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EXPLORING THE COMMUNITY STANDARDS REVIEW FOR COLLEGE ADMISSION: A COMPARATIVE CASE STUDY

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EXPLORING THE COMMUNITY STANDARDS REVIEW FOR COLLEGE ADMISSION: A COMPARATIVE CASE STUDY

by

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ABSTRACT

Many higher education institutions review the disciplinary and criminal history of applicants to assess potential threats and ensure a safe learning community in the college admissions process. This review is often criticized for exacerbating the opportunity gap and racial disparities for marginalized populations and creating barriers to college admission. This study explores the institutional processes for community standards review at four public regionally accredited 4-year institutions and how diversity, equity, and inclusion (DEI) influence the community standards review process. Three research questions guided the study: How do college administrators at 4-year public universities describe their perceptions of the community standards review process at their institution? What is the relationship between institutional values related to DEI and the community standards review process? How does isomorphism influence the community standards review process?

This exploratory mixed methods study utilizes a comparative case study approach for an in-depth understanding of how institutional values and beliefs translate to a formal community standards review policy. The four research sites are located in the Midwest, Mid-Atlantic, and Southeast regions of the United States. Enrollment size varies between 10,000-45,000 students. Data collection involved interviews with college administrators, a survey, and an analysis of various institutional artifacts, enrollment data, and Clery data.

Results reveal that overall, administrators believe a fair and equitable process is in place, but all institutions recognize the process needs improvement. Some institutions provide evidence that DEI remains a top priority for this review process. Lastly, state laws and federal policies significantly influence the review process, primarily for compliance but also, in some cases, efforts to include formerly and currently incarcerated individuals.

Since there is limited research that explores processes for community standards review in college admissions, this research could inform the development of a formal assessment process for these reviews. Suggested future research includes measuring conduct outcomes with student conduct data to measure if students that interface with this review process are the same population with conduct cases during enrollment. Additionally, a longitudinal study of institutional enrollment outcomes from Ban the Box states are influenced under state legislation of where the review process occurs in the enrollment cycle.

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CHAPTER 1: INTRODUCTION

Many postsecondary institutions in the United States utilize community standards reviews in the admissions process to screen applicants' disciplinary and criminal history to ensure a safe campus learning community (AACRAO, 2019; Anderson et al., 2022; Weissman & NaPier, 2015). High school disciplinary history is collected by 73% of 4-year higher education institutions, whereas criminal history is collected by 70% (AACRAO, 2019; Weissman & NaPier, 2015). While the purpose of the community standards review is to maintain a high standard of personal behavior and protect a college campus from harm, the process creates non-academic barriers for many minoritized and formerly incarcerated individuals who desire to earn a college degree.

The over utilization of criminal background reviews in college admissions is under scrutiny at the federal and state levels (Curran, 2022; Stewart & Uggen, 2020). This background review has the potential to disadvantage Black students who are disproportionately disciplined in K12 schools compared to their White peers (Curran, 2022; Ramaswamy, 2015; Weissman & NaPier, 2015). The use of a criminal background to screen for potential threats assumes both that the initial criminal charge was valid and that individuals with a criminal record will be repeat offenders on a college campus. Despite these efforts to reduce violence at postsecondary institutions, there is no evidence that the community standards review predicts violent acts or improves campus safety (AACRAO, 2019; Dickerson, 2008; Halkovic & Greene, 2015; Ramaswamy, 2015). Therefore, the criticism of the community standards review challenges higher education institutions to determine which elements of the review process are necessary and effective.

Over 70 million Americans hold a criminal record (AACRAO, 2019; Anderson et al.,

2022; U.S. Department of Education, 2016), with 27% of arrests made on people of color (Umez & Pirius, 2018). This phenomenon impacts educational opportunities for individuals with criminal charges and felony convictions. The use of a criminal history to determine a college admissions decision exacerbates the opportunity gap and racial disparities for marginalized populations (AACRAO, 2019; Ramaswamy, 2015; Weissman & NaPier, 2015) and creates barriers in the college admissions process. However, states such as California, Colorado, Delaware, Louisiana, Maryland, Oregon, Virginia, and Washington have made progress and passed state legislation that remedies barriers within the college admissions process (Anderson et al., 2022; Rips, 2021). Two of the nation's largest public college state systems, California and New York, have policies that prohibit institutions from asking about criminal history in the college admissions process (Mukamal & Silbert, 2018; SUNY, 2016). These state laws and policies represent how isomorphic influence can positively impact college admissions processes. This change accommodates all students and supports the idea that a criminal history should not be a reason to withhold college admission. While academic programs, such as education, require a background check because they lead to state credentials for teachers (Gravely, 2021) and some campus housing regulations require a criminal history review, institutions can support students with a disciplinary and criminal history to create a pathway to earn a college degree.

Overall, higher education institutions lack a consistent process for community standards review and its utilization of criminal and disciplinary history, which presents concerns related to equity within institutional processes. In this exploratory study, I seek to understand the community standards review process at four 4-year public higher education institutions in various regions of the United States and to explore how or if institutional stakeholders perceive institutional values are reflected in the process.

Problem Statement

Institutions have no clear mandate to conduct a disciplinary and criminal history review in the college admissions process. Some schools conduct a formal criminal background check, while others expect students to self-report incidents on their college applications. The community standards review creates barriers for marginalized students because of the disparate impacts students of color face due to race (Ramaswamy, 2015). Young men of color are 11.8 times more likely to enter the criminal justice system than White men of the same age (Umez & Pirius, 2018). Institutions must determine if a given history is deemed punitive or if they can incorporate restorative justice into an admissions decision. As institutions begin to understand the challenges presented through systemic racism within the criminal justice system and how these barriers impact prospective students for college admission, the incentive to find a remedy to this gatekeeping seems forthright.

Elevated incidents of campus violence, such as the Virginia Tech Massacre in 2007, heightened awareness of threat assessment for higher education institutions (Dickerson, 2008). However, research shows institutions cannot always predict threatening behaviors within a college admissions process as first-time offenders commit most crimes (Ramaswamy, 2015). There are additional concerns regarding how institutions evaluate criminal or disciplinary information and which level of severity indicates risk or concern. Not all staff members are equipped and trained to interpret criminal charges and convictions (Weissman & NaPier, 2015). The challenge is for institutions to determine if the community standards review protects the learning community. However, as institutions focus on diversity, equity, and inclusion (DEI) initiatives, there is an opportunity to assess how the community standards review process reflects institutional values, supports student access and success, and creates a safe campus community.

Then an institution can determine whether the process should tie into the admissions decisions or upon the enrollment phase, and whether the process is necessary.

Higher education institutions screen applicants for a criminal history during the admissions process, which deters individuals from completing an application (Halkovic & Greene, 2015). When asked about criminal information, 62% of college applicants do not complete a college admissions application (Castro & Magana, 2020). The series of disciplinary and criminal history-related questions challenge a self-report expectation. Though disclaimers on a college application state that if institutions discover falsified information on the application, it is grounds for revocation or dismissal, students fear rejection because of a disciplinary or criminal record alone (Custer, 2018; Weissman & NaPier, 2015) and may intentionally omit this information. When students do not self-report incidents, the college application is not flagged, and institutions are unaware of an applicant's disciplinary or criminal history. Therefore, some students are never screened in the community standards review process. While some students are transparent and held accountable, others omit information and escape the gatekeeping process. This flaw in the self-report expectation on a college application (Dickerson, 2008) contributes to a lack of equitable treatment for all applicants.

This study aims to understand the community standards review processes at four institutions and explore the values stakeholders perceive to be reflected in the process. Organizational culture, beliefs, values, and identities influence processes and policies. Thus, if institutions value DEI and accessibility, and are committed to creating pathways to postsecondary education, institutions must consider how to support prospective students with a disciplinary or criminal background.

Nature of the Study

This exploratory study will utilize a mixed methods approach employing a comparative case study method. The purpose of this study is to understand the community standards review process for college admission at four 4-year public higher education institutions and explore how or if institutional stakeholders perceive institutional values are reflected in the process.

I chose to focus the study on how higher education institutions create a policy that reflects institutional values because it is crucial to understand the decision-making process as it impacts the exclusion of prospective students, particularly for marginalized populations. Interviews with college administrators at partnering institutions explored if institutional assumptions, values, and beliefs influence institutional artifacts such as formal policies and processes for community standards review. By coding themes in the interviews and institutional artifacts, I explored how institutional practices reflect DEI in order to remedy barriers and systemic issues in the community standards review for prospective students.

This comparative case study allows for a more in-depth understanding of a specific phenomenon. To ensure reliability, I aimed to replicate the study procedures for each case and constructed explicit data collection and analysis procedures. Chapter 3 provides a more detailed discussion of the chosen methodology. Research questions guiding this study include:

RQ1: How do college administrators at 4-year public universities describe their perceptions of the community standards review process at their institution?

RQ2: What is the relationship between institutional values related to diversity, equity, and inclusion (DEI) and the community standards review process?

RQ3: How does isomorphism influence the community standards review process?

Theoretical Framework

Higher education institutions are comprised of administrative structures with loosely and tightly coupled systems for decision-making (Hendrickson et al., 2013). Organizations must understand how relationships between stakeholders influence practices and policies within a higher education institution. Shared governance between academic colleges, divisions, and departments creates complex relationships that impact decision-making for the institution, particularly for the community standards review process. While institutions have their own organizational culture, they are made up of individuals who bring unique perspectives, identities, and various professional experiences that can translate into beliefs and values that conflict with institutional values. Two theories, Schein's (2017) three levels of culture and institutional isomorphism support and frame the complexity of the community standards review process.

Schein's Three Levels of Culture

Schein describes an organizational culture in three levels: artifacts, values, and assumptions. Schein (2017) defines culture as a product of shared learning. Because systems are complex, individuals within the organization carry different perspectives of what is most important for organizational culture. To understand a group's culture, Schein (2017) suggests that organizations consider the following question: "What kind of learning has taken place over what span of time and under which kinds of leadership?" (p. 6). When an organization has clear answers to these questions, the institution can provide a more accurate analysis of their organizational culture.

The first level of Schein's (2017) model consists of artifacts. Artifacts are evidence within an institution that are either seen or observed such as formal policies and behaviors. Researchers can use artifacts such as policy, procedures, and content as a basis to better

understand an institution and determine if there is a correlation between an institution's artifacts and their values and beliefs. For community standards review, an institution will have a formal policy or, minimally, an established procedure that guides the process. The decision-making, attitudes, and behavior toward the development of the process or policy are all reflective of institutional culture. However, it is vital to have the context of espoused values and underlying assumptions to understand if the artifact is representative of organizational culture.

Espoused beliefs and values represent the second level of Schein's model. Individuals naturally establish personal goals, ideologies, and aspirations related to their organization. However, there may be contrasting opinions throughout the institution on what the most important institutional values are, which will impact institutional artifacts, decision-making, and potential outcomes. The challenge is deciding which values and beliefs within the organization translate to shared values and are considered in the creation of policy.

The last level of this cultural model is basic underlying assumptions. Assumptions are evident when organizations make predictions that result in a new reality (Schein, 2017). These beliefs are taken for granted without having proof of calculated outcomes, which leads to a distorted view of the organization's culture. As individuals generalize concepts without understanding the full context, this affects various artifacts. For example, if the community standards review process is not routinely assessed for efficiency and effectiveness, and is instead assumed to make the campus safer, this could lead to a false precept in why a process is designed and implemented. Therefore, Schein (2017) cautions individuals from making assumptions about a culture based on artifacts alone. Observations of organizational culture can be deceptive if there is a lack of understanding of the full context of an artifact. This further supports how important it is to evaluate espoused values and beliefs, along with artifacts, to fully understand

organizational culture.

Schein's cultural framework was selected to guide the study because as organizations and institutions publicly share internal values, individuals make assumptions that the respective values are reflected within the organization. In return, institutional values are reflected within the organization's artifacts. These three levels are important to consider in this exploratory study. However, when individuals within the organization recognize a shortcoming in an internal process, this may result in participants not sharing information that highlights the deficiency, which could lead to skewed results. Institutions are inherently complex, as they consist of individuals with implicit biases. This bias may not reflect perceptions that encompass the reality of the organization.

Institutional Isomorphism

Institutional isomorphism is the second theory that guided this study. This phenomenon describes how higher education institutions often reflect similarities in structure and best practices, particularly with peer and aspirant institutions. Building upon Weber's (1968) bureaucracy theory, DiMaggio and Powell (1983) argue there are changes to consider within organizational structures that dive more deeply into the need for resemblance. As institutions find effective and efficient methods to streamline or enhance equity in various review processes, other institutions are likely to adopt similar practices, particularly if it addresses challenges and produces a valuable outcome for enrollment. Whereas a bureaucratic process often represents power and control, isomorphism represents likeness.

The irony of desiring a nature of resemblance is that higher education is naturally a competitive field for institutions of higher learning. Institutions compete for funding, enrollment, academic programs, recognition, and awards. Yet, to maintain legitimacy (Marion & Gonzales,

2014), institutions exemplify isomorphic pressure to create organizational practices that reflect desired outcomes within the decision-making process. Alternatively, some colleges receive criticism for lacking a comprehensive disciplinary and criminal review (Kaplin et al., 2020), while others are blamed for investigating criminal information, particularly juvenile records (Radice, 2018). Leaders may argue that strict policies are more effective in specific situations; however, dialogue to discuss concerns is vital when working through complex processes such as the community standards review.

Isomorphism characterizes three types of pressure: coercive, mimetic, and normative (DiMaggio & Powell, 1983). Coercive isomorphism refers to the disposition an institution embodies based on external influences. Several entities control rules and regulations in higher education. For example, federal and state laws set a precedent that institutional processes follow (Austin & Jones, 2016). Therefore, states with Ban the Box legislation are products of coercive isomorphism. Accreditation standards and criteria also significantly influence organizational structure (Manning, 2018). Professional academic organizations and athletic conferences under the National Collegiate Athletic Association (NCAA) also guide policies and procedures in a coercive isomorphic manner.

Mimetic isomorphism describes the adoption of a similar practice from another institution's organizational structure. This practice often stems from uncertainty within an organization (DiMaggio & Powell, 1983). Institutions often compare results, policies, and processes with peer and aspirant institutions. If there is uncertainty about a process or its effectiveness, institutions will sometimes model a policy or procedure after another institution (Manning, 2018). As professionals in higher education network and share experiences, ideas can transfer between institutions (Austin & Jones, 2016; DiMaggio & Powell, 1983). Similarly, when

professionals accept new positions at different institutions, experiences at past institutions can influence their work in the new setting.

