Collection and Use of Criminal History Information in the Admissions Process

Presented by: Pam Horne, Purdue University
Mildred Johnson, Virginia Tech
Scott Verzyl, University of South Carolina

Tuesday, April 3, 2012 3:45-4:45 p.m.
Room 203B  Session ID 202
Introduction
R Scott Verzyl
Associate Vice President for Enrollment Management and Executive Director of Admissions
University of South Carolina
Situation Analysis at The University of South Carolina

• Issue at Hand/Reason for Concern
• Policy Rationale and Development
• Implementation and Procedures
• Where we are today
• Next Steps
Pre-Policy State of Admissions

- Increase in cases of concern brought to our attention
  - School initiated
  - Student initiated
  - Anonymous tips
- No policy or systematic way to address issues fairly and consistently
- Institution at greater risk without a policy
Main Questions:

- What is the Role of Admissions?
- Should we have a policy?
- What should the policy address?
- Should the policy address only what we find out about by chance, or should we specifically ask “good citizen” questions of all applicants?
Review of Higher Ed Landscape

- High profile cases – a cause for concern
  - Virginia Tech, UVA, NIU, UNC-W
- Common App now collects discipline information (since 2007)
- More schools asking “good citizen” questions.
Assumptions

- USC is an open campus and cannot be made completely safe
- Serious Infractions cannot be ignored
- Duty to perform due diligence
- We have the right to establish and enforce standards of behavior that exceed what is required by law
  - Honor Codes, Code of Conduct, Creeds
Desired Outcomes

- Create expectation among applicants of appropriate and acceptable behavior
- Demonstrate bad behavior is not condoned
- Provide a mechanism for handling behavioral concerns discovered during the application process
- Provide safe and secure community as much as is possible
Policy Development

- Consult with peer institutions
- Review peer policies and practices
- Review literature
- Consult with General Counsel
- Consult with campus partners
  - Housing, Campus Safety, Counseling Center, Academic Affairs/Faculty
What we learned

- No policy is perfect
- No policy will guarantee safety
- Background checks for everyone are impractical
- States have varying definitions and classification systems for offenses
- There will be confusion
- Most offenses are minor and do not result in denial of admission
What we did

• Modeled a policy using peer best practices
• Consulted with General Counsel, Conduct Office, Housing, Campus Police
• Sought approval through Faculty Senate (effective January 2011)
• Developed “Community Standards” questions to include in admission application (effective 2012)
Good citizenship is an important aspect of becoming a member of the Carolina Community. Review of any infractions incurred will take place independently of your academic credentials evaluation.

1. Have you ever been disciplined for misconduct by any educational institution since the 9th grade? (Examples include: detention, suspension or expulsion for such infractions as cheating, possession of alcohol by a minor, class disruption, etc.) **YES/NO**

2. Have you ever been arrested for or convicted of a violation of any local, state, or federal law, other than a minor traffic violation since the 9th grade, or are you currently facing an arrest or criminal charge? **YES/NO**

If you answered “yes” to either of these questions, please explain in detail the nature of your offense(s), including date(s) occurred, disciplinary action or sentence imposed, and current status, resolution, or disposition in the space below. We reserve the right to request additional relevant documentation.

**SPACE HERE. Limit 1000 characters.**

*After you submit your application, if you incur any disciplinary actions by an educational institution, or if you are arrested or incur any criminal charges, you must promptly report the event(s) in writing to:
 
   USC Office of Undergraduate Admissions
   902 Sumter St. Access – Lieber College/ Columbia, SC 29208
   Attn: Disciplinary Review.

*Failure to do so is cause for denial or revocation of admission or cancellation of enrollment.*
Admission Process

- Applicants that disclose infractions will be reviewed before any further action.
- If student does not meet admission requirements, student is denied without further behavioral review.
- If student meets minimum admission requirements, admission staff will review infractions, collect information, document the case and refer to director of admissions.
- Serious infractions will be reviewed by committee comprised of admissions, housing, campus safety, judicial programs, and counseling center.
- The committee recommends action to the director, as well as possible sanctions or restrictions if admitted.
Where we are so far – year one

Out of approximately 25,000 applications to date:

