

Proposal to “Ban the Box” on EMU’s admissions applications
Approved by Faculty Senate, 12/7/22

Brief Background Info:

The United States leads the world in incarceration and criminal convictions. One in three adults (approx. 70 million total) have criminal convictions and are subject to discrimination on the basis of that conviction in the areas of employment, housing, and access to services.

Too often, innocent accused persons plead guilty without fully understanding the consequences of this decision. Equally alarming are the number of people who are wrongfully convicted following a criminal trial, and the systemic discriminatory practices in criminal legal responses as reflected in the groups of people who are disproportionately arrested and/or convicted (e.g. people of color, poor people, younger persons, people with disabilities and/or mental illnesses, immigrants, and those who do not conform to dominant gender norms).

“Ban the Box” Legislation:

In the US, “ban the box” legislation has gained momentum over the decade because of the growing number of people who have criminal records and can’t find work as a result of background checks. “Ban the box” laws prohibit employers from requesting potential employees to disclose arrests and/or criminal convictions (Currently, 37 states, including Michigan, and over 150 cities and counties have adopted such legislation; Cities and counties in Michigan that have fair chance/ban the box policies include Ann Arbor, Detroit, East Lansing, Kalamazoo, Genesee county, Muskegon county).

As the “ban the box” movement gains strength, colleges and universities are beginning to modify or remove questions on criminal and/or disciplinary histories on admissions applications. Not every college includes such questions on their admissions application, but many do. According to a report by the American Association of Collegiate Registrars and Admissions Officers (2019), approximately 70% of four-year colleges required applicants to report criminal history (81% of private colleges compared to 55% of public schools).

Local Context:

- Wayne State University, which serves a similar population from southeastern Michigan to EMU, **does not** include questions on criminal and/or disciplinary histories.
- The University of Michigan is also in the process of banning the box.

EMU Context: As an institution of opportunity, EMU actively serves currently and formerly incarcerated individuals. These programs suggest our understanding of how valuable higher

education is for system-impacted individuals and a collective aim to remove barriers to its access:

[College in Prison](#)—Coordinator Beth Currans

[Returning Citizen Fellows Program](#) - EMU Engage (Decky Alexander)

-collaborates with [A Brighter Way](#) and Michigan Department of Corrections Offender Success Program

The Disciplinary Admissions Review process contradicts the ground-breaking work being done by EMU faculty.

At EMU:

Two questions regarding criminal and/or conduct issues are included in EMU's application:

1. *Have you ever been convicted of a criminal offense other than a minor traffic violation, or found to be delinquent by a juvenile court, or are there any such charges pending against you at this time?*
2. *Have you ever been expelled, suspended, placed on probation, or been subject to any other disciplinary action at a secondary school or college you have attended?*

If you answer Yes to either of these questions, please submit a statement of explanation on a separate sheet of paper.

Some points to consider:

1. Since EMU does not do background checks on applicants, those who choose not to disclose their past will not go through this process.
2. Those who choose to be honest, and who are typically individuals with little to no experience in higher education (frequently first generation), are required to perform a rhetorical exercise, "a statement of explanation," for which they are ill-equipped and then evaluated based on expectations that remain unarticulated by the prompt.

Proposal:

In the spirit of EMU's commitment to being a university of opportunity and for advocating for diversity, equity, inclusion and social justice, the faculty support the removal of the two-above questions from our admissions application.