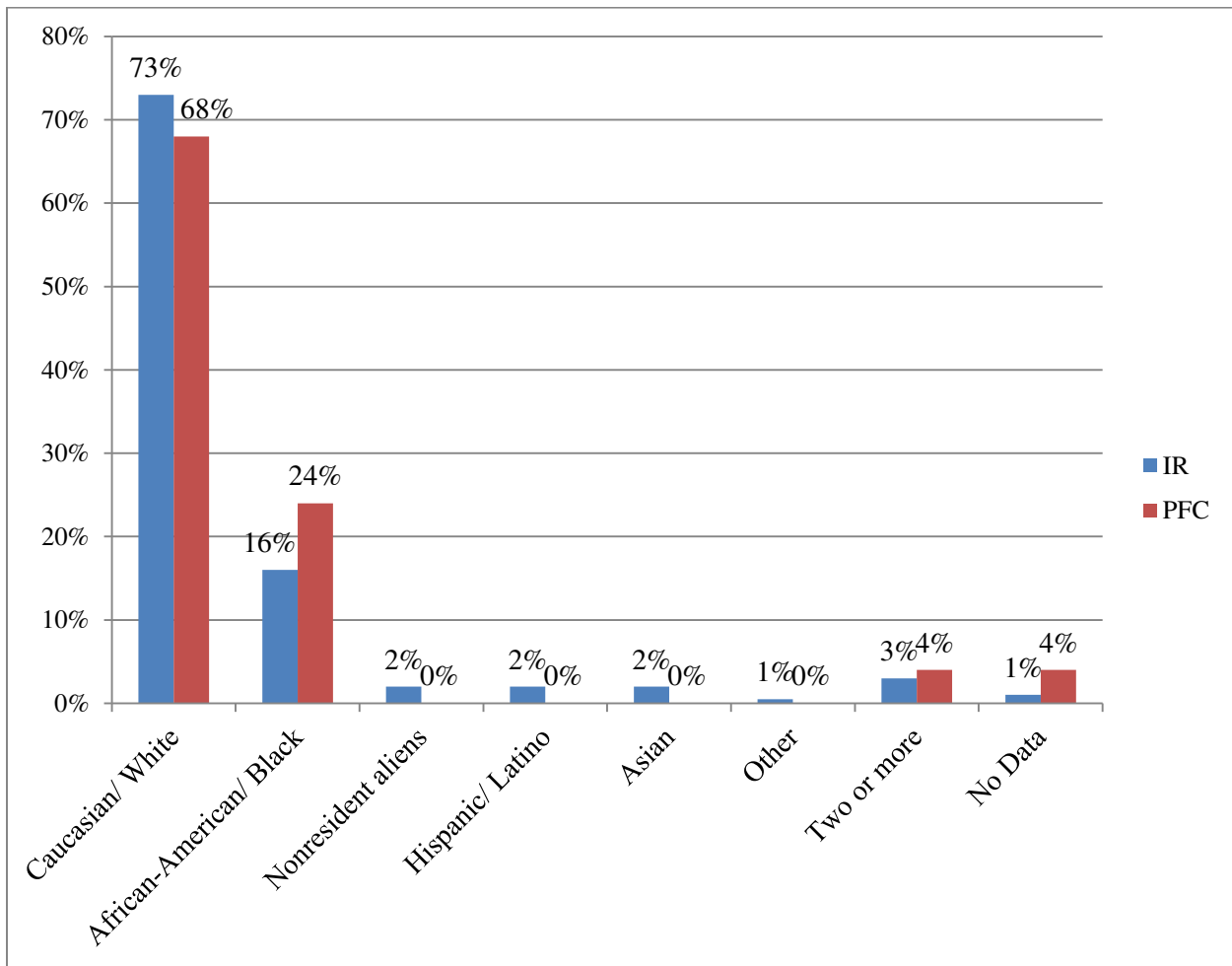
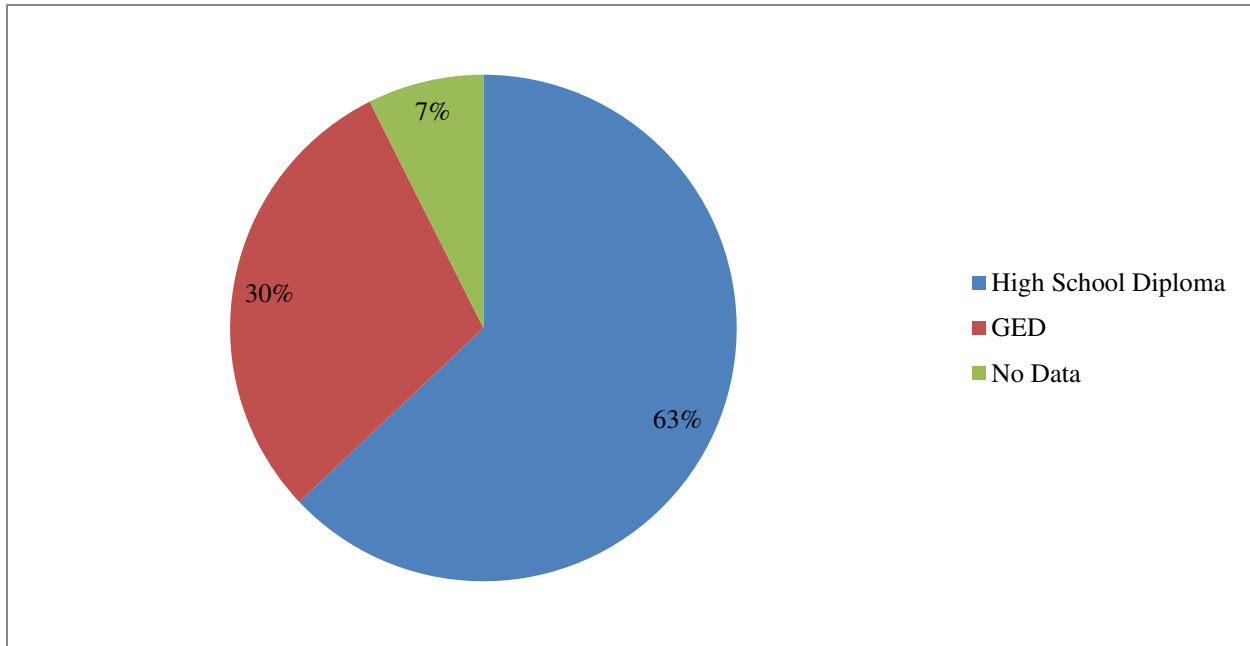


Figure 4. Distribution of ethnicities within IR and PFC populations. Bar graph represents the percentage of people who identified a given ethnicity compared to the entire population for the IR and PFC populations. Total IR population ( $n=14,366$ ) and total PFC population ( $n=54$ ).

### **High school diploma or general education development (GED).**

Thirty-four of the 54 applicants (63%) indicated having had obtained a high school diploma. Sixteen applicants (30%) indicated having a GED. There was no diploma or GED data for four applicants. See Figure 5.



*Figure 5.* High school diploma or GED. Pie chart displays the number of PFC who obtained high school diplomas or GEDs ( $n=54$ ).

### **Previous attendance at institutions of higher education.**

The researcher found that nearly half of the PFC had attended other institutions of higher education or had attended the research institution previously. Twenty-three of the 54 had attended at least one institution of higher education. Seven reported having attended two different institutions. Two attended four different institutions. Nineteen did not report attending

any other institutions. Three applicants' files did not show sufficient information to show that they had or had not attended other institutions.

The range of the Grade Point Averages (GPA) obtained from previous institutions ranged from 0 to 4. The average GPA of all combined GPAs, including those of applicants who had more than one GPA, was 2.67. Similarly, the mode GPA was 2.5 and the median GPA was 2.743.

### **Convictions.**

Of the 54 total applicants, the total number of convictions and conviction types are known for 52 applicants. In total, the 52 applicants were convicted 108 times of 50 different charges. Of the 52 applicants with known charges, 30 applicants (57%) were convicted of only one charge. Fourteen applicants (27%) were convicted of two charges. Three applicants were convicted of three and four charges each (6% each). Finally, one applicant was convicted of five and eight charges (2% each). However, the majority of applicants were convicted of only one charge.

Theft-related crimes, including theft, burglary, robbery, and receiving stolen property accounted for the largest number of convictions with 42 individual charges committed by 27 individual applicants. Drug offenses, including possession and trafficking, were the second most common offenses in the sample with 26 total convictions committed by 15 individual applicants. Table 4 provides a detailed presentation of the felony conviction frequencies.

Table 4

*Felony Conviction Frequencies*

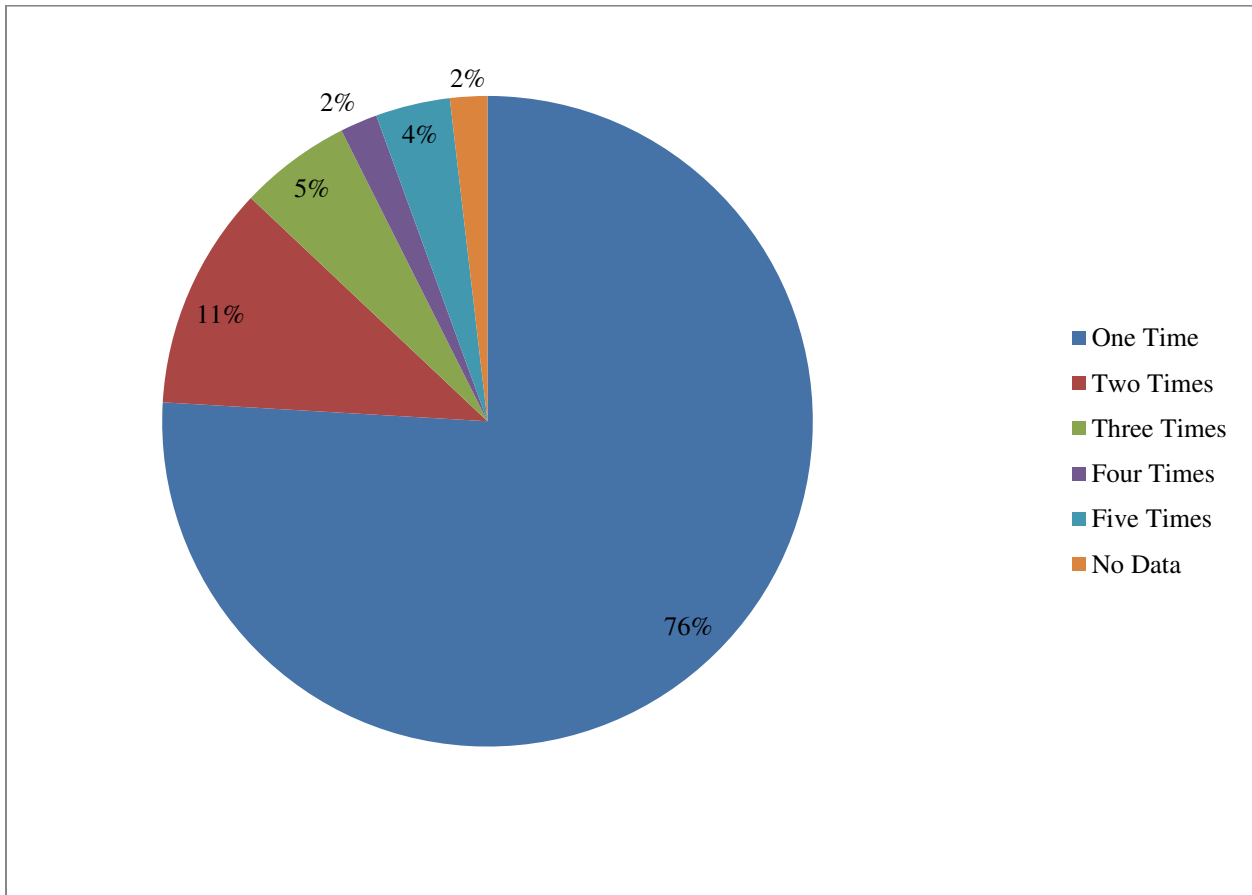
Category	Conviction	Total Number of Convictions	Total Number of Different Applicants with Convictions	Total Number of Different Applicants with Convictions per Category
Assault/ Disorderly Conduct	Assault	1	1	
	Aggravated Assault	3	3	
	Felonious Assault with a Deadly Weapon	1	1	
	Disorderly Conduct	1	1	
	Failure to Comply with the Direction of a Police Officer	3	3	
	Complicity to Disruption of Public Services	1	1	
	Retaliation	1	1	
	Fleeing from Police	1	1	
	<b>TOTAL Assault</b>	<b>12</b>	<b>12</b>	<b>11</b>
Drugs	Drug Trafficking	6	6	
	Marijuana Trafficking	2	1	
	Cocaine Trafficking	3	2	
	Possession of Drugs	2	2	
	Possession of Marijuana	2	2	
	Possession of Cocaine	8	4	
	Aggravated Possession of Drugs	1	1	
	Possession of Chemical Reagent or Precursor with Intent to Manufacture	1	1	
	Drug Abuse	1	1	
	<b>TOTAL Drugs</b>	<b>26</b>	<b>20</b>	<b>15</b>
Miscellaneous	Forgery	5	4	
	Failure to Appear	1	1	
	Telecommunications Fraud	1	1	
	Kidnapping	1	1	
	Arson	1	1	
	Ethnic Intimidation	1	1	
	Misuse of Credit Cards	1	1	
	<b>TOTAL Miscellaneous</b>	<b>11</b>	<b>10</b>	<b>9</b>