- 9% answered yes to the first question
- Only 1% answered yes to the second question
- 87% of the “yes” responses were minor:
  - Dress Code Violation, Class Disruption, PDAs
  - Tardiness, Cutting Class, Chewing Gum, Cell Phone
- 13% of the “yes” responses are more serious:
  - Drugs, Alcohol, Academic Dishonesty, fighting, theft
- Approximately 90 cases were of very serious nature:
  - Arrests for DUI, Drugs, Assault, Robbery, Vehicular Homicide
Results of Review

• Approximately 70% of all cases were cleared with cursory review and half were admitted.
• Approximately half of the 90 serious cases were reviewed carefully by committee and ultimately cleared and one third were admitted, some with sanctions and/or restrictions.
• Five admitted students are being monitored by Student Conduct Office.
• One student was denied as a result of the behavioral review process.
Next Steps

- Monitor Yield
- Review process and refine for next cycle
- Monitor and Track students (retention, persistence, recidivism)
CAMPUS SAFETY AND THE ADMISSIONS PROCESS
VIRGINIA TECH

Mildred Johnson
Director of Admissions
* Admissions Process prior to Fall 2007 with respect to disciplinary infractions

* Fall 2008: Instituted a more defined process with respect to how to respond to disciplinary questions (Very Manual)
Undergraduate Admissions Procedures for Applicants Answering “Yes” to Conviction/Disciplinary Questions

A revised system of review was implemented in Fall 2009 for freshman and transfer applicants. Once a student applied for admission, if certain items were checked under the “Community Standards” section of the application, there was an automatic flag raised in the BANNER student information system (if the student applied online) and manually noted if the student applied using a paper application. This information was immediately noted with a RED STOP SIGN on the Web form (where admissions decisions were rendered).
Undergraduate Admissions Procedures for Applicants Answering “Yes” to Conviction/Disciplinary Questions

With this flag in place, NO ONE would be able to enter an admissions decision on the viewed application and the file in question must be given to the Director of Undergraduate Admissions for review. The Director would review the disciplinary record of the applicant. If the student was not a competitive applicant, the Director would enter the decision to deny admission. If the student was otherwise admissible, the University Threat Assessment Team would review the case when deemed necessary. This team meets weekly and as needed for specific situations. The team would review information on the disciplinary record of the applicant and additional information could be requested from the student in question to include a background check.
Community Standards
(Required information on all applications for admission to Virginia Tech)

☐ Yes, I understand that the information in the Community Standards section is required. I further understand that, should any of my answers change after I have submitted my application, it is my responsibility to inform the Virginia Tech Office of Undergraduate Admissions immediately.

☐ Also, by signing this application, I understand and agree that, if I am offered admission to Virginia Tech and choose to matriculate, I have a continuing obligation to report to the Office of Student Conduct any arrest or conviction (other than minor traffic violations, and/or the issuance of a protective obligation extends during any periods of my enrollment at the university. My failure to make the notification may subject me to disciplinary action under the Code of Student Conduct.
Community Standards cont.

Have you ever been suspended, expelled, dismissed, or subject to disciplinary action from any school?  
○ Yes  ○ No

Please give a full explanation for any expulsion, suspension, dismissal, or disciplinary action at a previous school:

[Blank space for explanation]

Have you ever been arrested or convicted of a violation of any local, state, or federal law, other than a minor traffic violation?  ○ Yes  ○ No

Have you been arrested, convicted, or received an adjudication as a juvenile for a violation of any local, state or federal law, other than a minor traffic violation?  ○ Yes  ○ No

Are you currently on court-ordered supervised or unsupervised probation or under the terms of a finding under advisement?  ○ Yes  ○ No

If you answered "yes" to any of the above questions, please provide a detailed explanation of each occurrence, including the date and disposition.

[Blank space for explanation]
Community Standards cont.

Are you currently on probation or suspension (academic or honor) at any high school, college or university?  ○ Yes  ○ No
Please give a full explanation for any current probation or suspension at any high school, college or university:

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Are you currently not in good financial standing at any high school, college, or university?  ○ Yes  ○ No
Please give a full explanation for any current poor financial standing:

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Memorandum

To: Mildred Johnson, Director of Undergraduate Admissions
From: Gene Deisinger, Director of Threat Management Services
Subject: Admissions cases for review

Applicant referred to the Threat Assessment Team for review:
Name: 
VT ID Number: 
Date of Birth: 

☐ There are no facts that suggest this student’s behavior poses an existing or ongoing threat of violence to the community. There are no known concerns that should impede further consideration for admissions.