Lastly, normative isomorphism explains how cultural norms shape institutions. Formal education and training influence the structure and practices of higher education (DiMaggio & Powell, 1983; Manning, 2018). Higher education professionals maintain affiliation with academic organizations, which expands their social network and strengthens professional relationships (DiMaggio & Powell, 1983). This allows staff to share ideas and experiences and discuss challenges within a given area, like the community standards review. Shared values and commonalities are also identified through conversations with colleagues at other institutions (Austin & Jones, 2016). Through these norms, institutions can see trends and make informed decisions collectively with peer and aspirant institutions.

Institutional isomorphism explains decision-making within higher education institutions. While there are benefits to the isomorphic pressure that influences changes in practices and policy, it can also limit institutional innovation. Individual institutions, their students, faculty, and staff are unique in nature, and assessment of internal processes must therefore be carefully considered. As changes are made, there is no guarantee it will always benefit the institution. Institutions must discern what is best, given the representation and circumstances within the respective system. Additionally, if institutions replicate other ideas, predictions cannot be made on whether it will improve organizational performance (DiMaggio & Powell, 1983). Outcomes of changed behaviors can only be measured after processes are in place.

Community standards reviews create barriers for prospective students through the admissions process (AACRAO, 2019; Weissman & NaPier, 2015). However, the use of these theoretical frameworks will add to our understanding as this study explores the development and

implementation of community standards review processes and the perceptions of institutional stakeholders. The findings of this study provide information that will allow institutions to evaluate how or if their community standards review policy reflects institutional values. Once institutions recognize the complexities within the system, they can rely on the network with campus partners and colleagues to determine which values are most important to support the institutional mission. This helps connect individual assumptions and guides decisions in writing policies and procedures. Organizations rely on internal and external norms to gain various perceptions, so they can consider best practices for the formal policy or procedure.

Operational Definitions

To better understand concepts discussed in this research, this section provides a list of common terms and definitions used throughout the study.

Artifact: Evidence that can be seen, felt, or observed within an organization (Schein, 2017).

Assumption: An idea that is often taken for granted because of repeated success. These ideas do not have proven results (Schein, 2017).

Ban the Box/Beyond the Box: Ban the Box is a movement that advocates for the removal of criminal history related questions on college admissions application. Beyond the Box is the name of proposed federal legislation introduced to make this a federal law. Some states have passed legislation and use the term, “Ban the Box”. Both terms are used throughout this study.

Campus partners: Representation of various departments at a higher education institution that bring expert knowledge within their respective unit. For this study, this term is used in the context of collaborative efforts in shared decision-making for committee reviews.

Community standards review: The review for threat assessment based on an applicant’s criminal and disciplinary history.

Criminal record: Criminal records for this study include charges with and without a conviction.

Disciplinary record: Conduct infractions in a school setting that lead to suspension or expulsion.

Diversity, equity, and inclusion (DEI): Understanding identities represented on a college campus to promote a sense of belonging. This idea provides a framework to evaluate internal processes in relation to access within education.

Family Educational Rights and Privacy Act (FERPA): A federal law that protects students' academic records (U.S. Department of Education, 2021).

Higher education/postsecondary institutions: This study focuses on 4-year institutions only; therefore 2-year institutions are not included in the overarching term.

Implicit Bias: "Distorting lens that's a product of both the architecture of our brain and the disparities in our society" (Eberhardt, 2019, p. 6).

Isomorphism: Isomorphism explains the similarities amongst higher education institutions. There are three characteristics of isomorphism. Coercive refers to an authoritative approach; mimetic indicates to the adoption of a similar process; and normative suggests cultural norms that influence a likeness (DiMaggio & Powell, 1983).

Restorative justice: Repairs harm from punishment through the legal system and provides an alternative that promotes educational opportunities.

School-to-prison nexus: "Policies, ideologies and local practices that move a select group of young people from schools to prisons" (Meiners, 2011, p. 548).

School-to-prison pipeline: Funneling students of color out of schools and into prisons because of no-tolerance policies for disciplinary behavior.

Second Chance Pell: Federal experiment that makes students with a criminal record eligible to receive Pell grant through financial aid. Not all higher education institutions offer this program.

Assumptions

As a researcher, I worked on the assumption that the partnering institutions' administrators answered interview questions honestly so I could fully understand how values and beliefs influence policies at the respective institutions. However, administrators could have internally recognized a weakness in the process and wanted to keep the shortcoming within the organization private. While identifying information remained anonymous, there was hesitation to provide subjective answers. Processes are generally contained at the institutional level. While I researched a specific problem and not broad ideas of criminalization, all individuals might not have recognized an implicit bias that influenced consistency within their institution's review process.

Limitations

This comparative case study reflected a small number of higher education institutions. Therefore, I was only able to analyze data and interpret results from the partnering institutions. Without knowing institutional processes in advance, I was not sure if the participating institutions would present similar or contrasting findings. This created a challenge in predicting if I would see patterns or find contradicting evidence to the research problem (Yin, 2018). As the researcher for this study, I was also limited to what the partnering research institutions were willing to share in the interviews and through supplemental artifacts and data. If participants were not candid, this would have likely skewed the findings and lead to a weakness in the study. Lastly, as the sole researcher and investigator in this study, I was limited by my bias through data analysis and when I interpreted the findings. Therefore, I took steps to mitigate my implicit bias because of my personal perceptions having worked in this area of college admissions specifically and aimed to maintain an objective assessment in the analysis.

Significance of the Study

There is limited research that encompasses a greater understanding of processes for community standards review in college admissions. Previous studies addressed criminal record review within college admissions to explore best practices (AACRAO, 2019; Bussey et al., 2021; Weissman & NaPier, 2015). Other studies focused on social justice concerns (Castro & Magana, 2020; Pierce et al., 2014), legal implications (Dickerson, 2008; Rips, 2021), social media screening (AACRAO, 2017; Kaplan Test Prep, 2020; LoMonte & Shannon, 2021), and the stigma for individuals in education post-incarceration (Halkovic & Greene, 2015). The rationale for this study is to build on prior research and understand the community standards process higher education institutions develop based on perceptions and institutional values. This research informs practices as institutions assess whether their community standards review appropriately reflects internal values within the institution and determine if the formal policy or practice represents a fair and equitable process.

This research also informs the development of a formal assessment process for the community standards review in college admissions. This assessment is critical because while some professional affiliations and organizations publish best practices, there is currently a lack of national guidance that mandates a standardized process. While isomorphic pressures influence institutional decisions, institutional control allows decision-making autonomy for this process. However, there is an added value when an appropriate assessment process is in place to provide accountability and determine if processes support the institutional mission and values. Therefore, this study explored stakeholders' perceptions to determine how or if institutional values were reflected in the review process.

The findings of this study include overall satisfaction in the review process. Though

institutions recognize processes are not perfect, they feel they are moving in the right direction of giving students a second chance and creating equitable processes for students. Personal lived experiences and social identities play a significant role in how administrators approach the review process and advocate for students. Institutions are mindful of how they incorporate DEI within the review process and acknowledge bias in the decision-making. Lastly, isomorphic pressures influence each review process, particularly as each research site has state legislation that relates directly to the community standards review process.

Conclusion

This chapter provided an overview of community standards review for college admission. This chapter also introduced the theoretical framework, methodology, and research questions that guide this study. In Chapter 2, I will review the literature to provide details about the inclusion of disciplinary and criminal history in the community standards review process and further understand equity concerns in the community standards review for college admission.

CHAPTER 2: LITERATURE REVIEW

This chapter provides a comprehensive review of the literature that supports the foundation for this research. I begin with an overview of the community standards review and then continue with a discussion that addresses equity and accessibility concerns that stem from this process. I also explore the complexities of isomorphic pressures and cultural norms and their influence on the decision-making process for a formal community standards review. This is followed by a more detailed discussion of the social justice concerns resulting from a criminal history review in college admissions processes.

Introduction

Many postsecondary institutions utilize disciplinary and criminal history information to determine if prospective students meet community standards as part of the college admissions process (AACRAO, 2019; Weissman & NaPier, 2015). This threat assessment for campus safety commonly asks school disciplinary questions such as, “Have you ever been found responsible for a disciplinary violation at any secondary school attended whether related to academic misconduct or behavioral misconduct that resulted in probation, suspension, removal, dismissal or expulsion from the institution?” (Weissman & NaPier, 2015). Criminal history related questions ask, “Have you ever been convicted of a crime? and “Do you have any criminal charges pending against you?” (U.S. Department of Education, 2016.) While the phrasing of these questions varies between institutions, affirmative answers to these questions prompt further review. Some institutions ask the prospective student to submit additional information, such as corroborating statements from previous educational institutions to confirm misconduct incidents in the school setting or court documents and police records for legal-related incidents. In contrast, others run a criminal background check if the incidents disclosed present significant

concerns (Dickerson, 2008).

Though the disciplinary and criminal history related incidents for the community standards review process are not mutually exclusive, sometimes a student's history will result in affirmative responses to both types of questions. The use of disciplinary and criminal history to determine a college admissions decision creates barriers in the college admissions process. Racial disparities within the criminal justice system are examples of systemic racism and continue to punish marginalized populations. Because individuals in Black and Brown communities are disproportionately affected, this explains the need to ban the use of criminal records within the college admissions process. The system accentuates the intersectionality of race and power (Delgado & Stefancic, 2017). When institutions consider how different social identities of college applicants can influence admissions decisions, administrators can begin to support students' needs for higher learning by fostering inclusive practices.

Aspects of Community Standards Review

The community standards review process is most often situated during the college admissions review process. If the institution expects students to self-disclose incidents on the college application, then all applicants are screened for threat assessment. An affirmative answer on the application flags an admissions representative to review the information. For many schools, an application will not move forward until the community standards review is complete. Upon a satisfactory review of the student's file, the application moves forward for an academic review that follows the admissions decision.

Disciplinary History

Over three million students are suspended from school each year (Weissman & NaPier, 2015). Because of the increase in no-tolerance policies in K12 schools, suspensions have

significantly increased since the 1990s. This prompted higher education institutions to inquire about school disciplinary information on the college application. Not all higher education institutions request high school disciplinary information. However, for institutions that review this information, students rely on guidance counselors to corroborate the infraction or complete school disciplinary history. Depending on how secondary schools interpret the Federal Educational Rights and Privacy Act (FERPA), this could prohibit the school from releasing disciplinary information. This often stems from more elevated incidents, such as drug violations and sexual assault cases. The individual school district governs what information high schools can provide on behalf of the student. If high schools cannot corroborate an incident or fail to assist the student with supportive documentation, the student's file will remain in a pending status and will not move forward with a review.

The disciplinary history review negatively impacts students of color, mainly those considered first-generation and from low-income families. Young Black students are 3.5 times more likely to face suspension than White students (Weissman & NaPier, 2015). This act mirrors race-based discrimination and puts students of color at a disadvantage for further disciplinary review for college admission. Additional concerns stem from various school districts' policies. Some school districts sanction stricter punishment and consequences than others for the same offense. Minor offenses, such as fighting, vaping, or the use of vulgar language, could result in multiple days of suspension. More severe offenses, such as drug or alcohol possession, could result in expulsion. Without knowing the district policy or having the full context of the incident, including how implicit bias played a role in the disciplinary decision (Girvin et al., 2017), it is difficult for an admissions representative to evaluate the disciplinary history based on the outcome of the infraction.

Criminal History

Over 70 million Americans hold a criminal record (AACRAO, 2019; Anderson et al., 2022; U.S. Department of Education, 2016). Because so many individuals encounter the American criminal justice system, it is not uncommon to see college applicants with some level of a criminal record (Ramaswamy, 2015), even if this includes a misdemeanor. When higher education institutions began to incorporate a criminal background review in the college admissions process, many institutions believed it could help predict whether or not an applicant was a threat to the community. However, researchers argue a criminal background check will not protect a college campus from harm (AACRAO, 2019; Dickerson, 2008; Halkovic & Greene, 2015; Ramaswamy, 2015).

Depending on the institution, the criminal history review takes place at different times during the admissions process (Stewart & Uggen, 2020). Some institutions review this information before determining academic admissibility, while others wait until after an admissions decision is made. One aspect of the criminal history review that remains highly controversial and criticized is when institutions request documentation to confirm a juvenile record (Radice, 2018; Rips, 2021). Depending on how the criminal history-related questions are listed on the application, it could prompt a juvenile to answer in the affirmative, though a record may be sealed. If students disclose a legal record, many institutions want additional information. Each state varies in statutes allowing juvenile records to become public records (Radice, 2018; Rips, 2021). Sometimes juvenile records are expunged when the student turns eighteen; however, if the applicant is seventeen and the record has yet to be expunged, the student must provide documentation on the incident. Likewise, when individuals interface with the criminal justice system as adults, the process is very similar to the criminal history review. Applicants

must submit supporting documentation such as police records, court documents, or other related materials.

Social Media and Freedom of Speech

While criminal and disciplinary incidents are often at the forefront of the community standards review, some institutions pay close attention to bias related incidents on an applicant's personal social media pages (LoMonte & Shannon, 2021). The purpose of this social media review is to screen speech for harmful or offensive comments that could create hostile behavior during enrollment (LoMonte, 2021). With concerns of cyberbullying, racist comments, and hate speech surrounding a social justice landscape, institutions want to ensure prospective students are not in violation of code of conduct on the respective college campus. The community standards review often includes these types of incidents; however, social media infractions are never found on a criminal background check and may not always get reported as a disciplinary incident in a school setting.

This addition to the community standards review brings forth First Amendment concerns. If the incident did not occur at school, it likely did not result in disciplinary action; however, it can bring forth an investigation in the community standards review process upon notification of the alleged incident (Moody, 2019). However, some postsecondary institutions conduct a general search on social media to look at an applicant's overall profile. Many institutions do not have a formal policy that outlines this process, which creates significant transparency concerns (LoMonte, 2021). Institutions must decide if a message posted on social media falls under protected speech or is deemed punitive to determine how this behavior impacts the learning community (LoMonte & Shannon, 2021).

When students have a positive online presence, social media can be an advantage for

many applicants, especially when students engage with institutions during the recruitment process. When prompted, institutions might visit an applicant's personal websites that share highlighted accomplishments that support a profile for an admissions decision (Moody, 2019).

In a 2017 survey, the American Association of College Registrars and Admissions Officers (AACRAO) found that 41% of institutions claim they reviewed social media content when notified of an incident. Additionally, in a 2019 study, Kaplan Test Prep surveyed admissions counselors and found 36% of admission counselors confirmed they review social media profiles of prospective students (Kaplan Test Prep, 2020). When controversy surrounding racial injustices in the country was exacerbated, social media became a prime platform to protest and express personal views (Anderson, 2020; LoMonte & Shannon, 2021). This trend to monitor applicants' social media creates challenges for the institution related to freedom of speech. Though many institutions have set expectations for students through a code of conduct, the motive to evaluate social media content presents concerns.