Table 4 (continued)

Motor Vehicle/ Traffic	Failure to Maintain Reasonable Control of a Motor Vehicle	1	1	
	Reckless Homicide (Motor Vehicle)	1	1	
	Unauthorized Use of Motor Vehicle	1	1	
	Failure to Stop After an Accident	1	1	
	Driving Under the Influence	1	1	
	Vehicular Assault	1	1	
	<b>TOTAL Traffic</b>	<b>6</b>	<b>6</b>	<b>4</b>
	Other	Offense when Minor/ Expunged	1	1
No Data		1	1	
<b>TOTAL Other</b>		<b>2</b>	<b>2</b>	<b>2</b>
Sexual Offenses	Gross Sexual Imposition	1	1	
	Rape	1	1	
	Illegal Use of Minor in Nudity-Oriented Material or Performance	1	1	
	<b>TOTAL Sexual Offenses</b>	<b>3</b>	<b>3</b>	<b>2</b>
Theft	Robbery	1	1	
	Robbery with Force	1	1	
	Aggravated Robbery with a weapon	1	1	
	Aggravated Robbery	1	1	
	Breaking and Entering	2	2	
	Burglary	8	8	
	Aggravated Burglary with Physical Harm	1	1	
	Receiving Stolen Property	5	5	
	Receiving Stolen Property of a Motor Vehicle	1	1	
	Theft	11	10	
	Aggravated Theft	1	1	
	Possession of Criminal Tools	3	3	
	Grand Theft	1	1	
	Grand Theft (Auto)	2	2	
	Theft of Drugs	1	1	
	Safecracking	1	1	
	Passing Bad Checks	2	2	
	<b>TOTAL Theft</b>	<b>43</b>	<b>42</b>	<b>27</b>

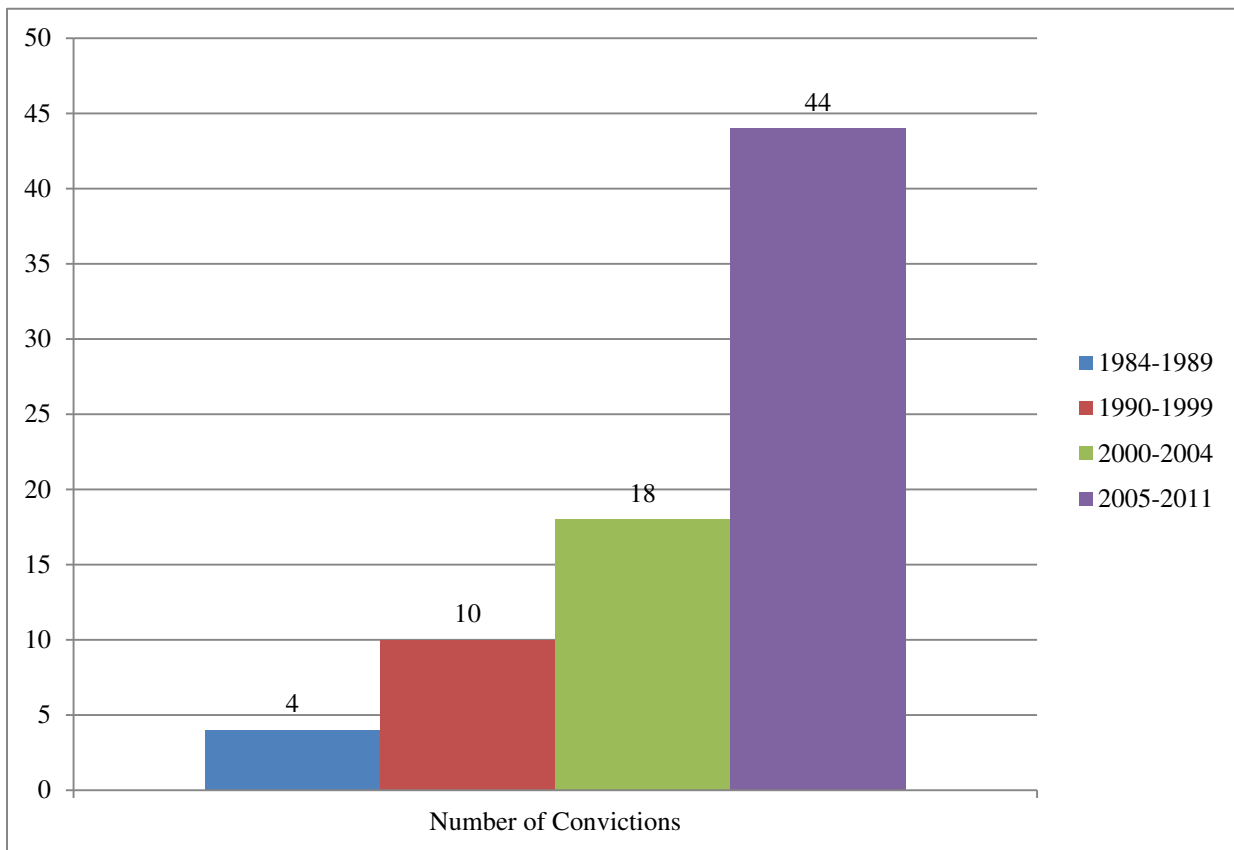
**Conviction dates.**

Forty-one of the 54 applicants were convicted of their charge(s) on one date, indicating that 76% of the applicants were involved in one incident. Six applicants (11%) were convicted twice. Three applicants (5%) were convicted three times. One applicant was convicted four times. Two applicants were convicted five times. One applicant did not provide any data on his/her conviction date. See Figure 6.



*Figure 6.* Frequency of convictions as measured by number of different conviction dates (n=54).

The researcher found that the 54 applicants were convicted 76 different times as shown by the number of conviction dates. The conviction dates range from 1984 to 2011. Using 2009 as the point of reference, four of the conviction dates were twenty years old or older, occurring between 1984 and 1989.<sup>1</sup> Ten of the conviction dates were ten years old or older, occurring between 1990 and 1999. Eighteen of the conviction dates were five years old or older, occurring between 2000 and 2004. More than half of the conviction dates ( $n=44$ ) occurred within five years of the application date. There was no conviction date for one of the applicants. See Figure 7.



*Figure 7.* Number of convictions by date of conviction. Bar graph represents the number of different conviction dates for the PFC population within given periods of time ( $n=76$ ).

<sup>1</sup> The researcher recognizes that each applicant applied at different times between Fall 2009 and Winter 2011. The range of time between the conviction and the application date varies accordingly.



### **Court sanctions.**

The researcher found several common court outcomes reported in court documents and/or by the applicants. The language of the court outcomes varied, and the researcher maintained the language used in the documents. The accuracy of the language could not be verified, i.e., jail versus prison. Incarceration, be it jail or prison, was the most common court sanction with 37 applicants. Very similarly, 36 applicants had some form of probation or community control. Other court sanctions included mental health treatment programs, drug testing, restitution, suspended driver's license and community service. Most applicants had multiple court sanctions per conviction. See Table 5.

Table 5

*Court Sanctions*

Category	Court Sanction	Total Number of Individual Applicants with Sanction
Incarceration	Prison	15
	Jail	22
	<b>TOTAL Incarceration</b>	<b>37</b>
Other	Community Service	5
	Suspended Driver's License	13
	Restitution	7
	Drug Testing	1
	<b>TOTAL Other</b>	<b>26</b>
Probation	Community Control	24
	Probation	10
	Basic/ Intensive Supervision	1
	Unsupervised Probation	1
	<b>TOTAL Probation</b>	<b>36</b>
Treatment and Rehabilitation	Inpatient Rehab Center/Substance Abuse Program	4
	Alcohol/Drug and/or Mental Health Assessment and Treatment	3
	Behavioral Modification Program	1
	<b>TOTAL Treatment and Rehabilitation</b>	<b>8</b>

**Statement codes.**

One applicant out of 54 total applicants did not provide a written statement. A review of the 53 written statements showed several common themes. Content analyses of these written statements are summarized in Table 6. More than half of all applicants made statements related to four themes: factual information about their criminal incidents (code 19), information about their current situation (code 11), explanations about how their criminal incident was a mistake or a poor decision (code 1), and statements about how they seek higher education to have a better life (code 7). Other themes occurred less frequently. Table 6 displays the frequencies of all statement codes.

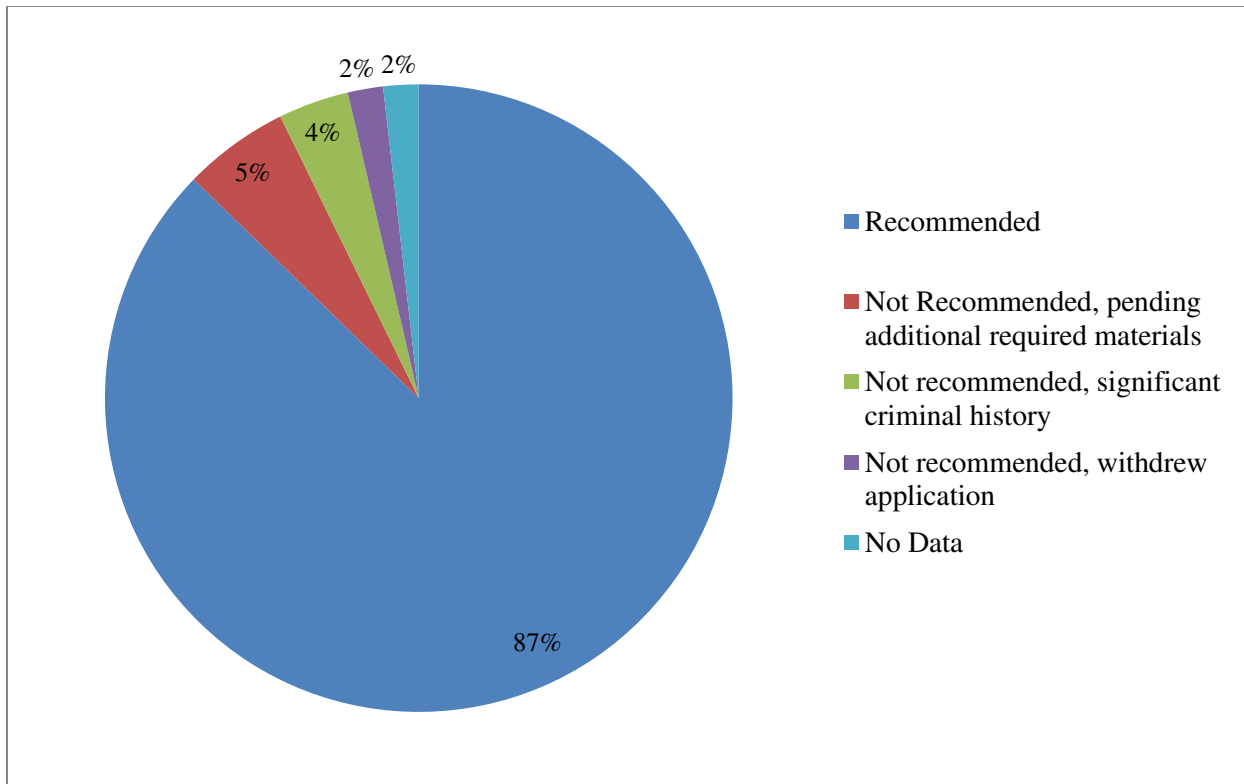
Table 6

*Statement Codes Frequencies*

Code Theme	Code Number	Code Description	Total Frequency
Attitudes about responsibility for incidents and felony convictions	1	Mistakes, poor choices/decisions, regrets, young, impressionable, addict	30
	2	Accept responsibility	4
	8	Bad place, bad people, bad relationships, wrong place/wrong time	11
Factual Information	11	Report on current school, work, or family successes	30
	19	Description of incident, felony convictions, and or court sanctions	38
	3	Change, different person, improvement since convictions, life back on track, thankfulness for convictions, means for growth	25
Reasons for and attitudes about applying	4	Religious influences/ motivation	5
	6	Thankfulness for application opportunity, pleading for admission	20
	7	Seeking better life, need education, need education for a job or to provide for family, wanting to be productive member of society	36
	10	Self-reported personal characteristics: morals, good person, smart, successful student	19
Negative attitudes about convictions/application process	12	Frequent reminders of conviction/ judgment/ hindrance/ lost opportunities	7
	14	Paid my debt to society, rehabilitated	6
	15	Expunge/ seal records	6
	16	Fear of conviction preventing educational opportunities, anger about needing to re-describe events, discrimination	10
	17	Emphasis on time passed since convictions	9
	18	Lowered self-esteem, personal impact, embarrassment from convictions	6