☐ There is insufficient information to assess whether this student’s behavior poses an existing or ongoing threat of violence to the community. To assess any such potential threat, the team will need the following information and/or documentation:

________________________________________________________________________

☐ The Threat Assessment Team has reviewed this case and has concluded that this candidate’s behavior poses an ongoing threat to the safety of the Virginia Tech community. Such threat of violence or significant disruption associated with this person’s admission cannot be reasonably mitigated. The Threat Assessment Team recommends that this candidate not be granted admission.
Mission Statement

The mission of the multi-disciplinary Threat Assessment Team is to determine if an individual poses, or may reasonably pose, a threat of violence to self, others, or the Virginia Tech community and to intervene to avert the threat and maintain the safety of the situation. The team responds to behaviors exhibited by students, employees, visitors, and non-affiliated persons prior to a critical incident in an attempt to prevent violence so that the Virginia Tech campus remains a safe and secure working and learning environment.

Team Membership

*Team Chair: Dr. Gene Deisinger, Deputy Chief of Police & Director of Threat Management Services*
- Dr. Craig Brians, Senior Faculty Representative
- Tom Brown, Dean of Students
- Pat Burton, Director, Employee Relations
- Wanda Dean, Assistant Vice President for Enrollment and Degree Management and University Registrar
- Dr. Rick Ferraro, Assistant Vice President for Student Affairs
- Dr. Chris Flynn, Director of Cook Counseling Center
- Kay Heidbreder, Esq., University Legal Counsel
- Dr. Frank Shushok, Associate Vice President for Student Affairs
- Dr. Daniel Wubah, Vice President and Dean for Undergraduate Education

Team Resources:
- Sgt. Tony Haga, Virginia Tech Police, Detective Sergeant
- Chassidy Tuell, Threat Assessment Team Coordinator
- VTPD Investigations Unit

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DISCIPLINE AND CONDUCT

PAM HORNE
Associate Vice Provost of Enrollment Management
Dean of Admissions
Personal Conduct (required)

Purdue University recognizes that an educational environment characterized by safety, respect, honesty, and integrity enhances learning for all students. All applicants are required to respond fully to the questions below. Information will be reviewed and in some serious circumstances may result in denial of admission.

Have you ever been disciplined, (e.g., placed on probation, suspended, or expelled) by any secondary school, college, or university you have attended because of:

- Academic dishonesty,
- Research misconduct,
- Financial impropriety, or
- An offense that harmed or had the potential to harm others?  _____ Yes  _____ No  (180)

Have you ever pleaded guilty or no contest, participated in a presentencing diversion program and/or been convicted of a criminal offense (including in a juvenile court), or are there criminal charges pending against you at this time?

_____ Yes  _____ No  (190)

If the answer to either question is “yes,” an explanation must be provided in the additional information section below.
Associate Director of Admissions responds to applicant requesting more information

Applicant responds

To Committee

Dismissed

Request:
Explanation of incident
3 Character Letters of Recommendation

Committee Reviews
THE “YES” ANSWER

BY THE NUMBERS

2.6% of applicants respond “yes”

3 Cases to Committee

1 Denied
Disciplinary History

1. Have you ever been found responsible for a disciplinary violation at any educational institution you have attended from the 9th grade (or the international equivalent) forward, whether related to academic misconduct or behavioral misconduct, that resulted in a disciplinary action? These actions could include, but are not limited to: probation, suspension, removal, dismissal, or expulsion from the institution.  
   - Yes  
   - No

2. Have you ever been adjudicated guilty or convicted of a misdemeanor, felony, or other crime?  
   - Yes  
   - No

   [Note that you are not required to answer “yes” to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise ordered by a court to be kept confidential.]

If you answered “yes” to either or both questions, please attach a separate sheet of paper that gives the approximate date of each incident, explains the circumstances, and reflects on what you learned from the experience.

Note: Applicants are expected to immediately notify the institutions to which they are applying should there be any changes to the information requested in this application, including disciplinary history.
Resources


Thank You!

Pam Horne
pamhorne@purdue.edu

Mildred Johnson
mildredj@exchange.vt.edu

Scott Verzyl
VERZYL@mailbox.sc.edu

Please complete the class evaluation form
Session ID 202