In the past, when individuals challenged an institution in this practice, courts often deferred to the institutions of higher learning to regulate if speech is punitive and will have an impact in an educational setting (LoMonte & Shannon, 2021). If incidents are reported to an institution and are a clear violation of ethical standards, create a hostile environment, or pose a clear threat to the learning community, then the institution is justified to uphold this standard. Gerstmann (2020) suggests that institutions take a transparent approach to the communication of standards for speech on social media. To create an inclusive college campus environment and to eliminate potential legal implications, institutions can promote a non-discriminatory disclosure throughout the application process. This disclosure sets expectations and informs applicants of repercussions if found in violation of a code of conduct during the application process.

The Common Application

The Common Application, more frequently referred to as the Common App, was first introduced in 1975 (Weissman & NaPier, 2015) and expedites the college application process for prospective college students at over 900 colleges and universities (Common App, n.d.). The Common App added high school disciplinary infractions and criminal history questions to their application in the 2006-2007 academic year (Dickerson, 2008; Weissman & NaPier, 2015). Recognizing the need to promote a more equitable admissions process, the Common App removed the criminal history question, "Have you ever been convicted of a misdemeanor, felony, or other crime?" (Dickerson, 2008) from the application in 2019. In 2021, the Common App also removed the high school disciplinary question, "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 behavior 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" (Dickerson, 2008; McKenzie, 2020; Rips, 2021). Institutions can add supplemental questions to the application, but the Common App stated they wanted to highlight an applicant's full potential and remove any adverse impacts (Steele, 2020). Therefore, the Common App no longer hosts these questions on their platform. This decision demonstrates how college admissions partners and advocates are taking action to bridge the inequity gap for marginalized populations.

Diversity, Equity, and Inclusion

Numerous concerns are associated with the community standards review, particularly ones that stem from the lack of equity in the process and accessibility for all students. This section gives careful attention to DEI, along with how implicit bias may impact decision-making

for higher education institutions.

Higher education institutions invest in efforts surrounding DEI. These values reflect the idea that individuals with various identities should be represented and included within an institution. This is not limited to race, gender, age, and class but includes disabilities, sexual orientation, and many other social identities. Institutions focus on DEI because it provides a framework to understand social structures of various populations and to determine how to best serve all stakeholders within the institution (Winkle-Wagner & Locks, 2020). Ultimately, this concept challenges institutions to provide a space for individuals to feel welcome and supported within the system.

Many institutions take pride in efforts to support DEI yet continue to create barriers in the college admissions process. Institutions frequently use these terms as a performative measure to showcase appeal, sound innovative, and bring attention to institutional values; however, through an assessment of actual practices, it is unclear how DEI are reflected (Ahmed, 2018). An inventory of internal processes can determine if an institution's practices reflect these values and are evident throughout campus life, or if these values are solely communicated in a mission statement or a strategic plan. If institutions prioritize these efforts, this will promote a culture of consistency for DEI throughout the organization.

DEI efforts can lead to transformative change for an institution (Smith, 2020). However, practices and policies must create a space for stakeholders to create a sense of belonging. Diversity is a call to action (Winkle-Wagner & Locks, 2020), and therefore, schools must adapt to students' realities (Jack, 2019). If institutions consider various populations' lived experiences, for example, a history of incarceration, institutions will recognize the need to understand social cultures and implement changes to support access for students from diverse backgrounds.

To incorporate DEI in decision-making processes, it is necessary to include representation from different populations of professionals within the institution (Smith, 2020). When institutions value diverse perspectives and voices from experts within education, new viewpoints may be considered to better understand challenges and decide how to address inequities. Smith (2020) encourages campus communities "to honestly reflect on successes and failures and take ownership of the process and results" (p. 261). If institutions are intentional with these efforts, this can lead to positive outcomes and eliminate prejudices within the entire college campus.

To promote equity, institutions can consider the rationale and justification for obtaining information regarding a conviction when making an admissions decision. A criminal background review does not always reflect an accurate description of an incident and can often be subjective. For example, an arrest record does not always constitute a conviction (Pierce et al., 2014). This outcome could change the narrative for a student to receive a college education. Likewise, if incidents reported on an application do not present a genuine threat to the campus community, the institution must consider what this process accomplishes. If reported incidents present a definitive threat to campus, institutions can offer alternative learning modalities so prospective students still have an opportunity to pursue a college education.

Institutional isms give social meaning to various words associated with types of discrimination. For example, discrimination of race is referred to as racism. The same language is used to describe discrimination against those with physical or mental disabilities; the term, able, translates as ableism. This type of language exemplifies behaviors and attitudes that create inequities and oppression of populations in a given environment (Smith, 2020). Isms can often be hidden prejudices in institutional policies and practices; however, if institutions are not mindful

of incorporating inclusive language, it can negatively impact these targeted populations. Consider how this concept applies to the word “criminalism” for the community standards review. The language on college applications for community standards consistently asks questions that label individuals as “criminal.” While institutions attempt to capture information on criminal activity, the questions are often excessive and asked with a harsh tone. This biased language can leave a lasting effect on the applicant.

Implicit Bias

The human brain is programmed to think and make decisions with an implicit bias (Banaji & Greenwald, 2016). Individuals are often unaware of the influence that comes with decisions, but it is a natural progression of how people think (Banaji & Greenwald, 2016; Smith, 2020). Lived experiences, cultural norms, knowledge of social groups, attitudes, and stereotypes influence biased thoughts. Information is stored in the brain, and while individuals are often oblivious to their bias, decisions are made with this hidden bias in mind. Banaji & Greenwald (2016) call this a “blind spot.” When individuals recognize this weakness in making decisions, it challenges them to think intentionally through the decision-making process.

Just as individuals make decisions with an implicit bias, decisions within institutions are also embedded with an implicit bias (Smith, 2020). These biases place people with various identities in categories (Eberhardt, 2019). When policies target and affect a categorized population, institutions must consider potential outcomes, particularly for the community standards review. If institutions fail to recognize the inequity in policies, they fail to identify the weakness in that policy (Kendi, 2019). Acknowledgement of bias in a process can guide the understanding of why institutions create and implement policies that are in place and assess if a policy is fair and equitable. When institutions operate under the assumption that students with a

criminal record will be a repeat offenders, this creates a damaging experience on the applicant. Therefore, to create a sense of belonging, institutions must incorporate inclusive language in policies and practices.

Equity and Accessibility Concerns

The community standards review often receives criticism because students of color are punished at higher rates than White students. This includes both suspensions from school and involvement in the criminal justice system (Ramaswamy, 2015). To better understand the racist norms and inequities students of color face, this section addresses the implications related to community standards review, particularly with the school-to-prison pipeline, recidivism, social mobility, and college readiness.

School-to-Prison Pipeline

On average, more than three million students are suspended or expelled from school each year (Weissman & NaPier, 2015). Because of no-tolerance policies in secondary schools, disciplinary infractions nearly doubled between 1974 and 2000 (Weissman & NaPier, 2015). School administrators and legislators felt stricter guidelines made schools safer (Scott, 2017); however, this action only created hardships for marginalized populations. Common youth behavior became punishable in schools, particularly for students of color. Students at high risk for disciplinary action became even more susceptible to disenfranchisement from the education system.

Often referred to as the “school-to-prison pipeline,” young people of color are disproportionately affected by no-tolerance policies and harsher punishment in secondary schools that can eventually lead to juvenile detention (Bussey et al., 2021; Halkovic & Greene, 2015; Scott, 2017). This phenomenon produces a lifetime of hurdles to overcome for individuals

who encounter the criminal justice system. Students who seek a college education following incarceration have a difficult time navigating the system (Halkovic & Greene, 2015). Because there is a vast difference in disciplinary outcomes often associated with racial bias (Lang & Spitzer, 2020), young Black students are five times more likely to enter juvenile detention than their White counterparts (Bussey et al., 2021). The repercussions of a criminal record can follow students upon release from incarceration, particularly if higher education institutions inquire about juvenile and criminal records.

Systemic racism results from targeted populations facing punishment for the same act committed by others (Weissman & NaPier, 2015). Discrimination based on race functions similarly to former Jim Crow laws (Alexander, 2010; Markovits, 2019; Ramaswamy, 2015) and is not mutually exclusive of educational opportunities. Foucault (1977) argues that disciplinary power is invisible; however, punished victims remain visible because this power will continue to wreak havoc on their lives. As individuals are pushed towards incarceration instead of institutions of learning, they are likely to face more discrimination and carry a stigma upon release from prison (Halkovic & Greene, 2015).

When states allocate more spending on prison costs than on educational programming, marginalized populations are further impacted by having the necessary tools to prepare for a successful future and life post-incarceration. On average, it costs $88,000 annually to incarcerate a student, but only $10,000 to provide an education from kindergarten through twelfth grade (Kendall, 2020). The Justice Policy Institute (2020) reports 40 states, including Washington, D.C., spend $100,000 each year to incarcerate a young person. State spending has also steadily increased for youth incarceration (Justice Policy Institute, 2020) and demonstrates where the priority lies when comparing investment in youth incarceration and education. There is a vast

difference between national spending for these two pathways, and this discrepancy creates an opportunity to provide more accessibility for educational opportunities that could decrease excessive spending in the criminal justice system (Pierce et al., 2014). Allowing students to learn and complete a high school diploma, or perhaps begin general education classes at the college level during incarceration, would promote affirmative outcomes upon release from prison.

Education levels connect to incarceration rates. High school dropouts are more likely to enter incarceration (Carter & Welner, 2013). Meanwhile, research studies show that 68% of inmates do not possess a high school diploma (Carter & Welner, 2013). When students fall victim to the school-to-prison pipeline, they face difficulty in overcoming the setback and earning a high school diploma, much less a college degree. The general population has a one in three chance for access to a college education (Castro & Magana, 2020). Because the system creates barriers, a former inmate has a decreased chance of attending college, reducing the likelihood to one in twenty (Castro & Magana, 2020).

Ideologies related to supporting justice-involved individuals differ amongst states and policymakers; however, consideration for college admissions policies regarding the community standards review can positively impact individuals and change the future for many. The school-to-prison nexus addresses and promotes paradigm changes to remedy concerns for students funneled from school through incarceration (Meiners, 2011). It is critical that institutions break the stigma of a criminal record as it disrupts access to education, particularly with those in the school-to-prison pipeline. Educational opportunities for marginalized populations can have many positive outcomes, including lower recidivism rates and increased social mobility.

Recidivism and Social Mobility

Annually, over 600,000 inmates from federal and state prisons reenter society (Benecchi,

2021). Educational barriers make it difficult for this population to move forward and improve their socioeconomic standing. Formerly incarcerated individuals with a high school diploma have a 55% chance of reentering the criminal justice system (Anderson et al., 2022). As education levels increase, recidivism rates decrease. Former inmates with an earned associate degree produce a recidivism rate of 14%, while individuals with an earned bachelor's degree have a 6% return rate to the system (Anderson et al., 2022). Researchers argue that education can reduce recidivism by more than 40%, and pathways to education make college campuses safer (Anderson et al., 2022; Bussey et al., 2021; U.S. Department of Education, 2016). However, individuals who are stigmatized for having a criminal history face hardships that prohibit continued educational opportunities (Halkovic & Greene, 2015).

When higher education institutions ask about criminal history in the admissions process, prospective students can lose out on the opportunity for social advancement. To lower rates of recidivism, individuals need opportunities for education and higher learning. Nevertheless, opportunities are compromised when processes are limited due to federal, state, and institutional policies. Individuals labeled as "criminals" or "felons" continue to get punished long after a sentence is served, further exacerbating the opportunity gap. While some felony offenses threaten a college campus, not all previous criminal charges should put prevent educational opportunities for students.

Similarly, to increased education levels, research also reveals that when a former inmate enters the workforce, recidivism is reduced by 43% (Anderson et al., 2022). However, education requirements are likely required to reestablish oneself in society and obtain employment above minimum wage. Over half of imprisoned individuals have not earned a high school diploma (Carter & Welner, 2013). When educational opportunities are not accessible, the system

continues to unfairly punish individuals encountering incarceration, which can also lead to economic concerns for this population upon release.

On average, college graduates earn more money than high school graduates. Individuals with a 4-year college degree earn 65% higher wages than those with a high school diploma (Weissman & NaPier, 2015). Therefore, inmates who have yet to earn a high school diploma or education level of equivalence will have to complete those educational requirements before moving forward with a postsecondary education. Upon completion of a high school diploma or the equivalent, there are additional obstacles to overcome for college readiness if the individual chooses to pursue higher learning.

College Readiness

Challenges arise as students with a criminal background prepare for higher education. Though this population may be eager to move forward with life post-incarceration (Halkovic & Greene, 2015), there are still hurdles to overcome to gain college admission. This section discusses key obstacles for college readiness, which include literacy, affordability, and student support.

Literacy

One concern for college readiness relates to levels of literacy. A school disciplinary history, such as suspensions and expulsions, takes students away from the classroom and results in less time for instruction. Curran (2022) argues that this behavior is predictive of academic outcomes. Students that fall victim to exclusionary discipline perform lower academically (Koon, 2013). Students who miss class due to punishment for behavior are at risk of lower literacy. Eighty-five percent of students that enter the juvenile court system are functionally illiterate (Freedom Readers, n.d.). For adult inmates, this rate slightly decreases to 70% (Literacy

Mid-South, 2016).

States invest more resources in correctional facilities rather than initiatives for educational opportunities through restorative justice. In 2015, survey data revealed that only 13 states offered educational programming for incarcerated youth that was comparable to those in the community (Council of State Governments Justice Center, 2015). Students that enter the school-to-prison pipeline rarely have opportunities to complete high school requirements during a juvenile sentence. If an individual from juvenile detention desires to pursue postsecondary education, the lack of programming and preparation during their time served creates barriers for the student. Not only would the individual lack a high school diploma or the equivalent, which is needed for college admission, but they would also lack technology skills that are advantageous for collegiate coursework.

Affordability

Economic barriers influence those that interact with the criminal justice system. Individuals from higher socioeconomic classes have more access to resources to expunge records. Additionally, inmates who seek employment opportunities upon release will face challenges securing high-paying jobs. Because education levels are often associated with income, this presents challenges for individuals to afford a postsecondary education. Not all former inmates have the financial resources to expunge a record; therefore, this population continues to experience disenfranchisement even as they attempt to move forward.

Depending on the type of criminal conviction, former inmates can experience obstacles to secure financial aid and federal student loans. Governing bodies at each institution set tuition rates each year which often reflects the competitive market for education. Although 2-year institutions are less expensive than 4-year institutions, regardless of the educational pathway for

a former inmate, the financial aid process creates challenges. To begin the financial aid process, a student must fill out the Free Application for Federal Student Aid (FAFSA). Eligibility for federal student loans and grants is determined based on the results of the FAFSA. However, stipulations for eligibility that are tied to criminal convictions could impact federal assistance in terms of financial aid (Federal Student Aid, n.d.).