**Admissions decision information.**

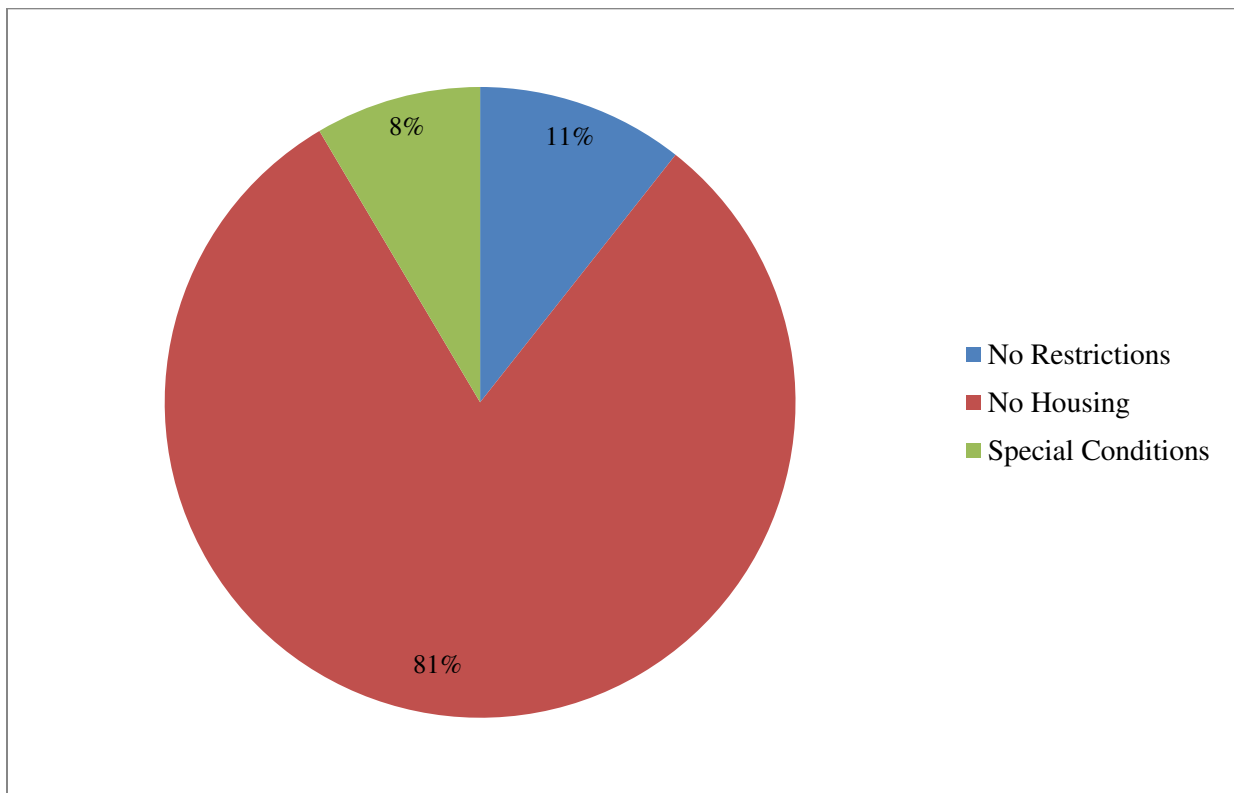
As an outcome of the process, 47 of the 54 applicants (87%) were recommended for admission to the research institution. The remaining seven applicants were not recommended. One applicant withdrew his/her application before a decision was made. One applicant did not submit the required written statement in addition to the admissions application, so the application was never reviewed. Two applicants were not recommended for admission pending the submission of proof of mental health assessment and/or treatment from a licensed provider. Two applicants were denied admission on the basis of their criminal histories. Finally, one applicant's file did not have information on the decision rendered, but it is known that the student did not enroll. See Figure 8.



*Figure 8.* Admissions decision information. Pie chart represents the distribution of admissions decisions for PFC applicants ( $n=54$ ).

**Conditions of admission.**

Of the 47 applicants who were granted admission by the review committee, 38 applicants (80%) were admitted on the condition that they were not eligible to reside in on-campus housing facilities. Four applicants were granted admission with special conditions in addition to no on-campus housing including providing mental health records, attending individual or group therapy, submitting monthly drug test results, staying 1,000 feet away from or not entering the on-campus daycare center, strict disciplinary probation, and fulfilling any court-ordered sanctions. Five applicants were granted admission with no restrictions. See Figure 9.



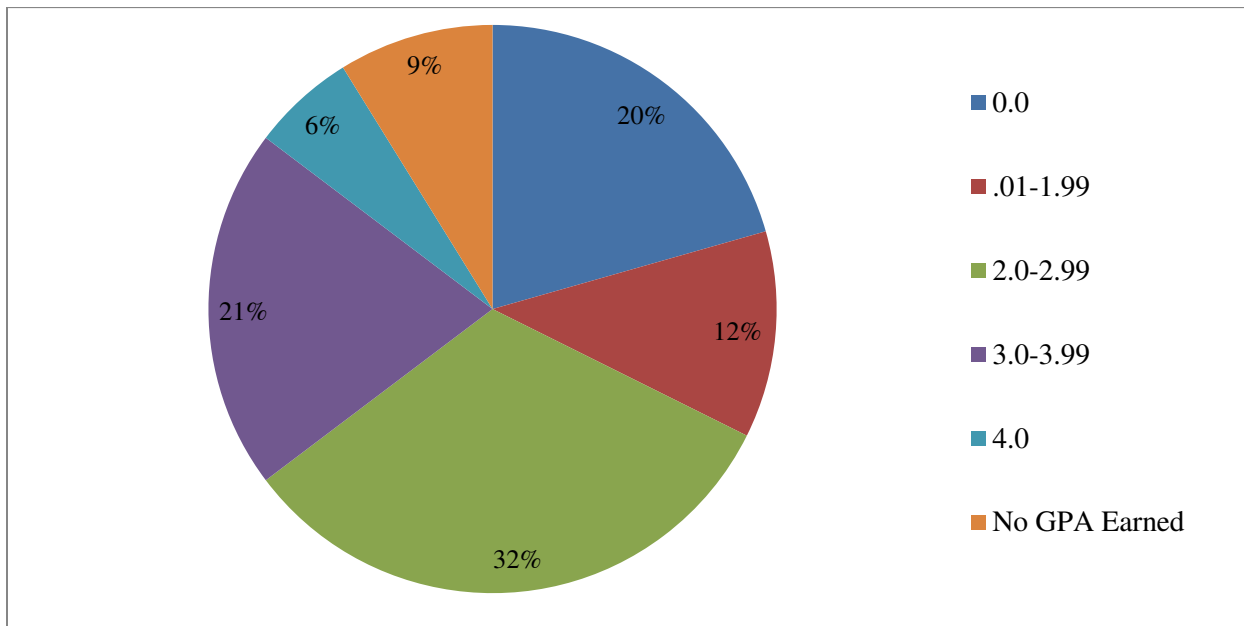
*Figure 9.* Conditions of admission. Pie chart represents the distribution of conditions of admissions for the PFC applicants who were recommended for admission ( $n=47$ ).

### **Enrollment status and history.**

Of the 47 applicants who were granted admission, 34 enrolled as students for at least one quarter. Half ( $n=17$ ) of those students had been consecutively enrolled since their admission to the time of data collection at the close of Fall 2011. The other half ( $n=17$ ) had enrolled at least once and had not returned to the research institution.

### **Current grade point averages (GPA).**

Of the 34 applicants who enrolled as students, current cumulative GPAs were collected at the end of Fall Quarter 2011. These GPAs did not include coursework completed at other institutions or previous coursework from the research institution prior to re-enrollment through the special admission process. GPAs earned ranged from 0 to 4.0. Three students enrolled in and withdrew from classes and earned no GPA. The average GPA was 1.94. The median GPA was 2.25 and the mode GPA was 0. Figure 10 displays the distribution of achieved GPAs.



*Figure 10.* Post-enrollment GPA. Pie chart represents the grade point averages of PFC applicants who were admitted and who enrolled at the RI ( $n=34$ ).

### **Commuter or residential student.**

None of the applicants who were granted admission and who enrolled at the research institution resided in on-campus housing. Of the 34 who enrolled, 30 students were by condition ineligible to live on campus and four students had no restrictions.

### **Conduct violations during enrollment.**

None of the applicants who enrolled as students appeared in the research institution's student conduct database as having had violated any university policies from the time of their enrollment to the end of Fall 2011. Comparatively, 978 students were found responsible in separate incidents for at least one violation of the student code of conduct in the 2010-2011 academic year.

## **Results of Testing the Research Hypotheses and Research Questions**

### **Summary of results of the hypothesis.**

The researcher found that none of the PFC students had been found responsible for a violation of the student code of conduct between the time of their enrollment and the close of Fall 2011. In comparison, 978 students were found responsible of at least one violation of the student code of conduct in the 2010-2011 academic year at the RI. These results allow the researcher to accept the directional hypothesis that the number of policy violations was higher for students without prior felony convictions and to reject the null hypothesis to that there was no difference in the number of policy violations between the two populations.

### **Summary of results of research question 1.**

To address the matter of risk posed to the campus community by the PFC students, the researcher evaluated the PFC student code of conduct violations. Because it is a violation of policy at the RI to violate any federal, state, or local laws, it can be reasonably assumed that any



criminal recidivism during the time of enrollment would be manifested as a student code of conduct violation. None of the PFC students were found responsible for any violation of student policies, and thus, the researcher concluded that these PFC students did not pose a risk of harm to the campus community beyond that of applicants without prior felony convictions.

### **Summary of results of research question 2.**

The researcher was able to identify one applicant who withdrew her application to the RI because she refused to participate in the special admissions process. The PFC applicant, who will be called “Susan”, submitted two different written statements before withdrawing her application. In brief, Susan expressed feelings of stigmatization and marginalization about her felony conviction from the administrators who required her to disclose details about her conviction in writing. Susan’s story is discussed as a case study in Chapter 5.

Three other applicants began the process but did not complete it. One applicant was not recommended for admission because she did not submit the written statement. The review committee reviewed two others’ completed applications and determined that they needed additional information before making a decision; mental health treatment documents were required in both cases.

In addition, it is known that only 34 of 47 PFC applicants who were recommended for admission actually enrolled at the RI. Of those 13 who never enrolled, seven were restricted from housing, one had no restrictions, one had the special conditions of not being able to be within 1,000 feet of the on-campus day care center, of being restricted from housing, and of strict disciplinary probation, and there was no data for one student. While these applicants did successfully complete the special process, the researcher did not have access to data that might explain why these admitted applicants did not enroll at the RI.

The data did explain that one PFC applicant from this population failed to complete the additional admissions processes because she felt marginalized, stigmatized, or otherwise unwelcomed by the admissions process. At least three other applicants were denied consideration for admission because they did not fulfill the additional requirements of the admission process.

