

COLLEGE APPLICATION

APPROVED

Education Workgroup 2024 Report Ban the Box

GOAL AND MISSION:

Connecticut believes that education is the pathway to elevation and opportunity and should be equally accessible for all students.

WORKGROUP: EDUCATION WORKGROUP	RECOMMENDATION: Public institutions of higher education (including community colleges, professional and technical schools) in the state of Connecticut shall not request nor require information from applicants regarding their school disciplinary history for the purpose of admission.
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BACKGROUND

“Ban the box” policies arose from a national effort to embrace fair chance at employment for those with criminal histories. In 1998 the first ban the box policies were implemented in the state of Hawaii for those with criminal histories searching for employment.¹ Early efforts in Hawaii to ban the box were based on research proposing that people with criminal records experienced greater difficulty in gaining employment, subsequently, lack of employment is associated with an increased risk of re-offending. To address inequity in hiring practices and subsequent propensity to re-offend, Hawaii invested in ban the box policies which have, over the years, been identified to be effective.² While ban the box policy originated in the employment space, it has been introduced and utilized in the education space and supported by the US Department of Education, most recently in their 2023 [Beyond the Box](#) report.

Ban the box in the education space is focused on the application process for institutions of higher education and the inquiry of institutions of higher education into an applicant’s criminal or disciplinary history in the application process. Up until 2019, the Common App - a standardized higher education application - included questions in its application inquiring about an applicant’s criminal and disciplinary history. In the [2019-2020](#) higher education application cycle, the Common App removed its question inquiring about an applicant’s criminal history and in the [2021-2022](#) application cycle the question regarding disciplinary history was removed. While ban the box legislation for higher education existed prior to 2019, the Common Apps decision to remove the criminal history question was the impetus for several states to pass ban the box legislation and others to introduce it. Two years following the removal of the criminal history question on the Common App, the disciplinary history question on the Common App was removed. Prior to the removal of the disciplinary history question, the Common App reports that 31 percent of black applicants and 21 percent of Latinx applicants to colleges of universities using the Common App were deterred from completing the application.

California ([SB-118](#)), Colorado ([SB19-170](#)), Louisiana ([HB17-688](#)), Maryland ([SB0767](#)), Washington ([2018 c 83](#)), Oregon ([SB 713](#)) and Virginia ([HB21-1930](#)) have successfully passed ban the box legislation for the application process to institutions of higher education. Of the aforementioned states, all have banned the box for criminal history while Colorado has also removed the question regarding school disciplinary history.

¹ [Ban-the-Box-Policy-Snapshot.pdf \(ncsl.org\)](#)

² [The Effect of Hawaii’s Ban The Box Law on Repeat Offending | American Journal of Criminal Justice \(springer.com\)](#)

With the removal of the school disciplinary history question from the Common App, there has been increased state level interest in banning the box for school disciplinary history in application to institutions of higher education.

The state of Connecticut ([HB 5129](#)) is among several states that have introduced ban the box legislation, albeit only for criminal history, but has yet to pass it. Connecticut has 21 public colleges and universities many of which use the Common App. Of the public colleges and universities using the Common App, The University of Connecticut and Central Connecticut State University are identified through the [Common App](#) as colleges or universities that ask about school disciplinary history in supplemental application materials.

BEST PRACTICES

In 2018 the American Association of College Registrars and Admissions Officers (AACRAO) formed a national work group tasked with developing guidance and best practices regarding the collection of criminal justice information in the higher education application process. In addition to developing guidance and best practices regarding the collection of criminal justice information in the higher education application process, the work group determined it necessary to develop guidance and best practices regarding disciplinary history notation in the application process as well. The [Criminal and Disciplinary History in College Admissions](#) report released by AACRAO in 2019 articulates that “impeding access to higher education ‘at the gate’ is a call for national concern”. This call for concern is well founded by AACRAO, the US Department of Education, and numerous experts in the field. Education holds an intrinsic value in which [Oakford and colleagues \(2019\)](#) connect educational attainment to gainful employment, supporting ones family, and contributing positively to the community.

A [2015 report](#) produced by the Center for Community Alternatives found that 73 percent of colleges and universities collect school disciplinary history information and that 89 percent of those colleges and universities use school disciplinary history as a deciding factor in the admissions process, affirming that colleges and universities are asking about disciplinary history and using it to make admission decisions that result in impeding access to higher education. In a study supported by the Office of Juvenile Justice Delinquency and Prevention (OJJDP), [Reingle and colleagues \(2011\)](#) identify education as a primary protective factor against delinquency. Knowing that delinquency is highest for young people between 15 and 19 years old and tapers thereafter, it is imperative to keep young people in school and not unintentionally create barriers for their access to higher education.³ Furthermore, administrators of the Common App suggest that questions about school discipline on higher education applications serve as a deterrent to completing applications. Seminal scholars like Terrie Moffitt and others identify adolescent offending to be limited to adolescence and that most young people age out of delinquent behavior as they enter adulthood.⁴

³ [Age-Crime Curve | SpringerLink](#)

⁴ Moffitt, 1993

IMPACT

Ban the box legislation for school disciplinary history stands to positively impact the state of Connecticut's economy and reduce the lift of if its criminal justice system by allowing access to higher education for those with prior school disciplinary histories. The United States Department of Education identifies that those with associate degrees will make on average \$15,000 more than those with just high school diplomas and those with bachelor's degrees will on average make \$20,000 more than those with associate degrees. Ban the box legislation also stands to positively impact the individual and the community, often serving as a turning point for that individual to make a positive and productive member of his or her community.