Currently, a federal experiment known as the Second Chance Pell, provides grant funding to incarcerated individuals to enroll in postsecondary education while serving time in prison. The program, now expanded to include 200 colleges and universities for the 2022-23 school year (U.S. Department of Education, 2022), makes it possible for this population to access a college education at select institutions. Because this program is limited and not available to all state and federal prisons, this type of program still leaves a gap for many inmates to benefit from this opportunity. However, this opportunity cultivates equity and creates access to higher education.

Prospective Student Support

Support from student affairs and enrollment management is critical for prospective students with a criminal background to feel welcome through all phases of the recruitment and enrollment process. The lack of understanding how to successfully navigate the application process, enrollment, orientation, course registration and finances can deter students with a desire to attend an institution (Anderson et al., 2022). If institutions are transparent with their processes, this creates a less intimidating environment for a prospective student and help ease a student's mind with clear expectations for the process.

While some students are navigating the college admissions process for the first time, others might be more familiar with the process. Twelve percent of inmates have completed some collegiate coursework (Carter & Welner, 2013). Despite the experience of navigating the college

admissions process, this population will likely need help with readmission to postsecondary education because of requirements within the community standards review. This population might expect a thorough criminal history review, but this does not suggest they understand the steps that follow and how to navigate that process correctly. Correctional facilities do not always prepare inmates for the next steps in educational programs upon reentry to society. Therefore, formerly incarcerated individuals need additional support and guidance in how to obtain the necessary documentation for the community standards review.

Legal Issues Related to Community Standards Review

Institutions are not bound legally to protect the learning community from harm; however, many institutions assume such a duty (Kaplin et al., 2020; Pierce et al., 2014). Incidents that create legal implications seem straightforward and justify using criminal history to screen applicants for potential threats on a college campus. There is a demonstrated history of families pursuing legal action against higher education institutions for students impacted by negligence in properly screening applicants' criminal histories in the college admissions process. For example, the *Estate of Levi Butler vs. Maharishi University of Management. 589 F. Supp. 2d 1150 (S.D. Iowa 2008)* was one case when a prospective student shared a criminal background with an admissions counselor, and the institution failed to investigate the incident (Justia U.S. Law, 2008; Kaplin et al., 2020). Two months after enrolling at the institution, this student attacked two other students, one of which led to a fatality.

In 2004, the University of North Carolina Wilmington (UNCW) witnessed two murder cases within their student population. In one incident, an applicant never disclosed their criminal history, discharge orders from the military, and the two expulsion charges from their prior higher education institutions. In the second incident, a student was recently dismissed from the

university; however, the institution learned the student also falsified criminal history on their college admissions application. One victim's family pursued legal action for negligence to conduct a criminal background check (Dickerson, 2008; Ramaswamy, 2015). Because of this, the institution could not identify discrepancies in the information provided on the college application. The family placed the blame on the admissions office for their student's death (Epstein, 2010). These lawsuits ultimately led higher education institutions to implement policy surrounding college applicants' criminal and disciplinary history.

External Influence

Higher education institutions' community standards review process has isomorphic influence from various organizations, including regional accreditation boards and state and federal legislation. For southeastern regionally accredited institutions, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) provides standards for accreditation and reaffirmation. Although institutions have autonomy on policy development, this regional accrediting body ensures each of their member institutions are compliant by having a governance structure in place to review and implement policies that align with the institutional mission (SACSCOC, 2017). Additionally, through past experiences with crime on college campuses, many families and lawmakers advocated for change and brought forth legislation to improve campus safety. This section outlines state and federal decisions, along with guidance that impact the structure for the community standards review.

Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, was signed into law in 1990 (Clery Center, 2022). In 1986, student Jeanne Clery was murdered while attending Lehigh University. Following the

incident, the victim's family learned of 38 prior violent crimes on campus within three years of Clery enrolling at the university and felt institutions should publicly report such incidents. Prior to Clery's murder, schools did not report criminal activity; therefore, there was no process in place to assess if college campuses were considered safe.

The Clery Act promotes campus safety as it requires higher education institutions to report institutional crime data, campus security, and fire safety measures (Clery Center, 2022). The report requires institutions to report data in the following categories: criminal offenses, hate crimes, Violence Against Women Act (VAWA), and arrests and deferrals for disciplinary action (Clery Center, 2022). It ensures accountability while aiming for transparency in reporting crime policy and statistics on college campuses. Crime data improves the value of recognizing efforts of public safety's response to incidents occurring on campus to maintain a safe learning community.

United States Department of Education

The United States Department of Education released a call to action in a 2014 joint "Dear Colleague" letter with the U.S. Department of Justice. This document challenges secondary schools to take nondiscriminatory action on school discipline that promotes equity in education. This commitment supports three goals: reduce disruption, reinforce positive behavior, and support student success (U.S. Department of Education, 2014). The hope is to also reduce the number of students who enter the school-to-prison pipeline, and in turn create more educational opportunities rather than punish students and begin to funnel them through the justice system.

The U.S. Department of Education also provides guidance to clarify language on the criminal history questions in this review process (Rips, 2021). Criminal background reporting is not always accurate. Because agencies report different types of information to various databases,

it leads to discrepancies in a report (U.S. Department of Education, 2016). Institutions should specify types of incidents that are not expected for disclosure; for example, minor offenses such as a speeding ticket. The U.S. Department of Education also recommends that institutions narrow questions to focus on exact incidents that require a review. Some programs will not credential a professional with a record of sexual assault (U.S. Department of Education, 2016). Additionally, questions about criminal related activity are filled with jargon and ambiguity. Prospective students need simple language and explanations to understand what information institutions need in the community standards review.

Beyond the Box

The higher education system lacks a consistent process for a criminal history review. Therefore, federal legislation is currently under review to reform part of the admissions process and provide guidance on how to conduct this review. S.1338 Beyond the Box legislation proposes that higher education institutions remove the criminal history question from the college admissions process (Anderson et al., 2022; Bussey et al., 2021). If federal legislation passes the bill, it will amend the Higher Education Act of 1965 and recommend that higher education institutions remove the request for criminal and juvenile records from the admissions application (Gov Track, 2021).

Beyond the Box legislation extends from Ban the Box policies that advocate the removal of criminal history questions from employment applications. With Beyond the Box policy, institutions could still request criminal history information following an acceptance; however, it separates the review from admissions and will alleviate negative impacts for an admissions decision. The Beyond the Box initiative allows admissible students to gain admission into higher education; though, prospective students with a criminal history should still be mindful of

limitations with the choice of academic program and campus involvement on a college campus due to academic credentials and housing regulations (Gravely, 2021). Nonetheless, it presents opportunities to pursue higher learning. As this legislation gains attention, it is evident some states are beginning to consider the impacts of this review process on higher education institutions and their students.

State Influence

With the national discussions surrounding Beyond the Box legislation, eight states adopted similar bills: California, Colorado, Louisiana, Maryland, and Washington (Anderson et al., 2022; Rips, 2021), and more recently, Oregon (Oregon Legislative Assembly, 2021), Virginia (Case Text, 2021), and Delaware (Delaware General Assembly, 2022). Each state has set mandates and limitations restricting how the individual state interprets the law for postsecondary institutions.

In 2017, Louisiana was the first state to pass a statute and their policy applies to all public institutions (Rips, 2021). Washington and Maryland passed laws in 2018 and while Washington's law applies only to public institutions (Anderson et al., 2022), Maryland's state law applies to both private and public institutions (Rips, 2021). In 2020, Colorado and California passed the state law. Colorado's law applies only to public institutions and California's law applies to all postsecondary institutions, except for professional degree and law enforcement programs (Anderson et al., 2022; Rips, 2021). In 2021, Oregon passed legislation for all postsecondary private and public institutions and Virginia passed legislation for all postsecondary public institutions. In 2022, Delaware's governor signed the bill into law that provides guidance for both private and public institutions. Some states continue to advocate for similar legislation while other states will choose to not pursue such policies for educational

purposes.

Policy Development

With the lack of federal and few state mandates over how college admissions administer the community standard review, higher education institutions develop internal policies to guide their process (Dickerson, 2008). Shared governance influences the creation of a formal policy (AACRAO, 2019). In policy creation decisions, institutions must consider the costs associated with a formal criminal background check (Dickerson, 2008). Some institutions decide not to allocate resources for this service and place the expense on the student. Other institutions uphold an expectation for students to self-disclose criminal-related activity. However, this leads to the assumption that an applicant will honestly answer criminal history-related questions (Custer, 2018).

AACRAO (2019) recommends that institutions provide a clear explanation for the established policy to ensure transparency. Also, explaining why the policy is necessary (Dickerson, 2008) gives more context for the applicant to understand how information is evaluated for an admissions decision. Other best practices for policy development include conducting routine assessments for each policy (AACRAO, 2019; Dickerson, 2008). It is vital to determine if the policy created satisfies the purpose. Institutions can determine the effectiveness of policies when they measure various outcomes of policy decisions, particularly for campus safety and implications for potential conflict.

Campus Safety

While the Clery Act requires higher education institutions to report crime annually as a means to reduce crime, it is unclear how transparent institutions are with a self-report process (Stewart & Uggen, 2020). Additionally, the Clery Act does not predict criminal-related outcomes

for college applicants with a criminal history enrolling at an institution. Despite the question of validity in a given Clery Act report, higher education institutions continue to take safety precautions and educate stakeholders on resources to provide protection for the learning community (Stewart & Uggen, 2020). Campus safety measures extend beyond a criminal background review; however, because institutions focus on threat assessment to screen for potential harm and unwanted criminal related behaviors, they are mindful of who is invited onto campus through an affirmative college admissions decision.

Some researchers argue a criminal background check does not ensure campus safety (AACRAO, 2019; Dickerson, 2008; Halkovic & Greene, 2015; Ramaswamy, 2015). However, Jung (2016) argues there is not enough evidence to support the idea that individuals with a prior criminal history will not be a threat to a college campus and that institutions should screen at some level for potential risks. Hence, many institutions assume a legal duty to screen applicants for a criminal history as a safeguard to support a safe learning community.

Conversely, Meiners (2011) challenges schools to rethink how to define campus safety and to consider what makes a given space feel safe. Whereas former policies and strategies included the increase in security measures and implementation of harsher punishment, scholars argue schools should transform these ideologies and rethink relationships with the surrounding communities. Instead of continuing to funnel students through disciplinary and incarceration avenues, schools can consider how to build a sustainable practice for campus safety that includes restorative justice (Meiners, 2011). By challenging former practices and discovering new solutions, institutions can accomplish both campus safety precautions while promoting access to education through a controlled environment.

Conflict in Decision-making

Decision-making in higher education comes at various levels. Authority is given in a bureaucratic organization as part of governance to make decisions and rational choices for many processes (Manning, 2018). Administrators in powerful positions attempt to make the best decision to serve the organization, but undoubtedly, these decisions can hinder some groups or individuals. Conflict emerges when individuals who are in a position of power and influence, particularly those with a background of privilege, suppress individuals who possess limited power (Manning, 2018). The intersectionality of race and power work against populations who are vulnerable. One similar research study utilized an experimental audit design to determine how colleges ask about criminal history information and argues how colleges exercise control and power over this population knowing it will have impact on the applicant's future (Stewart, 2020).

Sociologist Ralf Dahrendorf suggests conflict has a presence in social interactions but is not always visible (Marion & Gonzales, 2014). In the community standards review, an applicant is powerless in the review as they are at the institutions' mercy in granting approval to move forward in the college application and enrollment process. Though outcomes are designed to promote campus safety, if institutions fail to consider each applicant's history carefully, it can lead to unintended consequences as these processes continue to create barriers for a pathway to education.

Conflict is also evident when administrators disagree on an applicant's profile because they bring different perspectives, awareness, and understanding of how the judicial system has an impact on those with a former criminal record. Dweck (2016) distinguishes the difference between fixed and growth mindsets. Individuals might perceive incidents in one way and could

be reluctant to change their positionality on a given incident. Additionally, this creates conflict when making the determination of if an institution's review process ties back to a mission and diversity statement, and if the proclaimed institutional values are represented within the process.

Conclusion

This chapter included a review of the literature to provide additional context for this study. DEI as a framework helps identify whether these values are present within the community standards review process. Exploring implications such as the school-to-prison pipeline, recidivism, social mobility, and college readiness further addresses concerns of equity and accessibility. Federal legislation influences accountability in higher education's institutional processes and attempts to provide regulations for a uniform process. Because complexities exist in organizations, institutions must understand how values and assumptions inform organizational culture and how this culture impacts the reality of students with a criminal background. The following chapter will outline the methodology and discuss data collection and analysis procedures.

CHAPTER 3: METHODOLOGY

This exploratory study utilized a mixed methods constructivist comparative case study approach to analyze institutional processes regarding community standards review for college admission. Because there is no mandate on how higher education institutions should conduct a disciplinary and criminal history review, a comparative case study provided an effective way to investigate the research problem and provides a compelling comprehensive analysis (Yin, 2018). Therefore, to build upon previous research on barriers created by the community standards review process, this study explored stakeholders' perceptions of how institutional values are reflected in current practices and policies at four higher education institutions. This chapter discusses the methodological approach for this study. It will also present the research questions, research design, participating sites, selection of participants, data collection, data analysis, positionality, ethical considerations, protection of participants and institutions, and limitations of the study.

Methodology and Constructivist Paradigm

Mixed methods research integrates a quantitative and qualitative approach to investigate a research problem (Creswell & Plano Clark, 2018). Therefore, this mixed methods constructivist comparative case study research incorporated institutional data and stakeholder rhetoric and perspectives to explore the community standards review process. Greene (2007) argues that mixed methods research provides "multiple ways of making sense of the social world" (p. 20). Combining artifacts and institutional data for analysis strengthens what each method lacks as a stand-alone approach (Creswell & Plano Clark, 2018). For this study, I concurrently collected quantitative and qualitative data. Convergent mixed methods allowed the data sources to support each other to create a comprehensive analysis (Creswell & Creswell,

2018).

The constructivist paradigm is the foundation for this study and describes how knowledge and reality are socially constructed (Mertens, 2020). Lived experiences provide context to better understand social phenomena (Merriam, 2001). The constructivist paradigm provides a framework to understand how higher education institutions construct social realities for community standards review. When admissions professionals share administrative experiences regarding the community standards review process, this reveals perceptions within institutions of what they believe to be true about their process. To increase the credibility of the findings and explore stakeholders' perceptions of whether institutional values are reflected in the community standards review processes, I engaged in an interactive approach with participants which allowed concepts and beliefs to surface (Mertens, 2020). Through this study, institutional staff had a platform to describe stages of the community standards review and shared experiences with and perceptions of the process. Thus, having reflection and dialogue from a mixed methods constructivist comparative case study was meaningful to capture experiences to better understand institutional processes and to answer the research questions that guided this study.