### **Summary of results of research question 3.**

After evaluating the factual information and the expressed attitudes which were presented in the written statements, the researcher concluded that the applicants had varying experiences regarding the disclosure of their felony convictions in the general admissions process. Most applicants ( $n=38$ ) provided description of the criminal incidents and outcomes as prompted, and most ( $n=30$ ) provided additional factual information about their current successes in school, work, family, or rehabilitation. Regarding attitudes about responsibility, only four applicants specifically stated that they accepted responsibility for their actions while most ( $n=30$ ) described their criminal incidents as mistakes, bad choices, and regretful decisions and some ( $n=11$ ) attributed their criminal incidents to environmental factors and other people.

The applicants also expressed varying attitudes about and reasons for applying to the RI. A minority of PFC ( $n=5$ ) expressed religious motivation to pursue higher education and attributed their rehabilitation and successes to their faith. A majority of PFC ( $n=36$ ) expressed a dire need for higher education as a means to have a better life, to provide for themselves and family, and to become a more productive member of society. Many ( $n=20$ ) expressed gratitude and even pleading for the RI to consider granting them admission. Some ( $n=10$ ) also provided details of personal attributes and characteristics to persuade the application reviewers of their merits.

Finally, the researcher found that some applicants expressed generally negative attitudes about their felony convictions or the process itself through their writing sample. Ten applicants expressed fear, anger or a sense of being discriminated against in regards to the possibility of having their convictions prevent them from gaining access to higher education. Nine PFC emphasized the amount of time that had passed since their convictions. Seven PFC stated that the admissions process and/or other situations frequently reminded them of their convictions and of their many lost opportunities. Finally, six PFC made statements relating to their paid debt to society, their already or soon to be expunged or sealed records, and their lowered self-esteem and embarrassment from their convictions.

In conclusion, the researcher found that most applicants expressed neutral attitudes and factual information in their written statements, and thus the researcher concluded that most students did not likely have a negative experience with the special admissions process. However, it is obvious that some ( $n=10$ ) expressed frustration, confusion, anger, or other negative attitudes regarding the requirement to disclose criminal history information and to be subjected to a special admissions process.

#### **Summary of results of research question 4.**

The researcher made two conclusions about the experience of the PFC students who enrolled at the RI. The average GPA of the 34 who enrolled was 1.94 compared to the average GPA at the RI of 2.9. Similarly, only nine of the 34 students had GPAs above the institutional average of 2.9. Seventeen of these students enrolled in only one quarter before either withdrawing or not returning to the RI while 17 were continuously enrolled. The researcher concluded that this group of students is at risk for low retention rates and for below-average academic success.

None of the enrolled PFC students were involved in any incidents that resulted in violations of the student code of conduct. Therefore, the researcher concluded that obtaining a felony conviction does not inherently make a student more of a risk for student policy violations.

#### **Summary of results of research question 5.**

This study provides little evidence to support that the special admissions process at the RI served a constructive purpose. First, data revealed that admitted PFC students had not been involved in any incidents or violations of student policy since their enrollment. There are at least two plausible explanations for this finding; both would have implications for policy and should therefore be investigated through additional research. First, this finding may indicate that felony conviction history is not an indicator of future threat to a college campus, implying the review of criminal history does not serve a constructive purpose. Second, this may indicate that the special review process successfully screened the dangerous from the non-dangerous applicants, implying that the policy does serve a constructive purpose. While the policy only screened out two individuals, it is impossible to know whether the two students who were denied admission from the RI would have caused any harm on campus. The data from this study point to but are insufficient to conclude whether or not this general admissions process served a constructive purpose in regards to improving campus safety.

Additionally, the researcher found that the RI took no systematic measures to give special assistance to the admitted PFC students. The students' GPAs and retention rates indicated that they were struggling academically and half dropped out after one quarter. Therefore, the researcher found that this process in general admissions did not have a constructive purpose in regards to identifying and supporting academically at-risk students.

In regards to sensitive academic programs, administrators involved in the special admissions process intentionally did not communicate with faculty in academic programs. The criminal information obtained in the general admissions process was not made available to anyone outside of the admissions process. Therefore, this process in general admissions did not serve a constructive purpose in regards to supporting screening processes in sensitive academic programs.

Finally, admissions administrators did communicate with housing officials when applicants were admitted without eligibility for housing. However, housing officials at the RI required the self-disclosure of criminal history information on housing applications, and housing officials made decisions on eligibility. Therefore, because of the redundancy, this process in general admissions did not have a constructive purpose in regards to supporting screening applicants for on-campus housing.

### **Summary**

The review of application materials generated many data. The researcher found sufficient data to reject the null hypothesis in finding that none of the admitted PFC students violated any student policies during their enrollment. This also led to the conclusion that students with felony convictions do not necessarily pose a heightened risk of harm to the campus. The researcher identified several applicants who did not complete the admissions process, one of whom stated it was because of the special admissions process itself. A review of the written statements revealed that while most applicants wrote factual and emotionally neutral statements, some expressed negative attitudes about the process. The average GPA of the enrolled PFC students was below the RI average GPA, and half of the PFC students left after only one quarter. These findings suggest but are insufficient to conclude that the process does not serve a constructive purpose.

## V. DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

### Discussion

Institutions have increasingly implemented special admissions to screen out students with felony convictions on the basis that students with prior felony convictions pose an increased risk of harm to the campus community. This study examined 54 applicants and their experiences of applying to an institution that required special admissions procedures for applicants with felony convictions. The researcher reviewed their application materials and admissions decision information and examined their academic progress and student conduct histories after enrollment. Only two of the applicants were not recommended for admission solely based on their criminal histories while 47 applicants were recommended for admission. The researcher found that one student withdrew her application because she felt stigmatized and marginalized by the special admission process. The researcher also found that some students expressed negative feelings in their written statements about having to go through the process. In reviewing the students who enrolled at the institution, the researcher found that their average GPA is one grade point below the average GPA at the RI and that the students were not involved in any incidents that resulted in violations of student policies. The researcher concluded that the stigmatizing and marginalizing experiences felt by some of the applicants paired with the good behavior demonstrated by the enrolled PFC calls into question the practice of the special admission process where only two out of 54 students were not recommended for admission during the studied three year period.

### **Findings on age and on housing conditions.**

The descriptive statistics revealed important trends that warrant discussion. First, the ages of the PFC applicants compared to the ages of the general RI population is an important finding.

The PFC average age was 32 compared to the RI average age of 23. In fact the youngest PFC applicant was 21. Thirty-one of the 54 applicants were between the ages of 25 and 39. This tells us that we are not dealing with “traditional-aged” students. Unlike our typical incoming students, many of these applicants are likely to have attended other institutions of higher education, to have held full-time jobs, to have families, and to live on their own. Certainly, the most distinguishing factor of the PFC population to the average student is the felony conviction and court sanctions, possibly even incarceration.

This finding specifically raised questions about the fact that 42 of 47 admitted applicants were denied eligibility to on-campus housing. Thirty-eight of these 42 received no housing as their only condition. A closer analysis of this issues revealed that of these 42, the average age was 33. The median and mode were both 30, and the range was 21 to 64. This raises the question of why the RI felt the need to impose the sanction of “No Housing” knowing that most if not all of these applicants would never need on-campus housing. It should also be noted that housing officials at the RI required criminal history disclosure on the housing application and took their own measures to control students with felony convictions from housing. Again, the question is raised, why should housing be a concern of a committee reviewing an applicant’s general admission application?

Another noteworthy finding is that 12 of these 42 applicants never enrolled as students. One explanation could be that these 12 individuals could not attend the institution without on-campus housing. The age range of these 12 applicants was 21 to 41 and the average age was 28. The median was 27 and the mode was 25. Only one applicant was 21 and another was 22. It is possible that at least some of these 12 students chose not to enroll at the RI because of the condition of no housing. Was it so important to the RI that these individuals know that they

could not live in on-campus housing before they can even enroll as students? How can an individual be determined to be “safe” enough to attend classes and have all the privileges of every other student but not be “safe” enough to live in campus housing? This is especially puzzling considering that the RI has multiple types of housing units, including traditional-style residence halls, suite-style apartments, and apartments for upperclassmen, graduate students, and students with families. In this case, the RI possibly pushed away 12 academically qualified students just because it was important to the RI to deny them eligibility for housing.

#### **Findings on conviction dates.**

Another interesting set of findings were related to the applicants’ conviction dates. First, the 54 applicants were collectively convicted 77 different times according to the listed conviction dates. Of those, 32 convictions occurred between 1984 and 2004. The remaining 44 convictions occurred between 2005 and 2011 and one applicant did not list a conviction date. These findings are important for two reasons. First, individuals with felony convictions within five years of applying made up over half of the population suggesting that individuals with felony convictions are applying to the RI at an increasing rate. This finding is of interest because colleges and universities should recognize that as incarceration and conviction rates rise, so will the number of college applicants with felony convictions.

The second related finding was in regards to admissions recommendations. All of the applicants with convictions only from 1984 to 2004, or older than five years from the application date, were recommended for admission. The RI could have avoided the review of 21 of the 54 PFC applicants by requiring only the disclosure of felony convictions within five years of the date of application. Six of these 21 applicants expressed an emphasis on the amount of time passed since their conviction in their written statements. In total, eight of the 21 applicants



expressed negative sentiments in their written statements about the admissions process. Based on these findings, the RI should limit its review of applicants with felony convictions to those with convictions within five years of the date of application.

#### **Findings on ethnicity.**

Of the 54 PFC, 37 (68%) identified as Caucasians while 13 (24%) identified as African-Americans. At the RI, 73% are Caucasian and 16% are African-American. It can be seen that African-Americans are represented at a slightly higher percentage in the PFC sample than in the overall RI population. This could be explained by the significantly higher incarceration rates of African-Americans compared to Caucasians (West, 2010). Of those seven applicants who were denied admission to the RI, two were not Caucasians. One applicant, an African-American, withdrew her application. Another, an American Indian/ Native Alaskan/ Caucasian, was not admitted due to criminal history. The RI should be mindful that special admissions may unequally screen minority applicants because of the significantly higher conviction and incarceration rates of minority persons (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010).

#### **Findings from analysis of written statements.**

The researcher reviewed all available PFC written statements to find significant statements and themes. Thirty-eight of 53 written statements addressed the primary question of the essay which was to discuss the details of the criminal incidents and legal outcomes. While this was the most commonly occurring theme, the question remains as to why fifteen other applicants did not address that question. One explanation is that the instructions were not sufficient, a topic that is not evaluated here. Another explanation would be that these 15 applicants were particularly uncomfortable disclosing their criminal history.

Of most importance were the themes that were generally categorized as negative attitudes about the convictions themselves or the special admissions process. As many as ten PFC expressed dissatisfaction with the special admissions process through their written statements by expressing their sense of being discriminated against, their fear and anger about being prevented from attending the university, their sense that their criminal incident had been resolved and their debt paid, and their personal suffering as a result of lost opportunities and embarrassment.

### **Case study.**

To reveal the experiences of one particular applicant, the researcher will present her story as a case study. This case study is the story of an applicant who will be named “Susan”. According to her application materials, Susan is an African-American woman who was 38 years old at the time of her application. She completed her GED in 1990 and attended a community college from 2002 to 2008 where she earned 70-some credit hours and earned a 1.978 GPA. It is unknown from the documents if she completed a degree or certificate program, but it is known that Susan took primarily business courses.

Prior to her enrollment at the community college, in December of 1998, Susan was arrested and later convicted of theft, a fifth degree felony, in March of 1999. She was sentenced by a judge to pay restitution (amount unknown), to be under community control for five years, and to pay court costs, \$155. Her probation was terminated early just over a year later in April 2000. This information came from public court documents which were pulled by RI administrators.

In 2010, ten years after her release from probation, Susan applied for admission at the RI where she intended to major in what she called “business/ social services”. She was met with a requirement to disclose her felony conviction, which she did. She also completed the attached

petition form, where she briefly indicated why she wanted to come to the RI. Later, RI administrators contacted Susan to get more information from her. She emailed the following statement which is displayed exactly as it is in the original document:

Hi,

I apologize for the delay, I just dont quite understand what more it is your department wishes for me to explain about a situation that happened over a DECADE ago.

