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University Senate

Georgia State University

33 Gilmer St SE Atlanta, GA 30303

December 16, 2021

To Whom It May Concern:

The Senate Cultural Diversity Committee (CDC) is charged with overseeing policies and practices that support the equitable treatment and well-being of socially marginalized and at-risk groups in the GSU community. We recently became aware of a policy and procedure that affects a population of potential students that the CDC supports: students impacted by the criminal legal system who wish to (or do) apply to Georgia State University.

During the Admissions process, potential students are asked questions (detailed in Addendum #1) regarding both prior criminal conviction or pending criminal charges. Based on empirical evidence, these questions lead to “application attrition,” meaning potential students view these questions as a barrier to their admittance into college—and therefore stop applying at this point. Although few students are actually rejected at the end of the process (only about 10% in a 2015 study at City University of New York), many students view these questions as a barrier and fail to complete the application. The same study from CUNY [[1]](#footnote-1) found that for every applicant rejected at the end of the process (t1%)), 15 failed to complete the application for reasons related to crime conviction/charge questions within the application process.

Students answering “Yes” in any form to these questions receive a GSU email (detailed in Addendum #2), asking them to complete a personal statement about criminal convictions or charges; provide copies of criminal records; and complete a background check. In addition to requiring students to relive the traumatic experience(s) in excessively detail—as mandated by the University, requirements create additional financial burdens for applicants, many of which are more likely to be indigent or lack the financial resources to complete these requests.

Although the inclusion of such application questions is typically justified and framed around ‘public or campus safety,’ there is little to no empirical evidence that admitting people with criminal records posts a safety risk to campuses.[[2]](#footnote-2) In fact, evidence suggests that neither criminal background checks nor pre-admission screening questions accurately predict students likely to commit crime on college campuses.[[3]](#footnote-3) While this process does little regarding campus safety, we do know that earning college degrees—or even participating in degree-grant programs—for those impacted by the criminal legal system has a significant impact on reducing recidivism. Indeed, studies show these questions on college application work to undermine “broad public safety by foreclosing an opportunity that has proven to be one of the most effective deterrents to recidivism.” [[4]](#footnote-4) Together, these application questions (and the institutions who use them) may be contributing to the very problem used to justify their use—threatened public safety.

To be clear, as a public university and institution of higher education, citizens of the broader communities, including potential applicants, are *not* outside of the purview of GSU. Indeed, GSU’s mission statement highlights the importance of solving complex issues of the day and using metropolitan Atlanta to study and address such challenges. Policies and procedures requiring criminal history disclosure not only fail contribute to public safety (and may increase criminal recidivism) but are also antithetical to the University mission.

Given that persons of color and other socially marginalized groups are disproportionately at risk for having a criminal record, the CDC is writing this letter in support of initiatives such as Beyond the Box Georgia, is working to remove these questions from college applications throughout the University System of Georgia. We are significantly concerned about the chilling effect of these questions upon the applications of persons of color. This follows the lead of the Common Application’s removal of these questions beginning in 2019-2020.

Georgia State University has the opportunity to be a leader in these initiatives. Being “a national leader in all that it does,” including “diversity, equity and inclusion (DEI),” ideas championed by GSU, require providing equitable and fair access to all community members, including those impacted by the criminal legal system.[[5]](#footnote-5) In fact, the existence of the Georgia State University Prison Education Project (GSUPEP)—the only public university in the State of Georgia to offer college-in-prison programming—details that Georgia State has taken initial steps towards this goal. Removing these questions from our application, Georgia State University will further demonstrate leadership and courage around issues of diversity, equity, and inclusion.

This letter represents the beginning of the Cultural Diversity Committee’s commitment—and we hope the University commitment—to supporting our current, former, and potential students impacted by the criminal legal system. We plan to continue future actions in the coming months around this issue and others that affect this group of students. We hope that the administration of Georgia State University will join us in making this part of the portfolio of Diversity, Equity, and Inclusion to provide a pathway to a better and more inclusive university for all students.

Sincerely,

Cultural Diversity Committee, University Senate

Addendum #1: Disciplinary Review Questions on Prior Conviction and Pending Charges

1. Have you been found guilty of any violation of a federal, state, or municipal law, regulation or ordinance (other than for minor traffic violations, or convictions subsequently discharged, expunged, or otherwise ordered by the court to be removed from the applicant’s criminal record, including offenses for which any type of first offender status was offered but subsequently revoked for failure to successfully complete program requirements) (yes or no)? (If yes, you must list each separate charge for which you were convicted. For each charge, you must list the corresponding dates and provide a concise description of the circumstances. For example, if you have been charged with D.U.I., underage drinking, and possession, you must list all three individual charges even though they stem from the same incident.)
2. Have you ever entered a plea of guilty, no contest, nolo contendere, an Alford plea, or otherwise accepted responsibility for the commission of a crime (yes or no)? (If yes, you must list each separate charge for which you have entered such a plea or admission of responsibility. For each charge, you must list the corresponding dates and provide a concise description of the circumstances.)
3. Are you currently charged with, or have been found guilty of, any violation of a federal, state, or municipal law, regulation or ordinance other than minor traffic violations, including offenses for which any type of first offender status have been granted (yes or no)? (If yes, you must list each separate charge pending against you or for which you have been convicted. Dead-docketed charges constitute pending charges and must be disclosed. For each charge, you must list the corresponding dates and provide a concise description of the circumstances. For example, if you have been charged with D.U.I., underage drinking, and possession, you must list all three individual charges even though they stem from the same incident.)

Addendum #2: Admissions Background Check Committee Requests

You are receiving this e-mail in order to expedite your response to the Admission Background Check Committee coordinated through Office of the Dean of Students. Because of your answer(s) to one or more of the required questions on your Admissions application, you are mandated to complete this process.

Please thoroughly review the letter below and follow the directions:

Georgia State University requires applicants with a criminal or disciplinary history to complete a background review. As part of the background review process, you will be required to provide documentation such as:

1. a personal statement explaining the circumstances surrounding criminal or school disciplinary violations, and the current status of any charges and sanctions;
2. copies of criminal or school disciplinary records; and
3. a background check (if you have a criminal history);

Please contact the background review Records Coordinator at 404-413-1515 for information and instructions for completing of the review process. Completing the background review process as soon as possible will ensure timely processing of your application.

1. Alan Rosenthal, Emily NaPier, Patricia Warth, and Marsha Weissman (2015), *Boxed Out: Criminal History Screening and College Application Attrition*, New York: Center for Community Alternatives. [↑](#footnote-ref-1)
2. Robert Stewart and Christopher Uggen (2020), “Criminal Records and College Admissions: A Modified Experimental Audit,” *Criminology*, 58(1), 156-188. [↑](#footnote-ref-2)
3. Olszewska, M.J.V. 2007. Undergraduate Admission Application as a Campus Crime Mitigation Measure: Disclosure of Applicants’ Disciplinary Background Information and Its Relationship to Campus Crime. Unpublished Dissertation for the degree of Doctor of Education East Carolina University. [↑](#footnote-ref-3)
4. *Boxed Out* [↑](#footnote-ref-4)
5. https://dei.gsu.edu/ [↑](#footnote-ref-5)