Research Questions

To better understand the formal process for the community standards review at each institution, this study utilized a comparative case study approach. This study is guided by three research questions to explore the community standards review at the participating institutions.

RQ1: How do administrators at 4-year public universities describe their perceptions of the community standards review process at their institution?

RQ2: What is the relationship between institutional values related to DEI and the community standards review process?

RQ3: How does isomorphism influence the community standards review process?

Research Design

To answer these research questions, I utilized a mixed methods constructivist comparative case study approach. Case study research allows the researcher to explore a phenomenon using a variety of artifacts and data sources and provides a unique framework to collect and analyze data. This gives the researcher autonomy to decide which data to obtain to answer the research questions. Comparative case study research allows a researcher to gain an in-depth understanding of a process (Merriam, 2001) and to assess why and how decisions are made (Yin, 2018). Through the collection and analysis of interviews, surveys, formal policies, institutional websites, and institutional data, this case study research captured multiple data points that allowed for a thorough examination. This investigative approach gives a researcher a platform to describe complex concepts observed in a given setting (Mertens, 2020).

Case study research originated from disciplines such as psychology, medicine, law, and political science (Creswell & Poth, 2018). Case study research is effective for many disciplines because the researcher can capture data through multiple methods. Case studies allow for a holistic investigation that extends beyond an initial observation. This is valuable for the field of education because it presents an opportunity for a researcher to delve into contemporary issues in an institutional setting (Yin, 2018). While a case study can focus on a singular case, this type of research can also comprise multiple cases, also known as a comparative case study.

Three characteristics of case study research include particularistic, descriptive, and heuristic qualities (Merriam, 2001). The particularistic quality describes a specific focus and phenomenon for the case study. By exploring this particular review process, traits will emerge and provide context for the case study. The second trait is descriptive and provides a complete

review of the phenomenon within the study. It is common to investigate many themes studied within a case study to understand the research problem. The last quality, heuristic, refers to the background information that situates the study and explains the research problem. In this analysis, the researcher states the relevance and application of the study.

Strengths and weaknesses are associated with any given methodological approach, including case study research. One strength of case study research includes flexibility in how to collect data. Because case studies include a variety of evidence, this provides the researcher with options to obtain desired information. Another strength encompasses trustworthiness and dependability (Guba & Lincoln, 1994) in the research. Comparative case study research allows for the comparison of multiple cases, and when there are patterns in the data, validity will increase (Merriam, 2001). When a researcher has multiple cases, this gives a broader scope of understanding to make generalizations from the data.

Weaknesses associated with case study research include the inevitable bias in the case study findings and how the researcher chooses to generalize findings. A researcher could have assumptions to prove through case study research and specifically look for ways in the findings to support beliefs about a phenomenon rather than allowing the findings to present an organic outcome. When researchers make an inference and generalization regarding the data, statements must be left in context, and the rhetoric must be assessed as objectively as possible. Another disadvantage includes the potential for limited ability of the researcher in the data analysis process (Yin, 2018). Researchers must exhaust all angles in case study research to adequately analyze data collected for the study.

One challenge associated with case study research includes finding meaningful concepts in the data. Whereas with a quantitative method, a researcher can determine the significance by

measuring the p-value in the data, for a comparative case study, the significance of the data will be determined at the researcher's discretion (Yin, 2018). This approach creates a challenge to make appropriate generalizations when determining if the results are significant.

This comparative case study explores perceptions of values reflected in the community standards review process. Thus, I examined institutional artifacts such as institutional mission statements, core values, content on the website, and state legislation to understand the influence of values on university practices. In summary, I selected a comparative case study method because it is an effective way to study institutional processes. It allows for flexibility in the data collection to include interviews, analysis of formal policies, supplemental documentation, and surveys to answer the research questions.

Study Sites

To recruit research sites, I contacted 30 higher education institutions to gauge interest in participating in the study. Four institutions responded to explain there is a not a formal criminal history review process in place at their institution. Two institutions declined to participate, two additional institutions could not secure senior administrator approval, and many institutions did not respond. However, four institutions offered a commitment to serve as a research site for this study. As two institutions meet the minimum requirement for a comparative case study, additional cases provided a more compelling analysis (Yin, 2018). In addition, four institutions were a manageable sample size to conduct this research given the time constraint for this study.

I recruited institutions from 4-year regionally accredited public institutions in the Midwest, Mid-Atlantic, and Southeast regions of the United States. Regionally accredited institutions have rigorous standards that indicate the overall quality of the institution. Public 4-year institutions were more likely to have a formal community standards review than a private

institution or 2-year institution due to private institutions' governance structure and 2-year institutions' open admissions policies. Enrollment for the selected mid- to large-sized institutions ranges between 10,000-45,000 students. Mid- to large-sized institutions were more likely to have similar processes in place than small-sized institutions.

Tables 3.1, 3.2, and 3.3 outline admissions, demographic, and Clery data for each research site using the Integrated Postsecondary Education Data System (IPEDS) data from Fall 2021. Table 3.1 provides the total number of admissions applications submitted, the number of students admitted and yield rates at each institution. The yield calculates the number of admitted students that enroll at the institution. Table 3.2 provides student and faculty demographic data by race and gender at each institution. Lastly, Table 3.3 provides Clery data for each institution. The crime data reflects the 2021-22 academic year for all institutions and reflects on-campus and on-campus housing related incidents.

Institution 1

The first research site for this study has an R1 Carnegie Classification and is located in the Mid-Atlantic region of the United States and also has a global campus. Total enrollment in fall 2021 was ~38,000 for undergraduate and graduate students. Twenty-one percent of undergraduate students were enrolled part-time and 79% were enrolled full-time. There were 1,600 full-time faculty members, with a faculty/student ratio of 16:1. This institution received over 20,000 undergraduate admissions applications and admitted 91% of the applicants. Of the admitted students, 3,986 students (21%) enrolled in the fall 2021 incoming class. This institution offers degree programs at the undergraduate, graduate, and doctoral level. The retention rate for first-time, first-year undergraduate students is 85%.

To provide more context about the demographic composition of each institution, Table 3.2 presents information on enrolled students and faculty for both gender and race. Institution 1 is a minority-serving institution as White students only make up 39% of the student population, although faculty are 66% White. The Asian and Hispanic population have more representation than students who identify as Black or African American. IPEDS data does not include Hispanic as a race for reporting faculty demographics. Consequently, it is reported that faculty who identify as Asian has more representation than faculty who identify as Black or African American. There is an even representation of gender with males making up 50% of enrolled students and male faculty representing 54% of faculty.

Institution 2

The second research site for this study has an R2 Carnegie Classification and is located in the Mid-Atlantic region of the United States. Total enrollment in fall 2021 was ~11,000 for undergraduate and graduate students. Eighteen percent of undergraduate students were enrolled part-time and 82% were enrolled full-time. There were 800 full-time faculty members, with a faculty/student ratio of 18:1. Institution 2 received over 5,500 undergraduate admissions applications and admitted 98% of applicants. Of the admitted students, 1,596 students (29%) enrolled in the fall 2021 incoming class. This institution offers degree programs at the undergraduate, graduate, and doctoral level. The retention rate for first time, first-year students is 71%.

As noted in Table 3.2, demographic composition reveals that this institution has little diversity. While 59% of enrolled students are female, 57% of faculty are male. This institution is a predominately White institution, with 83% of enrolled students and 78% of faculty identifying as White. Students who identify as Black or African American have a slightly larger

representation over Asian students; however, the Asian population for faculty have more representation than faculty of who identify as Black or African American.

Institution 3

The third research site for this study has an R1 Carnegie Classification and is located in the Southeast region of the United States. Total enrollment in fall 2021 was ~ 45,000 for undergraduate and graduate students. Ten percent of undergraduate students enrolled part-time and 90% enrolled full-time. There were over 2,000 full-time faculty members, with a faculty/student ratio of 22:1. This institution received over 65,000 undergraduate admissions applications and admits 37% of applicants. Of the admitted students, 7,916 students (32%) enrolled in the fall 2021 incoming class. This institution offers degree programs at the undergraduate, graduate, and doctoral level. The retention rate for first-time, first-year students is 94%.

As noted in Table 3.2, demographic composition reveals that this institution has some diversity. While 57% of enrolled students are female, 54% of faculty are also female. Even though just over half of the student population is White, this institution heavily serves the Hispanic population which represents 20% of the student body. The faculty are predominantly White (71%); however, the Asian faculty (12%) have more representation than faculty who identify as Black or African American.

Institution 4

The last research site for this study has an R1 Carnegie Classification and is located in the Midwest region of the United States. Total enrollment for fall 2021 was ~ 26,500 for undergraduate and graduate students. Twenty percent of undergraduate students enrolled part-time and 80% enrolled full-time. There are over 900 full-time faculty members, with a

faculty/student ratio of 19:1. This institution received over 19,500 undergraduate admissions applications and admitted 87% of applicants. Of the admitted students, 4,050 students (23%) enrolled in the fall 2021 incoming class. This institution offers degree programs at the undergraduate, graduate, and doctoral level. The retention rate for first-time, first year students is 80.5%. This institution is part of the Second Chance Pell Experiment.

As noted in Table 3.2, demographic composition reveals that this institution has little diversity. While 62% of enrolled students are female, 56% of faculty are male. The student population is 74% White, and only 8% of students identify as Black or African American. Similarly, White faculty make up 70% while only 6% identify as Asian and 4% identify as Black or African American.

Participant Selection and Recruitment

At each research site, I utilized purposeful sampling to identify participants for this study. Purposeful sampling meets criteria set by the researcher (Merriam, 2001). Because I identified the ideal profile for participant institutions for this study, I relied on general knowledge about postsecondary institutions to recruit participants. Using a professional network to obtain contacts at various schools, I introduced myself to higher education professionals and emailed a description of this study. As contacts responded to my initial informal request, I gauged interest and willingness to participate in the study.

To maintain a manageable scope, I limited the study to four higher education institutions. Within each institution, I targeted a college admissions professional, student conduct professional, and a senior administrator to serve as participants. I planned to include an admissions professional because most community standards review processes begin within the office of admissions. As the initial point of review, an admissions representative is

knowledgeable about the process and makes expert decisions on which incidents can be cleared without further review and which incidents require additional documentation. I planned to include a student conduct representative because of their expert level of understanding related to elevated disciplinary or legal related incidents. Elevated incidents require a thorough review and a representative in this division often provides guidance and gives a recommendation for the outcome of the student's community standards review. Lastly, I planned to include a senior administrator at the institution because it is important to have someone that makes executive decisions to provide insight on the review process.

I remained flexible on what stakeholders to interview as the community standards review protocols for each institution looked different. Once I identified the main point of contact for community standards review at each institution, I asked for input on who works most closely with the review process from each of those areas. I then contacted the appropriate individuals and invited them to participate in the study. However, throughout the recruitment process, each institution identified only one person to assist with the research study. Each role of the identified participant satisfied the parameter of serving as either a senior administrator, admissions professional, or a student conduct professional depending on the institutional review process.

Data Collection

After I secured approval from the Coastal Carolina University Institutional Review Board (IRB), I obtained informed consent (see Appendix A) from the partnering institutions and participants. I first conducted interviews with the participants. Second, I collected data through a survey to examine the community standards review process at each of the research sites. Because interviews were held on Zoom, I acquired the audio recording consent (see Appendix B). Next, I requested access to relevant artifacts and reviewed publicly available institutional artifacts such

as formal policies, content on the website, mission statement, core values, and state legislation, as it related to the review process. The artifact analysis occurred concurrently with the interview and transcript analysis.

Interviews

Survey results provided context regarding the community standards review process at each institution and informed the development of the interview protocol. The interviews were semi-structured, which allowed for an organic conversation pertaining to each institution's process. Interview questions captured the professional and educational background of the participant and explored perceptions of institutional values that influence practices and policies. Questions addressed more specific phases throughout the community standards review process and allowed the participant to talk about perceptions of how the process connects to campus safety and to describe an ideal community standards process for their institution. [See Appendix C for the interview protocol.]

I conducted interviews individually with college admissions professionals, conduct officers, and university administrators to understand perceptions within each institution and determine if there are commonalities in institutional values and beliefs. I utilized Zoom to record each interview and to obtain a transcript.

Survey

An exploratory survey was created in Qualtrics. The survey utilized various questions to identify general information regarding each institution's community standards review process. This survey also modeled questions from a 2009 AACRAO study for admissions professionals. Questions examined:

1. How widespread is the collection of criminal justice information in the college

application process and how do colleges collect this information?

2. Does the institution have special procedures to evaluate the admission of prospective students with criminal records?

3. In what ways does an applicant's criminal history affect his or her admission to the college or university?

4. What post-enrollment conditions or services are required of or offered to students with criminal records? (Weissman et al., 2010, p. 7).

Other questions focused on policy development, policy assessment, which departments are involved in the admissions decision-making of applicants with a criminal history, the appeals process, and potential conditions for admission. The initial plan was to conduct a survey in the first phase; however, commitments for the interview came before the survey was published. [See Appendix D for complete list of survey questions.] I emailed the survey and informed consent document to the participants at each institution. The survey's responses informed practices and provided general information regarding the community standards review.

Artifacts

Various institutional artifacts were collected for content analysis. I asked each participating institution to provide a copy of the formal community standards review policy. I also asked for sample communication sent to students for requests regarding the community standards review. I examined the language for transparency in the policy and communications to students. Content on each institution's website confirmed if general information regarding the process is as transparent as communication to a student under the community standards review. Lastly, by analyzing the institutional values, mission statement, and diversity statement, I could identify themes and value placement within each process.

Data

Institutional data provided enrollment outcomes on students involved in the community standards review process. Institution 1 provided data on the number of students flagged for the review, how many were cleared, and how many enrolled at the institution. Additionally, Institutions 3 and 4 shared data on how many students typically appeal the community standards decision each year. Using IPEDS and Clery data, I determined the admissions, demographic, and campus safety profile for each institution. This was useful to compare enrollment outcomes with these data sets to better understand how many students are impacted in the review and what type of conduct issues are commonly occurring on the college campus.

Summary of Data Sources

Multiple sources of data allowed for triangulation of findings. Findings in the various sources corroborate each other (Yin, 2018). Trustworthiness and dependability (Guba & Lincoln, 1994) of the study stems from the replication of each case study. Three participants completed the survey and all participants engaged with the same interview questions. I obtained the same types of institutional artifacts from each research site. Construct validity was reflected in the multiple sources of artifacts (Yin, 2018), along with member checking to ensure accuracy in the generalizations made within the data.

Data Analysis

Qualitative research is iterative, and while I outline distinct phases that occurred in the analysis, much of the data collection and analysis happened concurrently. As information emerged, it was important to rely on other artifacts within the analysis to make sense of information presented in the given phase and support perceived values and beliefs in the process.