Considering the fact that you guys want to rejudge me for something I never even spent a day in jail for, I completed my prohbaton, paid my restitution and was even released from prohbaton early for completing my requirements before my due date, not to mention I feel that it's personal since it involves me and my sons deceased father. (NO, I DID NOT CAUSE OR HAVE ANYTHING TO DO WITH HIS DEATH!) That's a chapter of my life I have moved beyond, thanks to GOD AND THERAPY! I live a Christian life, am a responsible parent, and live for helping all those that I can. I STRIVE to better myself of that I can continue being a productive individual in the society we live in today. It has not only disheartened me, but it has made me understand that it will always be individuals, institutions, jobs, and in this case, [the RI], that will always make it harder for the disadvantage to live productive and meaningful lives. I can't say I understand but life is what you make it! I will continue to do all I can to succeed in life, despite mistakes that I made while living my not so perfect life. This too is an obstacle I will overcome, because I know there is something GREATER in store for me. Thank you for your time.

Sincerely,

Susan

Susan never made it through the admissions process at the RI, because in her statement, Susan never addressed the details of her felony conviction. According to the notes in her file, a RI administrator spoke to her on the phone after receiving her statement. The note reads, “Spoke with applicant. Will not provide any more info & will look to go to another school”.

To evaluate Susan’s situation, let us first look at her statement. In her first sentence, Susan expressed confusion about what and why the RI needed to know about her conviction because it happened over ten years ago. This should be considered a relevant point; why is the RI concerned about any convictions that are older than 10 years? Does the RI believe that a person can still be a threat to the campus community based on a single violation of law from 10 years ago?

Next, Susan expressed a feeling of being judged. She wrote, “You guys want to rejudge me for something I never even spent a day in jail for, I completed my probation, paid my restitution and was even released from probation early for completed my requirements...” Although the RI did not have the details of her conviction, we know from court documents and from Susan’s statement that she did not serve jail time, paid restitution, and served just over a year of probation. What then does the RI need to know and why? Does the RI in fact seek to “rejudge” Susan and apply secondary consequences?

Moving on, Susan expressed how she has moved on because of “God and therapy” and discussed her current successes as a Christian and as a parent. She wanted to better herself so that she could be a productive member of society.

Next, Susan reported being “disheartened” by “individuals, institutions, jobs” and the RI which continue to make it harder for the disadvantaged to “live productive and meaningful lives”. Susan made a profound statement that is not unfamiliar to ex-offenders. She has

undoubtedly experienced the difficulty of finding jobs, earning trust, and certainly gaining access to higher education. All of these post-offense consequences came from a single conviction that did not even merit jail time. In comparison, the researcher wonders how difficult it must be for an individual to re-enter society after any period of incarceration.

In the view of the researcher, the RI failed Susan in a serious way. The RI, which is a mid-sized, liberal admissions (meaning nearly open), state institution, was unreasonable in its consideration of Susan's application. There was not a single reason to believe that Susan, given her single offense of theft in 1999, could possibly pose any danger to the institution or its community members. Why, then, did the institution continue to push her away? Did the court documents and two written statements not provide enough information? The researcher believes that Susan's decision not to complete the admissions requirements was reasonable because the RI requirements were unreasonable.

The story of Susan raised several key issues. First, why is the institution collecting criminal history information from all applicants? Is the RI truly concerned that any conviction over any period of time is concerning? The researcher and others believe that institutions should limit its search for criminal history to a more reasonable time period, such as within five years (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010). Second, Susan's story raised the issue of what institutions should be examining. Is every possible felony conviction concerning to administrators? Is "theft" concerning enough to merit such unreasonable application procedures? In the view of the researcher, if the research institution chooses to collect criminal information, it should specify on applications specific types of convictions about which it is concerned. It should be up to the institution to determine which types of offenses

should be regarded as concerning, when occurring within five years of the application, keeping in mind the guidance about blanket policies (Lake Michigan College, 2011).

Third, do institutions “rejudge” and resentence individuals? The researcher believes that institutions that place conditions or sanctions on individuals as a condition of admission are inflicting unnecessary post-offense consequences. If an applicant is determined to be academically qualified and if they are deemed not to be a direct threat, he/she should gain full access to an institution. Should housing units or academic programs collect criminal history information and place restrictions, then that is within those units’ purview. Additional punishments, restrictions, or conditions should not be placed on students with felony convictions in the general admissions process.

Finally, what affect does an institution’s special admissions policies have on applicants with felony convictions? In the case of Susan, the worst outcome happened; an otherwise qualified student was pushed away. The RI, through its unreasonable and unnecessary review of each candidate’s history, sent Susan a very strong message. Susan heard the message and withdrew her application. In this case, it is known that these special admissions policies deter applicants. It is also known from this situation that the process distresses applicants. The tone of Susan’s second statement is one of confusion, frustration, resentment, and even anger. Is this what any institution of higher education wants for its future students? Is it worth it to put applicants through this distressing process in the name of “campus safety”?

The researcher concluded the following from the story of Susan. The RI should not collect criminal history information at the point of general admission because it deters and distresses applicants. If the RI decides it must continue collecting criminal history information, it should limit that information to convictions from within five years and to specific types of

offenses that reasonably justify concern for future behaviors. Finally, the RI must take active measures to reduce the harm caused these invasive policies and to create an atmosphere of welcoming and openness for all students regardless of their backgrounds.

## **Conclusions**

The researcher concluded from the results of this study that there is insufficient evidence to support the merits of special admissions policies which screen applicants with felony convictions. First, there is no information in the literature to support that these policies improve campus safety. The results of this study were inconclusive on this point because only two applicants were denied admission to the institution. Theoretically, the institution may have prevented two persons who posed a risk to the campus from enrolling. However, based on the other 47 applicants with felony convictions who were granted admission, it is known that the admitted PFC students did not cause harm on campus. The researcher found that none of the enrolled PFC students had subsequent policy violations. More advanced assessment and research studies are needed to determine if the cause of the policy-abiding behavior was a result of the special admissions process or if the individuals never posed an increased risk of harm solely because of their criminal histories.

Students with prior felony convictions were found to have below average GPAs, and half of the 34 admitted students dropped out after only one quarter. This finding revealed that students with criminal histories may not be academically or otherwise prepared for college. More studies are needed to make generalizable statements about all ex-offenders in higher education.

The researcher also concluded that these policies at the research institution serve no other constructive purpose than to screen out potentially dangerous students. The literature, on the other hand, suggested that criminal history information collected in the general admissions

process could be used in multiple ways to serve better the institution and the student (Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010). The RI did not use the information collected in the general admissions process to deliver special student or academic services to students nor does it use this process as its sole means for screening eligibility for housing. The RI did not share the information with academic units either, thus leaving the responsibility of criminal history screening to the academic units.

Without clear evidence that the special admissions process improved campus safety and with the evidence to show that the RI institution did not use the collected criminal history information for any other purpose than to screen out applicants who may have posed a risk of danger to the campus community, the researcher found that the special admissions policies did not serve a constructive purpose at the RI.

### **Limitations**

This study is limited in that the researcher had no interaction with the participants. Interviews or focus groups with applicants with felony convictions who went through the special admissions process would be most valuable to learn more about their experiences in the process.

While the sample for the study was the entire population of applicants with prior felony convictions for the given time period, the sample size is not robust enough to make generalizable statements about all prospective college students with felony convictions. The age, educational history, and criminal history varied widely among the population making it difficult to identify clear trends. Similarly, options for more advanced statistical analyses within the population were limited because of the size.

Because the RI began the special admissions process in Fall 2009, the researcher could only review each student's academic and discipline history for a period of one quarter to at most



two years. It would be preferable to evaluate academic and discipline history from the time of enrollment to the time of graduation or disenrollment for each student with prior felony convictions.

### **Recommendations**

The researcher concluded that the special admissions process at the RI institution distressed and deterred applicants because it may have marginalized and stigmatized them based on their criminal history. The researcher also concluded that because none of the admitted PFC students violated any student policies, felony convictions should not necessarily be considered as risk factors for future misbehavior in the university setting. Based on these conclusions, the researcher put forth several recommendations for university policy makers and for future researchers.

#### **Policy recommendations.**

Based on the findings of this study, the researcher recommended to campus administrators at the RI that special processes in the general admissions process which screen applicants based on criminal history be discontinued. The RI should not presume that applicants with felony convictions pose more of a risk to the campus community than other applicants. This recommendation is in accordance with the opinion of the judge in *Eiseman* (1975) that ex-offenders who have completed court sanctions should regain all rights to frequent public places, including public institutions of higher education. Additionally, this recommendation is in accordance with studies that have found that education is one of the most important change agents in criminal recidivism (Stevens & Ward, 1997; Gaes, Flanagan, Motiuk, & Stewart, 1999; Matsuyama & Prell, 2010). Education is also shown to lead to personal self-improvement (Hughes, 2009). The research institutions should open its doors to individuals with felony

convictions to build an educated workforce and to reduce criminal recidivism. Therefore, other institutions should replicate this study to evaluate the real outcomes of their own special admissions policies.

On a related issue, special admissions policies at the RI should be discontinued because they may be inherently discriminatory. According to statistics from the Department of Justice from 2009, African-American men were incarcerated at a rate of 6.71 times the rate of Caucasian men (West, 2010). This large disparity may be observed in the applicants who are screened in special admissions processes.

Because only two out of 54 applicants were denied admission solely based on their criminal histories, the researcher questioned the realistic and constructive purpose of the admissions policies. When compared to the nearly 1,000 students who were found responsible for student conduct policies in one academic year at the RI, including alcohol, drugs, violence, academic dishonesty, hazing, sexual misconduct, and others, the researcher questions the likelihood that these two individuals posed such a significantly different level of risk that they should be denied admission. The researcher recommended that special admissions process in the general admissions process be discontinued because they are not likely to make the campus community safer. This recommendation is in accordance with Olszewska's (2007) findings that there was no statistical difference in the crime rates of campuses with and without special admissions policies.

The researcher found that over half of the applicants' convictions occurred within five years of the application date; with crime and incarceration rates on the rise, institutions should be prepared for a growing student-ex-offender population (West, 2010). This growth will inevitably require more time and resources of campus administrators who administer special admissions

policies. If the institution decides that it must continue to screen students based on their criminal history, it should define its purposes for doing so and should narrow the scope of the criminal history review. It should not screen students in the general admissions process for criminal history with concern for academic programs, because specific academic programs are more equipped to make those decisions. Students applying for programs such as education, social work, and criminal justice will undoubtedly face additional program applications or license applications where they will have to disclose criminal history information. At that juncture, professionals familiar with the specific professional field can make the best decisions about students' access to the program or field.

Similarly, the RI should not screen for criminal history in the general admissions process with concerns for housing. An individual who is academically qualified should not be screened from the institution based on housing eligibility, unless perhaps there is an on-campus residency requirement. Housing officials should be responsible for controlling access to housing facilities, and, if desired, should screen for criminal history on housing applications. The denial of housing eligibility as a condition of admission may deter students from enrolling at the institution.

Narrowing the scope of the criminal history review will prevent many students from the invasive and time-consuming screening process. At the RI, 21 of 54 applicants (39%) had convictions only from between 1984 to 2004 and all were recommended for admission. The only applicants who were not recommended for admission had convictions within five years of the application date. Therefore, the researcher supports the recommendation of Weissman, Rosenthal, Warth, Wolf, and Messina-Yauchzy (2010) that campus administrators should not be concerned with applicants' whose convictions are older than five years. Questions on application forms in the general admissions process should reflect this narrowed scope. Individuals with

convictions older than five years should not be assumed to be a continued risk to the campus community.

Finally, if the RI continues to screen, special support programs should be implemented. Stevens and Ward (1997) found that students on college campuses experienced a difficult transition to college and ongoing fear that their criminal histories would become known to their classmates and faculty. Stevens and Ward (1997) recommended that institutions provide support groups and assistance programs for students with felony convictions. In addition, the results of this study indicated that students with felony convictions on average obtained below average GPAs and half dropped out after only one quarter. This finding indicated that many students with felony convictions need special academic support in addition to general assistance and support. In order to best serve this growing population of students, the RI should be prepared to provide students with special academic and support programs.