Semi-structured Interviews

The first phase in this comparative case study included semi-structured interviews for one hour. This gave an opportunity to delve into discussion with the research participants about the respective institution's process and to identify institutional assumptions and values. At the conclusion of each interview, I cleaned each transcript to ensure accuracy in the rhetoric. The initial plan was to conduct the survey in the first phase; however, commitments for the interview surfaced before the survey was published. Therefore, interviews were scheduled and immediately took place.

Survey

The survey was adjusted to occur in the second phase of data collection. Though, only three out of the four research sites completed the survey, it provided results to give a general idea of each institution's community standards review process and helped inform details in the process that were not discussed in the interviews. This survey also allowed for an overarching analysis and comparison of the participating institutions. I was able to identify similarities and differences in each institutional process.

Coding

Coding is a form of a heuristic (Saldana, 2021) and allows for the exploration of a phenomenon within a case study (Merriam, 2001). I coded the interviews using NVivo. I first utilized in vivo coding to explore each transcript by taking exact terms and excerpts from the participant to further understand a culture and experience (Saldana, 2021).

To utilize the theoretical framework for the study, Schein's theoretical model, I located values reflected in the transcript and applied descriptive and values coding. Therefore, I also incorporated both deductive and inductive coding. Deductive coding primarily looked for

language that embodied DEI and included terms like fair process, fair evaluation, diversity, giving students access, welcoming, safe space, appreciating differences, including more voices, and not judging students. Inductive coding allowed other values to emerge in the interviews. This included language such as advocacy, communication, service, trustworthiness, and examples of efficacy, empathy, and leadership. Table 3.4 provides a list of the most frequent codes, along with supporting quotes from the interviews. [See Appendix E for a complete list of codes.] Next, I identified assumptions discussed in the interviews about the review process. Assumptions include ideologies about the process in place that reflects institutional values and perceptions committees have that influence outcomes of this review process.

Additionally, to support institutional isomorphism as a theoretical framework, I identified isomorphic pressures that were discussed in the interviews. This included any influence on the current review process at each institution. Federal legislation, state laws, and professional organizations were evident in the interviews and artifacts and proved to have impact on the process for each institution.

Artifacts

In the next phase of data analysis, I analyzed artifacts such as institutional documents, language on institutions' websites, university catalogs, mission statement, diversity statement, core values, and current state legislation from the respective states. Saldana (2021) recommends using descriptive coding for interview transcripts, documents, and artifacts. I assessed if the language used in these artifacts reflects the values that are assumed to be present by the participants. I identified themes within each case and coded them accordingly.

I analyzed each case separately and then performed a cross-case synthesis to compare patterns across all the cases within the study. I expected to find similarities and differences

between the cases. These are discussed in more detail within the analysis. To minimize bias, I incorporated member checking (Merriam, 2001; Stake, 2010). I sent each institution an email asking for approval of my analysis of their research site. After coding was complete and I identified values in the interviews and institutional documents, I asked participants to confirm inferences and generalizations made about the data to ensure the data was not taken out of context. I also wanted each institution to have assurance their identity remained confidential.

Institutional Data

Lastly for data analysis with each institution, I used descriptive statistics from IPEDS to capture enrollment and demographic data. I also utilized Clery reports to outline criminal activity on each college campus. One institution provided institutional data to reflect the number of students flagged, cleared, and enrolled during the community standards review process. This data was compared with overall enrollment data and Clery data to determine how often severe conduct cases are occurring on each college campus.

Cross-Case Analysis

The final phase included a cross-case analysis to identify commonalities and different perspectives among the cases. I identified answers to “how” and “why” questions to determine commonalities among the interviews for each institution. Stake (2010) argues cross-case researchers should give special attention to what is similar across the case sample. Once themes were identified, I wrote an explanation to justify why these codes were selected.

Positionality

I identify as a straight, White, cisgender woman that grew up in a middle-class family in the south. I am a first-generation college graduate with no criminal record or disciplinary infractions from an educational institution. I have 16 years of professional experience working in

higher education, with four and a half years dedicated to college admissions. My primary responsibility in college admissions is focused on the community standards review and I also serve on the advisory board for the Incarcerated VOICE initiative. This organization promotes educational opportunities for incarcerated individuals. I recognize my privilege and do not want to be perceived as a "White Savior," but rather as an advocate for equity in education and address the inequities in postsecondary education.

In my current role, I often question why institutions develop the process that is in place for the community standards review. I see firsthand the barriers that are in place for students, particularly those who answer yes to any of the questions that screen for a criminal history. I recognize that many of the students that are flagged for the community standards review come from lower socioeconomic backgrounds. I often wonder if there is a more empathetic way to screen applicants for potential threats on a college campus, so students will not fear rejection for college admission based on a criminal history alone.

Ethical Considerations

To ensure this study satisfied ethical protocols, I secured approval from the IRB. I protected identifying information of each individual and institution and utilized pseudonyms for the partnering institutions. Results are reported accurately without falsifying the data. Lastly, I excluded confidential institutional information shared by the participants. I recognized that specific examples were given for context during the interviews, and I was not in a position to share these specifics when writing the results of the study.

Limitations

Although this research study explores how institutional values influence formal processes, there are limitations to consider. Creswell and Poth (2018) recommend utilizing a

maximum variation sample; however, I was limited to institutions willing to participate in the study. Therefore, I cannot control the diversity of the case samples and the perspectives that surface in the study results. Also, Yin (2018) recommends featuring five or six cases for data collection in a comparative case study to write a compelling analysis. Because this study encompassed four research sites, it can showcase replication between the sites to understand processes better; however, additional cases would make a stronger study.

As with most comparative case studies, research questions evolved (Mertens, 2020). After conducting interviews, it was evident one of the original research questions was not relevant. This question inquired about the development and implementation of a process at each institution; however, this aspect never surfaced in the interviews. I also limited to what the participants shared regarding data, documents, and other artifacts. Lastly, because relationship building is significant in case study research, online platforms, such as Zoom, made it difficult to interact and engage with research participants. Nonetheless, research was still conducted in this manner; however, physical proximity would have enhanced interactions and allowed conversations to flow more easily.

Summary

To effectively answer the research questions for this study, a mixed methods comparative case study approach gives the platform to understand how institutions adopt the community standards review process and how administrators perceive values reflected within that process. Knowledge and reality are socially constructed (Mertens, 2020), and because the participants at 4-year public higher education institutions described their perceptions of values within the processes as they perceived it, this provided a platform to understand their reality. This research focused on perceptions and beliefs of institutional administration and staff to better understand

how values and assumptions influence the culture and decision-making within postsecondary institutions.

Table 3.1

Fall 2021 Admissions Data

	Institution 1		**Institution 2**		**Institution 3**		**Institution 4**	
	n	%	n	%	n	%	n	%
Student Applications	20,000	-	5,600	-	65,000	-	20,000	-
Admitted students	18,500	90%	5,500	98%	24,000	37%	17,500	88%
Admitted students who enroll	4,000	22%	1,500	27%	7,500	31%	4,000	23%

note: numbers and percentages are reported as approximations to protect the confidentiality of the institutions

Table 3.2

Fall 2021 Student and Faculty Demographic Data

	Institution 1		**Institution 2**		**Institution 3**		**Institution 4**	
	***S**	***F**	**S**	**F**	**S**	**F**	**S**	**F**
Race/Ethnicity								
American Indian/Alaska Native	0%	0%	0%	0%	0%	0%	0%	0%
Asian	19%	14%	1%	13%	3%	12%	2%	6%
Black or African American	11%	6%	5%	3%	9%	5%	8%	4%
Hispanic	14%	-	2%	-	21%	-	4%	-
Native Hawaiian or Other Pacific Islander	0%	0%	0%	0%	0%	0%	0%	0%
White	39%	66%	83%	78%	57%	71%	74%	71%
Gender								
Female	50%	46%	59%	43%	57%	54%	62%	44%
Male	50%	54%	41%	57%	43%	46%	38%	56%

note: Hispanic faculty numbers are not reported in IPEDS. *S denotes student. *F denotes faculty

Table 3.3

Fall 2022 Clery Data Reports

	Institution 1	**Institution 2**	**Institution 3**	**Institution 4**
Total Crimes Reported	46	53	20	60
Violence Against Women (VAWA)	6	3	40	10
Disciplinary/Arrests	92	151	178	110

Table 3.4

Most Frequent Codes

Code	References	Institution 1	Institution 2	Institution 3	Institution 4
Beliefs	124	"You can't hold things over a person's head for their entire life."	"Everyone wants the American Dream, which is supposed to be, "I can go and I can get a college education." Why would we stop that if we're saying that we're an education system?"	"I'm a big believer in making sure that we do everything in trying to make the process of applying to college as easy as possible."	"We believe in education. We believe in second chance." "We don't want to hold it against these students forever."
Process	94	"[Ban the Box] has made the process more equitable. And we're giving more students access, now because of this process, but again, it's not perfect."	"We have barriers to our enrollment."	"It certainly is not perfect, but it's the best that we can do in addition to all the other safety measures that we have on campus."	"As an institution, how can we serve their needs?"
Isomorphism	24	"It's state driven." "We really take our marching orders from the state and our campuses."	"There's a house deal for us in this Legislature. They want us to have [concealed] carry, and so we have been fighting that fight of not having that happen."	"It's state mandated."	"Pell being afforded now to prison education has opened the doors to say well ok, if federal funding is going to become available, then we probably need to be more sensitive to our student need."
DEI	23	"I think there's still some bias in the process; just letting those students know that they're welcome at [X]."	"I don't think it's a fair process. If any Admissions offices say that they do have a fair process for anybody, I think that they're kidding themselves."	"We are very service-minded and so being welcoming, being an understanding and appreciating the differences within our community."	"We think about equity, and we think about who this process is really being focused on."

Code	References	Institution 1	Institution 2	Institution 3	Institution 4
Campus Safety	22	"I don't see [first-time, one-time only drug offenses] as a huge threat to our campus safety, especially with the number of our students who often engage with drugs and alcohol while they're in college."	"We feel like that we have this imaginary fence that comes up around the university, and we're going to let all criminals stay out. Well, we're an open campus. You can't let our criminals stay out because people can come on this campus at any time. So, when we put those barriers up like that saying, "you know, we're gonna make this campus safe." You really can't make that big old prediction like that because we are such an open campus."	"We've had a school shooting on our campus."	"I think oftentimes we try and balance the threat to self or campus. A lot of times we're looking at time that has passed since the incident, if they were incarcerated, how long have they been out of incarceration in terms of not, you know, and how long have they been off probation, as an example."

CHAPTER 4: FINDINGS

The purpose of this study was to understand the community standards review process for college admission at four 4-year public higher education institutions in the various regions of the United States and explore how or if institutional stakeholders perceive institutional values are reflected in the process. Because there is no "one size fits all" approach to community standards review, it is vital to understand why each institution has enacted their exact process and practice. Therefore, this chapter is structured by presenting the findings from each of the four research sites separately. Each section will provide a review of the data collected, an overview of the process, committee composition, administrator perceptions, how DEI is reflected within each process, how isomorphism influences the process, along with unique traits of each institution's process. The chapter will end with a discussion of four themes that emerged from the cross-case analysis: personal relevance, campus safety, advocacy, and state legislation. Three research questions guided the study:

RQ1: How do college administrators at 4-year public universities describe their perceptions of the community standards review process at their institution?

RQ2: What is the relationship between institutional values related to DEI and the community standards review process?

RQ3: How does isomorphism influence the community standards review process?

These research questions helped frame the analysis for this comparative case study. The findings represent how each institution brings unique perspectives to the community standards review process for college admission. Quotes in this chapter are drawn from the interviewee from each institution unless otherwise noted as an institutional artifact.

Institution 1: Ban the Box

Institution 1 is a large research-focused university in the Mid-Atlantic region. After agreeing to participate in the study, the institutional stakeholder first engaged in an interview and then completed the survey. The administrator who agreed to participate in this study is a dean of admissions with 22 years of experience in college admissions who has oversight of this review process. They were hired at this institution in 2020 and led efforts to implement changes in their process based on Ban the Box legislation. In addition to participating in the interview and survey, this institution also provided data on how many students are reviewed in the process, how many are cleared, and how many enroll at the institution. Artifacts analyzed for this case include relevant state law, mission statement, diversity statement, institutional core values, IPEDS data, and Clery data.

The first case represents an institution from a state that recently passed Ban the Box legislation. The following sections discuss the overview of the process, the influence of Ban the Box legislation, composition of the review committee, findings related to each research question, and accessibility of public information.

Overview of Process

With Ban the Box in place at this institution, after an affirmative admissions decision and before submitting the enrollment deposit, all students receive a one question questionnaire that asks about pending felony charges or felony convictions. The student selects yes or no, and with an affirmative response, is prompted to provide additional information and upload relevant documents that confirm the incident. This step allows the student to explain the incident and provide further context. If the university enrollment safety committee needs additional information to determine if a prospective student poses a risk to campus safety, a staff member

will contact the student to see if they are willing to provide additional information. A student can supply letters of recommendation from an employer, probation officer, or a former teacher.

An analysis of institutional data shows that of the approximate 20,000 applications received last year, 86 students were flagged for the criminal history review process. Forty-five students were cleared for admission, and 33 students enrolled. This shows that less than 1% of the applicants interface with this part of the review process, 52% of students flagged for this review are cleared for admission, and 38% of these students enroll at the institution. While this is not a significant representation of the overall applicant pool, this shows that half of the students flagged for further review are denied enrollment. Without having specific data on types of incidents that led to a denial, further conclusions cannot be drawn with this data. With this said, this also means the other half are given access and the opportunity to enroll in postsecondary education.

Ban the Box

Ban the Box did not change institutional protocols for the review process in how students are reviewed, it changed was where the review process took place during the application and enrollment cycle. Before Ban the Box legislation was in place, the admissions office could decide if they wanted to move forward with an applicant and request additional information for the review. This practice allowed for a bias in the decision-making of the administrator or staff member reading an application and deciding, based on an incident alone without further context, if their office would even move forward and "read their application or not." The administrator interviewed felt that moving the criminal history review after an admissions decision provided an opportunity for a more holistic review and allows more students to enroll at the institution.

Committee Composition

The university enrollment safety committee comprises the dean of admissions, associate dean of admissions, dean of students, chief of police, chief housing officer, and a faculty member. The committee's responsibility is to review criminal-related information the student provides and determine if the student poses any risk to campus safety. This committee meets each summer to assess the overall community standards review process and the charge of the committee. When reviewing criminal history related information, the committee meets as often as needed and have access to information through a shared drive to review the documentation. The committee only gathers when there is a split decision to discuss a student. The committee makes the final decision, and this results in one of two outcomes for the student: if the committee allows a student to enroll or to allow a student to enroll with restrictions. The only restriction a student would receive is a housing restriction, and this is because of felony convictions that prohibit a student to reside in university housing.