#### **Future studies recommendations.**

Future studies with larger sample sizes from more institutions are needed to make more generalizable conclusions about the special admissions process for students with prior felony convictions. Institutions that implement these policies must perform systematic assessment to learn about the outcomes of the process both as they relate to the applicants and to the campus community. There is still yet to be any definitive data in the literature that suggest that these policies have an effect on campus safety. More data must be collected to determine what effect, if any, screening applicants with felony convictions has on campus safety.

Institutions should assess other aspects of the policy and processes, including time and resource expenditure and student applicant needs and satisfaction. Institutions must conduct follow-up assessment with the students who go through the special admissions process to learn

about their personal experience with the process by using surveys, focus groups, interviews, or other methods. In addition, they must monitor closely the demographic information of the populations being screened to be aware of troublesome trends. Specifically, institutions should monitor applicant ethnicities; the screening and/or denial of minority applicants based on felony convictions may be a discriminatory practice because minorities are convicted and incarcerated at significantly unequal rates. Finally, institutions should also periodically review their policies and their admissions decisions to ensure that blanket policies do not exist literally in the policy or effectively in practice.

Based on the frequency data of the conduct violations, the researcher found that none of the students with felony convictions had any policy violations during enrollment at the RI. Because 100% of the admitted and enrolled students with felony convictions had no disciplinary histories with the institution, the researcher concluded that having a felony conviction does not necessarily make a student more of a risk to the campus or community. It is possible, however, that the screening process itself paired with the conditions of admissions motivated students not to be involved in behaviors that would lead to policy violations. Future studies on campuses are needed to compare the rates of student policy violations between students with and without felony convictions. If conducted at an institution where students are not screened, this data might prove whether having a felony conviction is a legitimate risk factor for future misbehavior. Similarly, institutions must assess the behavioral and learning outcomes of special admissions process to learn if the process has any effect on the future behaviors of students.

## **Summary**

There are few studies in the literature which address the issues of students with felony convictions in higher education and special admissions policies that screen applicants with

felony convictions. The results of this mixed method study revealed that such policies distressed and deterred some applicants and may be inherently discriminatory. The study also revealed that the admitted students with felony convictions had no policy violations at the institution, indicating that having a felony conviction does not necessarily make one more likely to be a risk to the campus. The study did not generate conclusive evidence as to whether special admissions processes improve campus safety, but it did generate evidence that prompts one to seriously question whether these processes serve any practical or constructive purpose.

The researcher recommended that the RI discontinue any general admissions policies that screen applicants based on felony convictions and that other institutions examine the outcomes of their own policies. If the RI continued to screen, the researcher recommended that the review of criminal histories be significantly narrowed. Additionally, the RI must take measures to reduce the amount of harm caused to applicants during the process and to provide special academic and support services to students with prior felony convictions.

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Appendix A

De-Identified Undergraduate Admissions Application from Research Institution

Undergraduate Application

Please enclose \$30 application fee.

1. Last name \_\_\_\_\_ First name \_\_\_\_\_ Middle name \_\_\_\_\_ Previous name(s) \_\_\_\_\_

2. Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

3. Parent/Spouse (circle one) Last name \_\_\_\_\_ First name \_\_\_\_\_ Middle initial \_\_\_\_\_

4. Parent/Spouse Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

5. Home telephone number ( ) - ( ) - ( ) Business number ( ) - ( ) Cell number ( ) - ( )

6. Gender: (check one)  Male  Female Birthdate: / / Social Security number: [ ][ ][ ]-[ ][ ][ ]-[ ][ ][ ][ ][ ]

7. Citizenship:  U.S. Citizen  Permanent Resident (provide copy of form I-551)  Nonresident Alien (request international application)

8. **is required by the federal government to report this information, however, reporting it on this form is strictly voluntary for students.)**  
Ethnicity: Are you Hispanic or Latino?  Yes  No

9. Race (select all that apply)  Black or African American  American Indian/Alaskan Native  Asian  Native Hawaiian/Other Pacific Islander  White

10. E-mail address \_\_\_\_\_

11. High school attended \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ACT high school code \_\_\_\_\_ Graduation date \_\_\_\_\_

12. College/university attended \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ First and last dates attended \_\_\_\_\_ Degree(s) earned \_\_\_\_\_

13. College/university attended \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ First and last dates attended \_\_\_\_\_ Degree(s) earned \_\_\_\_\_

*Attach a complete list of all colleges/universities you have attended, along with dates of attendance and submit it with your application. Official transcripts from all colleges/universities attended must be submitted to the Office of Undergraduate Admissions.*

14. Quarter/Year you will enroll:  Fall  Winter  Spring  Summer Year \_\_\_\_\_

15. I am a: (check one)  Beginning Freshman  Transfer Student with less than or equal to 45 quarter credit hours/30 semester hours  Second Certificate/Licensure  Pursuing Second Bachelor's Degree  Transfer Student with 45 or more quarter credit hours/30 semester hours (must list an intended major)

16. Are you a former **student?**  Yes  No Are you a Veteran of the U.S. Armed Forces?  Yes  No

17. Campus (choose one): **Intended major:** \_\_\_\_\_

18. State of residency \_\_\_\_\_ County of residency \_\_\_\_\_

19. Upon whom are you dependent for more than one-half of your financial support?  Parent/Guardian/Spouse  Self—I am financially independent

20. Dates the person in row 19 has lived in **to present**  From \_\_\_\_\_ to \_\_\_\_\_  Never

21. Is the person indicated in row 19 employed full-time in **?**  Yes  No Active military duty in Ohio?  Yes  No

22. Transfer Students: Is your cumulative grade point average BELOW a 2.0 on a 4.0 scale from the last accredited institution at which you attempted at least 12 quarter/9 semester credit hours?  Yes  No

23. Have you ever been academically dismissed/suspended from an academic institution?  Yes  No Date of dismissal/suspension / /

24. Have you ever been dismissed for disciplinary reasons from an academic institution?  Yes  No Date of dismissal/suspension / /

25. Have you ever been convicted of a felony?  Yes  No Date of conviction / /

Staple \$30 application fee here

If you answered YES to any question in rows 22–25, you must complete an admissions petition form. See reverse for information. If your answer to any of the questions in rows 22–25 changes prior to enrollment, you must contact Undergraduate Admissions immediately.

The information given above is complete and accurate to the best of my knowledge. I understand that misrepresentation of facts on this application will be cause for refusal of admission, cancellation of admission, or dismissal from the university. The university also reserves the right to revoke any degree or diploma that it may have awarded in reliance on information contained in the application for admission if it subsequently transpires that this information was a fraudulent misrepresentation of fact.

By signing this application, I agree to abide by the policies and regulations of the university. I understand this application will not be processed until I have signed on the line below.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Appendix B

De-Identified Undergraduate Admissions Application from Research Institution, Petition Form,

Page 1

Admissions Petition Form

Please read all sections of this form carefully before completing. Please print clearly or type.

PLEASE NOTE: A student who has not attended a college or university for three (3) years or more is NOT required to complete this form, unless the student was disciplinarily dismissed/suspended or convicted of a felony.

This form must be completed by:

- a) Transfer students who have less than a 2.0 cumulative grade point average (on a 4.0 scale) from the last college/university of attendance where at least 12 quarter hours (nine semester hours) were attempted. Academically dismissed/suspended students are not eligible to enroll at [redacted] for one calendar year from the date of the dismissal.
b) Returning students who are reapplying for admission to [redacted] after completing the four quarter dismissal period or have less than a 2.0 from a college/university since last enrolled at [redacted]. See (a).
c) Academically Dismissed students who were dismissed/suspended from an academic institution are required to complete this form. Academically dismissed/suspended students are not eligible to enroll at [redacted] for one calendar year from the date of dismissal.
d) Disciplinarily dismissed students who were dismissed/suspended for reasons other than academics are required to complete this form and submit a notarized release form.
e) Any student who has been convicted of a felony is required to complete this form and a signed notarized release form.

Complete all sections of this form and follow the application instructions on the Undergraduate Application. A petition file must be complete by the deadline indicated and should include the following information: application for admission, petition form, including any supporting documentation and official academic transcripts from every college/university attended.

Section A

Social Security Number \_\_\_\_\_ Date \_\_\_\_\_
Full Name \_\_\_\_\_
Street Address \_\_\_\_\_
City, State, and Zip code \_\_\_\_\_
Area code and Phone number \_\_\_\_\_
Petitioning for: Fall 20\_\_\_\_ Winter 20\_\_\_\_ Spring 20\_\_\_\_ Summer 20\_\_\_\_
Deadline: August 1 December 1 March 1 May 1

Section B

Intended major \_\_\_\_\_
The last accredited college/university attended was \_\_\_\_\_
Date of last attendance \_\_\_\_\_
Are you attending or have attended [redacted]? Yes No
Have you been academically dismissed/suspended from any college/university, including [redacted]? Yes No
Do you have less than a 2.0 cumulative grade point average from the last college/university you attended? Yes No
Have you been disciplinarily dismissed/suspended from any academic institution, including [redacted]? Yes No
If so, please provide the following: Name of institution \_\_\_\_\_
Type of dismissal/suspension \_\_\_\_\_
Date of dismissal/suspension \_\_\_\_\_
Have you ever been convicted of a felony? Yes No
If yes, please provide the following: Date of conviction \_\_\_\_/\_\_\_\_/\_\_\_\_
County and State/Federal location of conviction \_\_\_\_\_

(Continued on reverse)



Appendix D

Demographic Information from Admissions Files

Code	Age at time of Application	Gender	Ethnicity	HSD/GED + YR	IHE GPA 1	IHE GPA 2	IHE GPA 3	IHE GPA 4
F-09-1	40	M	Caucasian	HSD+1987	3.233			
W-10-1	24	F	Caucasian	GED+2006	N/A			
SP-10-1	24	M	African-American	HSD+2004	No Data			
SP-10-2	26	F	Caucasian	HSD+2003	2.153			
SP-10-3	36	M	Caucasian	HSD+1993	N/A			
SM-10-1	42	F	Caucasian		3.328			
SM-10-2	29	M	Caucasian		2.824	2.15		
SM-10-3	22	M	Caucasian		N/A			
SM-10-4	34	F	Caucasian		2.86			
SM-10-5	30	M	Caucasian	HSD+1999	2.766			
SM-10-6	61	M	No Data	HSD+1967	3.211			
SM-10-7	47	M	African-American	HSD+1981	2.293			
SM-10-8	39	M	Caucasian	HSD+1989	2.87	2.982		
SM-10-9	28	M	Caucasian	GED+1999	N/A			
SM-10-10	43	M	African-American	HSD+1987	3.37	2.5		



Appendix D (continued)

SM-10-11	45	M	Caucasian	HSD+1983	N/A				
SM-10-12	30	M	Caucasian	HSD+2000	N/A				
SM-10-13	52	F	African-American	HSD+1976	4	3.27	1.848	2.29	
SM-10-14	49	F	African-American	HSD+1978	2.19				
SM-10-15	27	F	No Data	GED+2005	N/A				
SM-10-16	22	M	Caucasian	HSD+2007	2.4617				
SM-10-17	33	F	Caucasian	GED+1995	N/A				
SM-10-18	29	M	African-American	GED+2007	No Data				
SM-10-19	43	M	Caucasian	HSD+1985	N/A				
SM-10-20	32	M	African-American	HSD+1997	2.713				
SM-10-21	21	M	Asian + Caucasian	HSD+2008	2.314				
SM-10-22	22	M	Caucasian	HSD+2005	N/A				
F-10-1	24	M	Caucasian	HSD+2005	1.914				
F-10-2	21	M	Caucasian	HSD+2008	3.682				
F-10-3	41	M	African-American	HSD+1988	2.5	2.85			
F-10-4	38	F	African-American	GED+1972	1.978				

Appendix D (continued)

F-10-5	25	M	Caucasian	GED+2002	N/A				
F-10-6	25	M	Caucasian	GED+2003	N/A				
F-10-7	28	M	African-American	HSD+2001	N/A				
F-10-8	22	F	Caucasian	GED+2005	N/A				
F-10-9	30	M	Caucasian	HSD+1998	2.9535				
F-10-10	33	M	Caucasian	GED+2010	N/A				
F-10-11	64	M	African-American	HSD+1965	2.498				
F-10-12	29	F	Caucasian	HSD+1999	3.02	3.044	2.656	2.083	
F-10-13	28	F	Caucasian	HSD+2001	2.632				
F-10-14	30	F	Caucasian	HSD+1999	1.33	4			
F-10-15	38	F	Caucasian	GED+2008	No Data				
F-10-16	41	F	Caucasian	HSD+1987	N/A				
F-10-17	28	F	Caucasian	GED+1999	1.5				
F-10-18	28	M	Caucasian	HSD+2010	2.743	3.633			
F-10-19	23	M	Caucasian	GED+2006	N/A				
W-11-1	42	M	African-American	HSD+1989	3.61				
W-11-2	32	F	Caucasian	HSD+1998	3.81	1.653			
W-11-3	35	M	African-American	GED+1997	N/A				

*Appendix D (continued)*

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W-11-4	29	F	Caucasian	GSD+2000	2.74
W-11-5	26	F	Caucasian	HSD+2003	2.984
W-11-6	25	M	Caucasian	HSD+2005	0
W-11-7	33	M	American Indian/ Native Alaskan, Caucasian	GED+2001	N/A
W-11-8	27	M	Caucasian	HSD+2002	2.8667

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*Appendix E*

Convictions Information from Admissions Files

Code	Conviction 1	Conviction 2	Conviction 3	Conviction 4	Conviction 5
F-09-1	Felony3 - Failure to Comply with the Order or Signal of Police Officer				
W-10-1	Forgery, Failure to Appear				
SP-10-1	Aggravated Robbery				
SP-10-2	Felony5 -Forgery				
SP-10-3	Retaliation, Drug Trafficking				
SM-10-1	Felony3 - Possession of Marijuana 1,000g to 4999g	Drug Trafficking - Cocaine			
SM-10-2	DUI, Fleeing Police, Failure to Maintain Reasonable Control of Vehicle				
SM-10-3	Felony4 - Burglary	Disorderly Conduct			
SM-10-4	Telecommunications Fraud				
SM-10-5	Offense when Minor. Expunged Records				
SM-10-6	Felony5 -Possession of Cocaine	Felony5 - Possession of Cocaine	Felony5 - Possession of Cocaine	Felony5 - Possession of Cocaine	Felony5 - Possession of Cocaine
SM-10-7	Failure to Comply with Order or Signal of Police Officer, Receiving Stolen Property	Assault	Possession of Cocaine		
SM-10-8	Felony5 -Theft				
SM-10-9	Felony5 -Theft				

Appendix E (continued)

SM-10-10	Felony4 -Possession of Cocaine		
SM-10-11	Receiving Stolen Property, Possession of Criminal Tools		
SM-10-12	Felony5 - Trafficking in Drugs	Felony5 - Possession of Marijuana	
SM-10-13	Felony4 - Passing Bad Checks		
SM-10-14	No Data		
SM-10-15	Felony5 - Theft		
SM-10-16	Felony3 - Burglary		
SM-10-17	Felony4 - Breaking and Entering		
SM-10-18	Felony1 - Aggravated Robbery (with Deadly Weapon)	Felony4 - Receiving Stolen Property	Felony5 - Theft, Robbery (Use of Force)
SM-10-19	Reckless Homicide, Possession of Drugs		
SM-10-20	Felony5 - Receiving Stolen Property		
SM-10-21	Burglary		
SM-10-22	Drug Trafficking		
F-10-1	Felony 4 - Aggravated Assault		
F-10-2	Felony4 - Arson (\$500, Harm to Property of Another), Felonious Assault (Deadly Weapon)		
F-10-3	Grand Theft (Auto)	Unauthorized Use of Motor Vehicle	Rape, Kidnapping
F-10-4	Felony5 - Theft	Aggravated Assault	

Appendix E (continued)

F-10-5	Felony4- Aggravated Assault, Felony5 - Ethnic Intimidation				
F-10-6	Felony5 - Aggravated Theft				
F-10-7	Felony3 - Failure to Comply				
F-10-8	Felony5 - Trafficking in Marijuana	Felony5 - Trafficking in Marijuana			
F-10-9	Felony3 - Burglary, Felony4 - Theft of Drugs				
F-10-10	Theft				
F-10-11	Drug Abuse				
F-10-12	Felony5 - Theft				
F-10-13	Felony3 - Burglary, Felony4 - Safecracking, Felony5 - Breaking and Entering				
F-10-14	Possession of Chemical Reagent or Precursor with Intent to Manufacture				
F-10-15	Felony3 - Burglary				
F-10-16	Felony2 - Burglary				
F-10-17	Felony1 - Aggravated Burglary (Physical Harm)				
F-10-18	Felony5 - Passing Bad Checks	Felony5 - Receiving Stolen Property	Felony5 - Forgery, Felony5 - Theft	Felony2 - Robbery, Felony5 - Possession of Criminal Tools	Felony5 - Forgery, Felony5 - Theft
F-10-19	Felony5 - Aggravated Possession of Drugs, Felony5 - Trafficking in Drugs, Felony5 - Possession of Criminal Tools	Felony5 - Possession of Cocaine			

Appendix E (continued)

W-11-1	Gross Sexual Imposition, Felony2 - Illegal use of Minor in Nudity-Oriented Material or Performance			
W-11-2	Felony3 - Trafficking in Cocaine, Felony4 - Trafficking in Cocaine			
W-11-3	Felony5 - Misuse of Credit Cards, Felony5 - theft			
W-11-4	Felony5 - Forgery			
W-11-5	Felony5 - Failure to Stop after an Accident, Felony4 - Vehicular Assault			
W-11-6	Felony3 - Burglary, Felony4 - Grand Theft	Felony5 - Theft	Felony4- Grand Theft (Auto), Receiving Stolen Property of a Motor Vehicle	Complicity to Disrupting Public Services
W-11-7	Drug Trafficking			
W-11-8	Possession and Trafficking in Drugs			

*Appendix F*

Conviction Dates Information from Admissions Files

Code	Conviction Date 1	Conviction Date 2	Conviction Date 3	Conviction Date 4	Conviction Date 5
F-09-1	6/4/2008				
W-10-1	2/22/2005				
SP-10-1	1/27/2005				
SP-10-2	1/3/2007				
SP-10-3	12/10/2008				
SM-10-1	10/1/2003	1/1/1994			
SM-10-2	8/26/2006				
SM-10-3	1/20/2007	2/18/2007			
SM-10-4	3/1/2001				
SM-10-5	No Data				
SM-10-6	1/21/2009	12/23/2008	7/10/2008	11/17/2004	2/13/2003
SM-10-7	11/20/2001	10/31/2000	11/5/1999		
SM-10-8	10/25/1999				
SM-10-9	2/21/2003				
SM-10-10	3/26/2009				
SM-10-11	10/14/1987				
SM-10-12	9/23/2005	9/3/2009			
SM-10-13	8/6/1992				
SM-10-14	6/6/1905				
SM-10-15	3/22/2007				
SM-10-16	7/22/2010				
SM-10-17	11/29/1995				
SM-10-18	5/31/2006	5/7/2002	10/23/2000		
SM-10-19	6/30/2010				



*Appendix F (continued)*

SM-10-20	10/12/2004				
SM-10-21	6/22/2007				
SM-10-22	5/15/2009				
F-10-1	4/26/2005				
F-10-2	6/10/2008				
F-10-3	11/16/1988	4/11/1989	9/21/1990		
F-10-4	3/15/1999	12/9/1998			
F-10-5	2/25/2004				
F-10-6	12/13/2006				
F-10-7	5/2/2007				
F-10-8	7/12/2007	6/12/2009			
F-10-9	4/22/2010				
F-10-10	10/19/2005				
F-10-11	3/3/1992				
F-10-12	12/8/2000				
F-10-13	9/3/2003				
F-10-14	12/22/2004				
F-10-15	3/27/2008				
F-10-16	5/6/1996				
F-10-17	10/1/2002				
F-10-18	4/22/2004	8/25/2005	11/9/2006	10/4/2007	9/30/2008
F-10-19	11/5/2009	5/17/2006			
W-11-1	8/23/2005				
W-11-2	11/21/2003				
W-11-3	11/22/2009				
W-11-4	9/2/2003				
W-11-5	9/25/2006				

*Appendix F (continued)*

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W-11-6	2/1/2005	7/1/2006	7/27/2007	4/1/2009
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W-11-7	4/8/2011			
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W-11-8	11/3/2005			
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Appendix G

Court Sanctions Information from Admissions Files

Code	Court Sanctions 1	Court Sanctions 2	Court Sanctions 3	Court Sanctions 4	Court Sanctions 5
F-09-1	1Y Jail, Susp DL 3Y				
W-10-1	No Data				
SP-10-1	No Data				
SP-10-2	5Y Community Control, 180D Jail, Restitution				
SP-10-3	3Y Prison, Restitution				
SM-10-1	5Y Community Control, Susp DL 6Mos, Inpatient Treatment Facility	Probation			
SM-10-2	2Y Jail, 1Y Probation				
SM-10-3	6Mos Rehab Program				
SM-10-4	2Y Probation				
SM-10-5	No Data				
SM-10-6	5Y Community Control, 90 Days Jail	6Mos Confinement, 6 Mos Susp DL	5Y Community Control, Susp DL 6Mos	5Y Community Control, Susp DL 6Mos	5Y Community Control, Susp DL 6Mos
SM-10-7	3Y Prison	3Y Probation	5Y Community Control, Susp DL 6 Mos		
SM-10-8	5Y Community Control				
SM-10-9	Restitution, 11Mos Jail (early release), 5Y Probation (early release)				
SM-10-10	5Y Community Control, Susp DL 6Mos				
SM-10-11	3Y Jail				
SM-10-12	90D Jail, 6Mos Inpatient Rehab, 2Y Probation	3Y Community Control, Substance Abuse Program, Susp DL 6Mos, 50 Hours Community Service			
SM-10-13	18Mos Jail				
SM-10-14	Probation, Community Service				
SM-10-15	5Y Community Control, Restitution, 50Hours Community Service				

Appendix G (continued)

SM-10-16	1Mo Jail, 5Y Community Control, AOD Assessments and Treatment		
SM-10-17	18Mos Prison		
SM-10-18	4Y Prison	9Mos Jail	1Y Jail
SM-10-19	90D Jail, 4Y Community Control, Susp DL 6Mos, AOD Counseling		
SM-10-20	8Mos Jail		
SM-10-21	No Data		
SM-10-22	10 Mos Jail		
F-10-1	60D Jail, 30D Community Service, 2Y Community Control		
F-10-2	18M Prison		
F-10-3	1Y Jail, Susp DL 1Y, 5Y Probation	6Mos Jail, 6Mos Susp DL	No Data
F-10-4	5Y Community Control	5Y Community Control	
F-10-5	8Mos Prison		
F-10-6	1Y, 6Mos Community Control, Restitution, 150 Hours Community Service		
F-10-7	1Y Prison, 3Y Susp DL		
F-10-8	5Y Community Control, 90D Jail, 2Y Susp DL	1Y Jail	
F-10-9	6Mos Jail, 5Y Community Control, Mental Health Treatment		
F-10-10	1Y Jail, 1Y probation		
F-10-11	1Y Unsupervised Probabtion		
F-10-12	2Y Community Control, Restitution		
F-10-13	1Y Prison, Restitution		
F-10-14	4Y Prison		
F-10-15	5Y Community Control, Behavioral Modification Program		
F-10-16	3-15Y Prison, 5Y Probation		

Appendix G (continued)

F-10-17	5Y Community Control, 30 Weekends Jail				
F-10-18	1Y Prison	2Y Community Control	5Y Community Control	3Y Prison	18M Prison
F-10-19	9Mos Prison, Susp DL 6Mos	5Y Community Control, Drug Testing, Susp DL 6Mos			
W-11-1	3Y Prison				
W-11-2	3Y Community Control				
W-11-3	5Y Community Control				
W-11-4	No Data				
W-11-5	5Y Community Control				
W-11-6	18 Mos Prison, 5Y Community Control	9Mos Prison	15 Mos Prison	6Mos Prison	
W-11-7	30 Days Jail, 1Y Intensive Supervision, 2Y Basic Supervision, 6Mos Susp DL				
W-11-8	Prison				