If a student chooses not to submit additional information, they typically remain in an admitted status, and admissions cancels the application once the term begins. An admissions staff member notifies the student of the final decision with an official letter sent via email. Because the institution does not offer an appeal process, the student can reapply for admission in a future term if new and relevant information about the incident is available. The graduate admissions criminal history review process functions the same as undergraduate admissions. The university enrollment safety committee collectively decides the enrollment outcome for each student for both undergraduate and graduate admissions.

Administrator Perceptions

Only one administrator was identified to be interviewed at this institution. This administrator describes their review process as fair, though not perfect. They recognize bias in their process as incidents can be subjective. Because some committee members carry personal beliefs and relate certain incidents as serious crimes, they feel it should automatically result in a specific outcome without considering various factors. This belief can make the review subjective. However, they feel they are "in line with current progressive policy."

One aspect of the review relates to how the institution views various incidents and makes informed decisions on a given history. Often, when a student presents a criminal history with the engagement of drugs and alcohol, particularly for first-time and one-time-only offenses, the institution assesses the threat level in alignment with the frequency of similar incidents that occur on campus with the current student population. The institution places the responsibility on the "students to realize they made a mistake in their lives, and they are motivated to change their narrative and to rewrite their story." This administrator felt passionate about utilizing education to create new opportunities for individuals with a prior criminal record. "I see education as an opportunity for people to really reset their lives and take a different course and oftentimes in higher education we don't take that approach." Overall, they feel confident they "are headed in the right direction" with this review process because college enrollment for this population provides opportunities to advance equity in education.

Diversity, Equity, and Inclusion

This institution takes pride in having a diverse campus. As chapter 3 outlined, the institution's student population is 19% Asian, 14% Hispanic, and 11% Black. Because this institution has a global campus, it further explains the higher percentage rate of Asian students,

though still represents diversity of student enrollment and an opportunity for this population. While the faculty population does not have as much diversity in racial representation, there is still evidence of a relatively balanced population regarding gender.

Language from the mission statement that relates to DEI, describes a commitment to foster "an inclusive academic community." There is content dedicated on the website that outlines the institution's commitment to diversity, along with institutional resources, accommodations, training, reporting Title IX misconduct incidents, and FAQ's. All employees are required to complete all the DEI trainings, which include Title IX and sexual harassment prevention, equal opportunity, and ethics. Various academic programs are also highlighted that support efforts to recognize cultural differences in student diversity. Diversity is also listed as a core value for this institution and includes, "embrace a multitude of people and ideas in everything we do." This institution offers student resources to support formerly incarcerated students. Because programming is in place to set these students up for success, it is evident DEI principles outlined in these institutional platforms reflect within the community standards review process that also influence positive outcomes following enrollment.

Access and Opportunity

Institution 2 feels they are "giving more students access now because of this process." This idea reflects how the institution views formerly incarcerated inmates on probation pursuing educational opportunities. Depending on the severity and potential threat to campus safety of the felony conviction, the institution will take a holistic approach to review the student's information. If a student can convince the committee they learned from past mistakes, are motivated to make life changes, and are prepared for college, then if probation officers can speak to their character and integrity, there is a such possibility the student could be granted admission.

This institution has allowed formerly incarcerated individuals the opportunity to enroll. A support system of student services is in place to ensure this "population is supported in their transition to our community, to make sure they feel like they belong." One student was also given a "platform to share this story through social media, and hopefully encourage other students to see college when they get out of prison." Additionally, this institution would like to secure Second Chance Pell funding in the future to support this population further to feel welcome at this institution.

Institutional Values

This administrator believes in second chances because "you can't hold things over a person's head for their entire life." The institution recognizes a need for a statute of limitations and once a student has "served their time," they "deserve to be able to push that reset button and show how they have changed." Because there is an increase in applications, there is also an increase in applicants with a criminal history. Therefore, more students with prior felony convictions are enrolling. They feel "it has made the process more equitable." This institution is encouraged and believes they "opened the door" for the opportunity and are proud that many of these students are still enrolled, and a few have already graduated.

Isomorphism

Coercive isomorphism is reflected through the impact state legislation has on institutional processes. The state law outlines that institutions cannot ask about criminal history on a college application or deny a student solely based on a criminal history. This institution has the autonomy to assign the process they want for a criminal history review; however, university legal counsel approves the policy that guides the process. Though, Ban the Box only regulates when the criminal history review occurs during the college application and enrollment process.

It is also evident that normative isomorphism influences the decision-making and outcomes for students with a prior felony conviction. Personal lived experiences play a role and influence the process. This influence includes cultural and social norms, and this administrator felt “a person's background plays a role in how they perceive things and what lens they view things in” and because of their personal lived experiences and social identities, felt they “bring a unique lens” to the review process. As administrators relate to challenges associated with the review process, they often bring perspective that can put various incidents into context. If stakeholders that are involved in the decision-making process, particularly that come from a background of privilege, cannot understand the complexity of what is involved and potential challenges within the criminal justice system, it is difficult to consider various perspectives that impact final decisions for students on college enrollment.

Complex Decision-Making

This administrator described two realities of their role in overseeing the review process. The first reality entails “an administrator who's trying to make sure that we keep our campus safe.” Administrators who lead the review process must carefully consider which incidents pose a safety risk to the campus community when guiding conversations about the outcome for a student. Threat assessment at this institution particularly measures the severity of incidents that present a higher threat level, and this includes a demonstrated history of violence, weapons, and sexual assault.

The second reality includes, “as a human being who wants everybody to be able to reach their full potential.” Various assumptions emerge when individuals come together as a committee to make decisions. For example, “The committee feels they are a threat to campus or students in the classroom won't be comfortable with them being here” and they will “bring harm

to our campus because of their background." While this administrator is a true advocate for students with prior felony convictions, there is evidence of a reasonable understanding to find the balance and ensure campus safety exists in the process.

There is value in having different voices on a committee to work through concerns, especially if an incident presents a complex situation. Assumptions surface and it often creates conflict. This administrator recognizes those complexities and navigates the decision-making role carefully.

Campus Resources

A unique trait that surfaced with this case was the institution's intention to focus on this population through various campus resources. Student programming such as contemporary student services, which supports formerly incarcerated students, and mentoring opportunities assist these students as they transition to higher education. The institution has a plan to utilize outreach efforts to share how students can benefit and receive support from campus resources. The idea behind this newly offered service is to promote an environment that this population is welcome at this institution. However, students must self-identify to take advantage of these resources.

A second resource that could help support this population stems from the Second Chance Pell. Though Second Chance Pell is still in the experimentation process with select schools, this institution hopes the federal government will expand the program next year so they can take advantage of the financial aid resources and further assist this population. Through this program, the institution wants to promote opportunities that increase access to make postsecondary education a reality for this population.

Accessibility of Information

The institution has information about this process in two areas. First, the catalog outlines various admissions policies. Two policies relate back to this review process and includes the institution "reserves the right to rescind offers of admissions if applicants falsify information." The second policy relates to this review as it outlines that accepted students must report new information regarding conduct issues promptly. Because the review process occurs after an admissions decision, there is little information about the process on the admissions website.

The second area within the institution's website that incorporates this language is on the Student Conduct website. Language encompasses that enrollment is contingent upon a university review of pending felony charge(s) or felony conviction(s). The Student Conduct website also notes that answering questions on conduct and felony history is a requirement of "every admitted student" and they are "informed of this requirement in the admissions decision." This page further explains the purpose of this review and outlines FAQ's.

Detailed information pertaining to this review is difficult to find on this institution's website. I was not able to locate information specifically about the review process by searching the institution's website; however, was able to locate this information in a general google search. Once I finally entered the appropriate keywords, "admissions" and "conduct review" with the institution's name in a google search, I found relevant information relating to the review. Lastly, language that informs an applicant that disclosure of a criminal history does not automatically disqualify an individual for admission is not evident on the website.

Institution 2: The "American Dream"

Institution 2 is a mid-sized university also located in the Mid-Atlantic region. After agreeing to participate in the study, the institutional stakeholder engaged in an interview;

however, did not complete the survey. I interviewed a director of student conduct with 14 years of experience in Student Affairs. This administrator shared limited information because of partial knowledge of part of the process; however, was encouraged to participate by a recent senior administrative hire within the institution. The senior administrator recognized the value of participating in the study as they completed a research study that focused on formerly incarcerated individuals pursuing higher education. This institution did not share institutional data for this research. Artifacts analyzed for this case include proposed state legislation, the Board of Governors' policy, mission statement, diversity statement, institutional core values, IPEDS data, and Clery data. The following sections discuss the overview of the process, findings related to each research question, and accessibility of public information.

The second case represents an institution that has multiple vacancies in positions that impact this review process. This case presents challenges in the analysis due to the need for more information and vacancies in major key players for the review process. The institution recognizes the need to restructure the process once other administrative roles are filled.

Overview of Process

The community standards review process begins when a student applies to the institution. One question on the application captures information regarding a criminal history and felony convictions. An admissions representative reviews the information and makes the final decision. If needed, they will confer with the chief of police, but it is unclear as the institution did not share in what situations or incidents a second opinion is given on the review. When admissions reaches a final decision, they mail a letter to the student. Graduate programs are more involved with the criminal history review process and rely on help from the Office of Student Conduct to discuss various incidents.

Administrator Perceptions

Only one administrator was identified to be interviewed at this institution. Perceptions of the review process include that the campus community does not understand how the review process works with admissions. Once the institution fills vacancies in various offices, this administrator believes there will be a cultural shift within the process as more individuals will be involved in the decision-making. Administrators believe there needs to be more "sound and reasoning" as to why so many students are denied admission because of a criminal history background. Students often seek answers to why they were denied admission and "some of them have been rehabilitated, and we don't want to count them out." This conduct professional explained their "job is to make sure that we help students in that process."

There also appears to be a lack of compassion as the admissions staff moves quickly to review the volume of applications received. This administrator believes it leads to an inefficient process for reviewing applicants with a criminal history background. The conduct professional felt those that review this information are apt "to give the red stamp because they are so busy trying to process all of them." They felt this practice creates "barriers to our enrollment." Additionally, this institution feels that denying students based on a criminal background will keep potential risks from disturbing campus. "We feel like we have this imaginary fence that comes up around the university, and we're going to let all criminals stay out. Well, we're an open campus. You can't let criminals stay out because people can come on this campus at any time."

Diversity, Equity, and Inclusion

Demographic profiles help determine the level of diversity represented as an institution. As chapter 3 outlined, the institution is only 5% Black or African American, with an overwhelming 83% representation of White students. Faculty representation exhibits a little more

diversity with 13% Asian; however, the White population encompasses 78% of their faculty composition. Student gender composition includes 39% males and 61% females while faculty gender composition includes 57% males and 43% females. Race demographics for this institution present significant gaps. Gender has an improved diverse profile for faculty; however, gender composition for students also presents a gap.

Language from the mission statement that relates to this review process aims to "create opportunities" and foster an "appreciation for rich diversity" and develop "an inclusive, just, and equitable community." While a Diversity and Inclusion page exists on the website with links to resources and student organizations, a diversity statement is not evident. Institutional core values include being a "pluralistic" and "socially conscious" community. While the institution strives to promote an atmosphere to support an intolerance of injustices, the lack of resources on the institution's website regarding the community standards review confirms the vagueness of how DEI is reflected within the institution.

Access and Opportunity

This conduct professional felt there is not a fair process in place. Applicants are not always held to the same standard. For example, students that display a specific talent and could add value to the institution through a skillset, this process is recognized to be more lenient for that population. It is also perceived that staff members overlook incidents that could easily have different student outcomes without accountability in the review process. While the institution wants to ensure students feel safe on campus, beliefs include that "people's past does not determine their future." The conduct professional feels "we have to give them a chance" and "just because somebody did something one time does not mean that that's going to be their

forever life journey." Therefore, the institution realizes, "we just have some tweaks we got to do."

Institutional Values

As staff members rush the review process, it does not support the institution's mission statement of "appreciating diversity of thought" and to "foster understanding." If institutions fail to spend time providing a holistic review of the applicant's demonstrated history, then it does not reflect the values of DEI. The institution strives to cultivate an inclusive community but does not afford students the opportunity to demonstrate lessons learned and ability to be productive members in the learning community. This practice does not foster understanding or make attempts to incorporate a socially conscious or judicious value within the review process.

Isomorphism

This institution utilizes the Higher Education Policy Commission as a resource to confirm which state laws they are exempt from as an institution of higher learning to determine an outcome for a student with various incidents in a criminal history. Recently, state legislation passed that allows individuals with a concealed carry permit to bring firearms on a college campus. This institution shared concerns about how this state law will provide implications to this review process because of how weapons are viewed for criminal-related charges and the argument for how decisions are currently made that promote campus safety. Because this is now a state law, this is representative of coercive isomorphism. Additionally, the Board of Governors' Policy of Students Rights and Responsibilities is an example of coercive isomorphism and outlines how this institution considers applicants as students. Therefore, applicants are subject to conduct standards and "are expected to maintain high levels of standards of conduct and comply with behavioral expectations."

Normative isomorphism reflects in a couple capacities. Individuals utilize professional networks, such as the Association for Student Conduct Administration (ASCA), to discuss different trends regarding this review. Additionally, lived experiences of those involved in the decision-making process influence different perspectives. The student conduct professional has a background in foster care and brings experience with the judicial system, social workers, and probation officers. This knowledge and skillset create a unique perspective that impacts understanding and cultural norms in the review process.

The "American Dream"

One interesting point of discussion related an ideal process to achieving the "American Dream." Students feel they will become successful if they go to college and earn a college degree. "Why would we stop that if we're saying that we're an education system?" This administrator believed it is essential to gather support from academic disciplines, such as criminal justice, political science, counseling, and psychology, to help educate campus partners on the impacts of these decisions. It would also increase awareness and help others to consider different perspectives before continuing the same analysis protocol in the decision-making process. Conversations with those who make decisions and assess why administrators decide not to offer admission can help address enrollment barriers that would otherwise provide opportunities for students.

Recommendations for Improvement

This conduct professional made recommendations that could further support the review process. The first recommendation included not charging an application fee for a student that checks yes until the student clears the conduct review for admission. Student Conduct recognizes that fees associated with the application process are a barrier for some students, and "if they have

been in trouble, it's going to be hard for them to pay that application fee. Then we're going to tell them no, but we're not going to give them their money back." To bridge that inequity, a temporary delay in paying that fee would help students financially who could get denied admission.