Appendix H

Admissions and Enrollment Information from Admissions Files and RI Databases

Code	Recommendation for Admission	Conditions of Admission	Enrollment Status and History	Current Cum GPA since Enrollment or Re-Enrollment	Commuter (C) Residential (R) Student	Conduct Violations during Enrollment
F-09-1	No Data	No Data	No Enroll	N/A	N/A	N/A
W-10-1	Yes	No Housing	Sp'10	0	C	0
SP-10-1	Yes	No Housing	No Enroll	N/A	N/A	N/A
SP-10-2	Yes	No Housing	Sp'08 to Sm'08	N/A	N/A	N/A
SP-10-3	Yes	No Housing	W'11	0	C	0
SM-10-1	Yes	No Housing	F'10 to Sp'11	2.285	C	0
SM-10-2	Yes	No Housing	F'10	0	C	0
SM-10-3	Yes	No Housing	No Enroll	N/A	N/A	N/A
SM-10-4	Yes	No Housing	F'94 to Sp'95, F'10 to F'11	2.352	C	0
SM-10-5	Yes	No Housing	F'08, F'10 to F'11	4	C	0
SM-10-6	Yes	No Housing	F'75 to Sp'78, F'10 to Sp'11	1.2	C	0
SM-10-7	Yes	No Housing	F'81 to W'93, F'86, Sp'11	No GPA	C	0
SM-10-8	Yes	No Housing	F'10 to F'11	3.461	C	0
SM-10-9	Yes	No Housing	No Enroll	N/A	N/A	N/A
SM-10-10	Yes	No Housing	F'10 to F'11	2.555	C	0
SM-10-11	Yes	No Housing	F'10 to F'11	2.25	C	0
SM-10-12	Yes	No Housing	Sm'11 to F'11	2	C	0
SM-10-13	Yes	No Housing	F'78 to Sp'79, F'10	No GPA	C	0
SM-10-14	Yes	No Restrictions	F'10 to F'11	3.789	C	0
SM-10-15	Yes	No Restrictions	F'10 to Sp'11	0	C	0
SM-10-16	Yes	No Housing	W'08 to Sp'08, F'10 to F'11	2.246	C	0
SM-10-17	Yes	No Housing	No Enroll	N/A	N/A	N/A
SM-10-18	Yes	No Housing	No Enroll	N/A	N/A	N/A

Appendix H (continued)

SM-10-19	Yes	Provide statement of readiness to return to college from mental health provider, No Housing, Fulfill court ordered treatment	F'85, SM'86, SM'88, W'11	0	C	0
SM-10-20	Yes	No Housing	W'11 to F'11	2.415	C	0
SM-10-21	Yes	No Housing	F'10 to F'11	2.428	C	0
SM-10-22	Yes	No Housing	F'10 to Sm'11	1.111	C	0
F-10-1	Yes	No Restrictions	F'06 to Sp'08	N/A	C	0
F-10-2	Yes	No Housing	N/A	N/A	N/A	N/A
F-10-3	Yes	Not to be 1,000 ft from Mini University, No Housing, Disciplinary Probation	N/A	N/A	N/A	N/A
F-10-4	Withdrew Application	N/A	N/A	N/A	N/A	N/A
F-10-5	Yes	No Housing	Sp'11	0	C	0
F-10-6	Yes	No Housing	N/A	N/A	N/A	N/A
F-10-7	Yes	No Housing	W'11	0.5	C	0
F-10-8	No Admit, No Statement	N/A	N/A	N/A	N/A	N/A
F-10-9	Yes	AA/Na Meetings, Counseling & Psychiatry Appointments with Release of Information, Monthly drug tests, Follow-up meetings for 6Mos, No Housing	Sp'11 to F'11	3.5	C	0
F-10-10	No	Must submit AOD Assessment from Mental Health Provider and release treatment recommendations to Dept. before admissions decision	N/A	N/A	N/A	N/A
F-10-11	Yes	No Housing	W'11	2	C	0

Appendix H (continued)

F-10-12	Yes	No Restrictions	F'99 to Sp'00, W'11	No GPA	C	0
F-10-13	Yes	No Housing	W'11 to F'11	3.062	C	0
F-10-14	Yes	No Housing	W'06, W'11 to Sp'11	0.444	C	0
F-10-15	Yes	No Housing	N/A	N/A	N/A	N/A
F-10-16	Yes	No Housing	W'11 to Sm'11	3.25	C	0
F-10-17	Yes	No Housing	W'11 to F'11	3.545	C	0
F-10-18	No	May re-apply in Winter 2012	N/A	N/A	N/A	N/A
F-10-19	No	Required to submit treatment information from mental health provider	N/A	N/A	N/A	N/A
W-11-1	Yes	No Housing, No entry into Mini University	F'11	4	C	0
W-11-2	Yes	No Housing	Sp'11 to F'11	2.838	C	0
W-11-3	Yes	No Housing	Sp'11	0	C	0
W-11-4	Yes	No Housing	N/A	N/A	N/A	N/A
W-11-5	Yes	No Restrictions	Sp'11 to F'11	3	C	0
W-11-6	Yes	No Housing	Sp'09 to SM'09	N/A	N/A	N/A
W-11-7	No	May re-apply in Spring 2012	N/A	N/A	N/A	N/A
W-11-8	Yes	No Housing	Sm'11 to F'11	2.2	C	0



*Appendix I*

Code Frequencies in Written Statements

Code	Statement Codes	A (1, 2, 8)	B (11, 19)	C (3, 4, 6, 7, 10)	D (12, 14, 15, 16, 17, 18)	Significant Statements
F-09-1	1, 2, 3, 4, 6, 11	1, 2	11	3, 4		
W-10-1	1, 3, 7, 8, 10, 19	1, 8	19	3, 7, 10		
SP-10-1	1, 6, 7, 11, 12, 17	1	11	6, 7	12, 17	I am now 23, it happened almost six years ago but I am still reminded everyday of a poor choice that I made.
SP-10-2	6			6		
SP-10-3	7			7		
SM-10-1	1, 3, 4, 6, 7, 11, 19	1	11, 19	3, 4, 6, 7		I can honestly share with you the only reason I am alive is because GOD has allowed me many chances during my life to get it right.
SM-10-2	7, 10			7, 10		
SM-10-3	1, 3, 7, 8, 10, 14, 15, 19	1, 8	19	3, 7, 10	14, 15	I really don't have much to say about this incident other than I was young, going through life the way I pleased, with no direction, and made a mistake. I have paid my debt to society and am ready to better my life.
SM-10-4	3, 8, 10, 11, 15, 16, 19	8	11, 19	3, 10	15, 16	I hope this will not impede my continuing education.
SM-10-5	11		11			
SM-10-6	3, 6, 8, 11, 17, 19	8	11, 19	3, 6	17	Please allow me to redirect my life and control my own destiny.
SM-10-7	7, 11, 19		11, 19	7		
SM-10-8	1, 2, 3, 6, 7, 10, 11, 18, 19	1, 2	11, 19	3, 6, 7, 10	18	It is truly one of my lifelong regrets that I obtained a criminal record. To make a long story short, I lost my job, my last check and my self-respect.
SM-10-9	7, 11, 19		11, 19	7		
SM-10-10	3, 6, 8, 10, 19	8	19	3, 6, 10		
SM-10-11	1, 11, 19	1	11, 19			
SM-10-12	7, 19		19	7		
SM-10-13	1, 3, 7, 10, 11, 19	1	11, 19	3, 7, 10		
SM-10-14	7, 8, 11, 17	8	11	7	17	

Appendix I (continued)

						Although this was a terrible time in my life, it has made me a stronger, wiser, mature person. I'm ready to make my life better and that would have to involve me getting back into school and obtaining a degree so I can better my daughter's and myself's life.
SM-10-15	1, 3, 6, 7, 10, 15, 19	1	19	3, 6, 7, 10	15	
SM-10-16	1, 2, 4, 6, 10, 11, 19	1, 2	11, 19	4, 6, 10		I have taken full responsibility for my mistake and want a second chance to prove myself.
SM-10-17	1, 3, 7, 8, 16, 17, 19	1, 8	19	3, 7	16, 17	My felony was 15 years ago and would hope that it has no affect on my attending [University].
SM-10-18	1, 6, 7, 14, 19	1	19	6, 7	14	I believe that I have been fully rehabilitated so that I can be a viable member in society. I've made a mistake and paid for it.
SM-10-19	7			7		
SM-10-20	1, 3, 4, 6, 7, 8, 10, 11, 19	1, 8	11, 19	3, 4, 6, 7		
SM-10-21	1, 2, 3, 12, 15, 19	1, 2	19	3	12, 15	
SM-10-22	1, 3, 7, 10, 11, 12, 19	1	11, 19	3, 7, 10	12	The reason for requesting admission to [University] is because I have a felony. I have made plenty of bad mistakes in my life and that mistake will never leave me now.
F-10-1	1,3, 6, 11, 15, 16, 18, 19	1	11, 19	3, 6	15, 16, 18	I sincerely thank you for the chance to explain the situation, I understand the importance of your job and the safety of a campus and population. I understand character is in question, but the incident that occurred in 2004 has done nothing but shape a strong character and positive outlook I live with not only today but the future.
F-10-2	1, 7, 8, 11, 12, 16, 19	1, 8	11, 19	7	12, 16	I now know none of the large companies that need electrical engineers will be likely to hire me since I have a felony conviction. I made a really bad decision that I will pay or the rest of my life. I don't represent a risk to those around me.
F-10-3	No Statement					
F-10-4	1, 4, 7, 10, 12, 14, 16, 17	1		4, 7, 10	12, 14, 16, 17	*See entire statement

Appendix I (continued)

F-10-5	7, 14, 16, 17, 18, 19		19	7	14, 16, 17, 18	I need this education more than anything so I can obtain financial stability and housing for myself and family. I have been down a very long road of misery and heartache, that has affected myself and my family.
F-10-6	1, 3, 6, 10, 16, 18	1		3, 6, 10	16, 18	I am sorry for, and truly regret my past. I hope that this will not be held against me, and hinder me from moving my life forward.
F-10-7	7, 10, 12, 16, 17, 19		19	7, 10	12, 16, 17	I am writing this letter for the sole reason of obtaining admission into [University]. I believe that writing this letter is merely another form of discrimination due the fact that my felony conviction should nothing to do with my enrollment in college because it is not and has nothing to with a "drug or weapons" charge. Once I got out of prison January of 2008, I put in literally fifty job applications and not one hired or even called back. This was solely due to my Felony.
F-10-8	7			7		
F-10-9	3, 19		19	3		
F-10-10	6, 7, 10, 11, 19		11, 19	6, 7, 10		
F-10-11	11		11			
F-10-12	1, 7, 11, 15, 17, 19	1	11, 19	7	15, 17	
F-10-13	3, 6, 11		11	3, 6		
F-10-14	1, 3, 11, 19	1	11, 19	3		Prison was a blessing for me and I do not look at the experience negatively
F-10-15	3, 6, 10, 12, 19		19	3, 6, 10	12	I am trying real hard to get my life together and be a successful person in life. I am a hard worker my felonies have hindered me a lot of ways and I'm not the same person I used to be.
F-10-16	1, 7, 11, 19	1	11, 19	7		
F-10-17	1, 3, 6, 11, 16, 17, 18, 19	1	11, 19	3, 6	16, 17, 18	Unfortunately, its rearing its ugly head 9 years later, and I hope this doesn't destroy my chances at a higher education.
F-10-18	3, 6, 7, 10, 11		11	3, 6, 7, 10		
F-10-19	1, 3, 7, 14, 19	1	19	3, 7	14	I know that I have made very poor decisions in my life and I paid my debt for them.

Appendix I (continued)

						Of course, my mistakes weigh heavy on my heart, and I feel disgusted and sad over my past conviction, for which I am also ashamed. It is my deeply personal mission to make amends for all my wrongs, which has begun with being educated.
W-11-1	1, 7, 11, 18, 19	1	11, 19	7, 11		
W-11-2	6, 10, 11, 19		11, 19	6, 10		
W-11-3	1, 3, 7, 19	1	19	3, 7		
W-11-4	1, 6, 7, 8, 11, 19	1, 8	11, 19	6, 7		
W-11-5	1, 3, 7, 11, 19	1	11, 19	3, 7		
						I feel that my previous troubles shouldn't hold me back from reaching my potential. I have been convicted and paid my debt to society.
W-11-6	1, 7, 14, 16, 18, 19	1	19	7	14,16, 18	
W-11-7	7, 10, 19		19	7, 10		
W-11-8	1, 3, 7, 8, 11	1, 8	11	3, 7		