The second recommendation that surfaced in the interview was utilizing the Student Government Association (SGA) to advocate for change in the review process. Students often create resolutions to enact change on the college campus. "I would like to see them do some resolutions around this whole area." As peers on campus, they can be a catalyst to make "real progress and real change."

Accessibility of Information

The institution has little information about this process on their website. I did not find information about this undergraduate admissions review process on this institution's website. Numerous keyword searches were utilized in a google search and within both the admissions and conduct pages of the website. However, the only language found on the website regarding this review process was primarily for graduate programs in the medical field. These types of programs require a formal criminal background check for compliance to obtain licensure upon completing coursework and progressing in the medical field. Neither language that informs an applicant that disclosure of a criminal history does not automatically disqualify an individual for admission nor language that encompassed that the institution reserves the right to revoke or rescind admission if information is falsified was found in the catalog or on the website.

Institution 3: Reality After a School Shooting

Institution 3 is a large research-focused university in the Southeast region. After agreeing to participate in the study, the institutional stakeholder first engaged in an interview and then

completed the survey. I interviewed a director of admissions with 29 years of experience in college admissions who has oversight of this review process. They were hired at this institution in 1993 working in international admissions and progressively held various roles that led to a promotion as the director of admissions in 2015. In addition to participating in the interview and survey, this institution also provided data pertaining to how many students on average appeal a committee review decision and related outcomes. Artifacts analyzed for this case include relevant state law, mission statement, diversity statement, institutional core values, IPEDS data, and Clery data.

The third case represents an institution that, despite being a victim of a school shooting, focuses on service to the student throughout the application cycle. There have not been any recent changes to the existing review process; however, they routinely assess their process to ensure it is fair and equitable and, as technology evolves, to ensure that it is efficient. The following sections discuss the overview of the process, composition of the review committee, findings related to each research question, and accessibility of public information.

Overview of Process

The community standards review process takes place before the final admissions decision is made. The admissions application consists of three questions for the conduct review. The first question inquiries about educational misconduct, and this includes plagiarism and other academic-related sanctions. The second question asks about law conduct, and this involves convictions such as DUI or lower-level drug charges. The third question captures any felony-related incidents.

An affirmative response to any conduct questions requires a student to submit a statement to provide more details; however, the third question requires the student to submit a formal

criminal background history from each state where any violations occurred. At this point, the institution needs the full criminal record on file. If violations occurred within the same state as the institution, the history can be emailed directly from the state's law enforcement department, and this costs $24. Otherwise, the student must request a copy and supply it to the institution. Fees associated with a criminal background history vary by state. The admissions office clears incidents that do not pose a significant threat to campus and the judicial review committee reviews applicants' files with higher-level charges.

Committee Composition

The judicial review committee is comprised of the campus police, legal counsel, student conduct, faculty development, and admissions and "provides the recommendation to clear or not to clear" the student. If the committee does not clear a student, the application is denied, and the student will receive email notification of this decision. The student can appeal the decision and may do so in person with the admissions committee, which consists of faculty members appointed by the provost. On average, less than ten students submit an appeal each year, and a majority of the judicial appeals are approved. The graduate admissions process for the criminal history review functions the same as undergraduate admissions.

Administrator Perceptions

Only one administrator was identified to be interviewed at this institution. This admissions professional describes their process as fair, though not perfect. There is a focus on maintaining human connection while working with students to navigate the process. This reflects in the statement, "I think it's really important to be sure to add that human element, so that they are feeling like this is a safe place where they are given a fair evaluation." This admissions team recognizes when working with people that have unique situations, students can get emotional and

are often vulnerable. Therefore, it is important to maintain professionalism and to respectfully guide students through the process.

The desire is for students "to understand that we, as a committee, are not there to try the person for whatever crime or misconduct." The admissions team is trained and works diligently "on making sure that we curtail prejudice and judgment." This administrator considers service a personal value and chooses to instill this value as a guide for the admissions team when working with applicants. They also want to ensure that they "make the process of applying to college as easy as possible."

Diversity, Equity, and Inclusion

Demographic profiles help determine the level of diversity represented as an institution. As chapter 3 outlined, the institution's student population is 21% Hispanic and 9% Black or African American. The geographic location of this institution supports why diversity is evident with race, particularly with the Hispanic population, though can take advantage of proximity and provide educational opportunities for this population. While the faculty population does not mirror the same level of diversity in terms of race in student demographics, females are more heavily represented in both student and faculty classifications.

Language from the mission statement that relates to this review includes the desire "to instill character" and "personal responsibility within a community that embraces diversity." There is content on the institution's website that directly outlines diversity initiatives, along with affinity groups, various resources, and training opportunities. The diversity statement aims to create an environment of compassion. This was reflected in the interview when the administrator described using compassion and listening to students in situations when they get upset throughout this review process. The institution's core values also relate to DEI and encompass

“dynamic inclusiveness” by creating a “strong sense of belonging.” Because this institution allows students to appeal committee decisions in person, and most appeals are approved, this supports their core values of providing a strong sense of belonging. Providing students an opportunity to come to campus and have a conversation about their criminal history affirms the institution is not quick to reject students and sends the message they are willing to provide opportunities and help students feel like they belong. Therefore, it is evident DEI values are reflected within their review process.

Institutional Values

Service is the overarching value of this institution. They handle each student with care and the attitude of “we're here to serve and so how can I be of service to you?” This value stems from other institutional values of “welcoming, understanding, and appreciating the differences within our community.” The admissions office recognizes students enter this process “with a lot of anxiety and a lot of stress” and these situations “can be very sensitive.” This institution also believes if a student is denied admission, then after time passes and there is evidence of maturity and growth, a student can reapply for admission. “It's rare to say you can never come here.”

They also recognize a bias in the review, which is reflected when they read applications and statements regarding a conduct incident. They explained they “feel one way and having met with students, heard their stories, and talk to them, feel a different way.” Because they strongly emphasize the human connection and truly work with each student through the process, they realize having different touchpoints makes a difference in the outcome for the student. Through assessment, “it allows you to look at your process and go, is this a process that is fair and equitable?” It is evident that maintaining a fair process is a top priority.

Isomorphism

Coercive isomorphism reflects in the state law that outlines college admissions decisions, permitting universities to deny college admission based on a student's prior misconduct. Though this institution gives students opportunities to demonstrate they have overcome challenges and are ready for higher learning, there is support from this state that students can be denied if deemed as a potential disruption to the campus community. While many states assume this duty, this state specifically outlines that if an institution determines it is in a university's best interest to deny admission or enrollment to a prospective student because of the applicant's history with misconduct on or off campus, a university may do so, providing that the denial aligns with state and federal law.

Secondly, this state mandates two specific questions for the misconduct review on the application. The first and second questions inquire about academic misconduct and probes for law misconduct. This institution opted to add the third to capture felony information. Lastly, in light of the Ban the Box movement, this state legislature requested demographic information from students flagged in the review process from this institution to assess populations impacted in the review; however, this state never pursued legislation.

Campus Safety

This institution witnessed a school shooting on its campus. "I think it presents us with an opportunity to let our university community and the public in general know that there is a process in place." The committee maintains the "same goal of keeping our community safe." It is challenging to predict threatening behaviors on a college application. There is an understanding of "you never know what's going to happen with what we already have." However, the institution feels, "there's some comfort in knowing that while we will not catch everyone, and

things will still happen, there are at least some types of process in place where we have an opportunity to review it and make those judgment calls." The ultimate is goal is to "just make sure that we try not to invite anything more into our campus."

Compassion

Overall, the institution is very satisfied with the current process. They are mindful of ways to make the process as efficient and helpful as possible. This administrator explained, "I think it's really healthy to look at that process and I think it's important to think is there an opportunity to improve it." One example is through affirmations their office gives to students. Conversations are often difficult because situations are sensitive. This director trains their staff to use compassion and refrain from reacting aggressively when a student gets upset over an admissions decision. "You don't know what somebody has been going through that day." By taking the time to listen and treating each conversation as if it was the first time having that conversation, "you have now affirmed to the person that they're being heard, and that's what they want more than anything, to be heard."

Accessibility of Information

Information about this review is difficult to find on this institution's website. The institution has limited information about this process in two areas. First, the catalog addresses the process by outlining that the university reserves the right to deny admission to an applicant that possesses an unsatisfactory record relating to academics, conduct, health or behavior. However, I did not find a policy regarding this process in the university catalog.

Secondly, the admissions website outlines expectations for admission, including a holistic review and one where the institution looks at the student's character, but there is nothing specific to a conduct review for admission. Additionally, I could not find language that outlines this

review process, nor language stating that checking yes to one of the conduct questions does not automatically disqualify an applicant for admission. I was also not able to locate information through a general google search or through the institution's website.

Institution 4: Second Chance Pell

Institution 4 is a large research-focused university in the Midwest region. After agreeing to participate in the study, the institutional stakeholder first engaged in an interview and then completed the survey. I interviewed a vice president of enrollment management with 24 years of higher education experience and 12 years specific to college admissions. They were hired at this institution in 2020. After a period of having one person as the sole decision maker, the administration made changes to include other individuals in the review process. This administrator brought experience from other higher education institutions and felt comfortable leading changes for this review process. In addition to participating in the interview and survey, this institution also provided data pertaining to how many students are denied admission and on average appeal a committee review decision and related outcomes. Artifacts analyzed for this case include relevant state law, mission statement, diversity statement, institutional core values, IPEDS data, and Clery data.

The last case represents an institution that revamped the review process in the last two years. They are the only school in this study participating in the Second Chance Pell Experiment. Additional information analyzed for this case includes a state law, mission statement, institutional core values, IPEDS data, and Clery data. The following sections discuss the overview of the process, composition of the review committee, findings related to each research question, and accessibility of public information.

Overview of Process

The community standards review process takes place before the final admissions decision is made. Applicants self-identify a prior history on the college application. Two questions on the application ask about prior criminal history and academic misconduct. While the review process is the same for undergraduate and graduate students, there is one difference in the placement of the review. Undergraduate students are reviewed for academic admissibility first. If a student meets academic standards, those that "check the box" are given directions on how to provide information and documentation. However, graduate students "go through the pre-admissions group before going out to the college for decision. That is mainly because we do not want a college to invest their time and energy and have the student be denied admission."

After the information is gathered, a staff member from admissions and the dean of students office reviews the information. Higher elevated information is forwarded to the pre-admissions committee to discuss each applicant. There is no set rubric on how to handle each type of offense. The institution uniquely determines each applicant based on all the information provided on a given history. On average, about 10-12 students are denied admission each year. An appeal process is in place; however, on average, only 1-2 students submit an appeal. Typically, one appeal is approved each year. This review process is evaluated annually and relies on legal guidance to affirm the process.

Committee Composition

The pre-admissions committee consists of a representative from admissions, the dean of students, the student conduct office, the campus police department, and Title IX. The committee's responsibility is to review conduct-related incidents self-identified on the admissions application and discuss each applicant holistically. The committee meets every other

week and makes one of three recommendations: recommend for admissions, do not recommend, or recommend with reservations. Typically, the only restriction for a student is not living in campus housing, and these decisions often stem from offenses that could cause concern in a residential community. Though the committee makes recommendations on the outcome, the final decision comes from the admissions office.

Administrator Perceptions

Only one administrator was identified to be interviewed at this institution. Perceptions of the review process include overall satisfaction. This administrator describes the criminal history review as holistic. “Every case is uniquely determined.” There is no set structure or protocol for the outcome of each type of criminal-related charge. The admissions team tries “to advocate for them to help them through” because they “don't want to hold it against these students forever.” There is an institutional focus on how to serve the needs of these students. Two beliefs were evident in the interview: “We believe in education and having an opportunity to pursue goals” and “we believe in second chance.”

Diversity, Equity, and Inclusion

Demographic profiles help determine the level of diversity represented as an institution. As chapter 3 outlined, the institution’s student population is only 8% Black and 4% Hispanic. Faculty demographics include 6% Asian and 4% Black or African American. There is an overwhelming representation of White population for both students and faculty. In relation to gender, there is a significant presence of females from students and a balanced gender among faculty.

Language from the mission statement that relates to this review process includes a goal to “provide access and opportunities” and desires to “foster a diverse and inclusive community.”

There is content dedicated on the website that outlines the institution's commitment to diversity, diversity dashboard, along with institutional resources such as training and anti-racism efforts. Core values related to DEI include an "inclusive environment" that "creates a genuine sense of belonging" and "diversity of identities, cultures, and beliefs." Because this institution offers a prison education program and Second Chance Pell, this creates a space that is inclusive of students with a criminal background. Therefore, it is evident DEI values reflect in the institution's practices.

Access and Opportunity

Students often get upset and frustrated in this review process. When institutions ask for additional information about an incident, particularly surrounding an incident that occurred 10 or more years ago, students often question why more information is needed. This presents an opportunity for institutions to affirm the student and assist them throughout the process and this administrator feels, "students are very appreciative when they have an opportunity." Through this review process, the admissions team can develop relationships with students and provide guidance in their next steps of the enrollment process. This institution is also mindful of how equity plays a role in this process and considers "who this process is really being focused on" because they recognize there are things to still learn about in this process. This administrator felt that they "review a small number of our overall applicant pool;" however, realize they should involve other voices to enhance inclusivity.

Isomorphism

Coercive isomorphism reflects in the state law that outlines parameters when students engage in behavior that results in expulsion. The state law's purpose is to protect the campus community members from violent crimes committed on or near college campuses is located

within the Student Conduct content on the school's website. If a student is convicted, sanctions include either a dismissal or a minimum one-year suspension from the institution. As incidents occur on a college campus and students interface with law enforcement, this influences how students are reviewed for college admission when they transfer or reapply. The administrator also expressed an interest in monitoring which states pursue Ban the Box. While state legislation governs this process, and it is unsure if this specific state will move in that direction, it is discussed as a point of interest to observe what other states endorse.

Mimetic isomorphism is also evident in this institution's process. The administrator's prior professional experience with the review process at a different institution had influence of promoting change to the existing process. "I kind of adopted the way we did it there." There was a level of comfort in recommending changes and creating a plan to move forward. This administrator felt this new process incorporated better practices to include more individuals in the decision-making process.

Culture of Change

The decision to change the review process from one person as the sole decision-maker to a full committee came with the full support of senior administration. In a joint effort with another department, drawing from prior experience and assessing the process in place, it was evident that changes were necessary. This administrator identified challenges in the process and described the following concerns: "I think you're opening yourself up liability-wise and for more complaints, as opposed to having a committee of different voices review." Not everyone involved in the review process understood the need for a broader process instead of one person reviewing information. However, this administrator feels it has taken time to adapt to change and shared overall satisfaction and commented, "it's been very productive."

Second Chance Pell

This institution is involved in a prison education program through community and state efforts. “We are working to help incarcerated individuals pursue their educational goals.” A passionate faculty member leads the efforts as the state encourages this institution to participate. With “Pell being afforded now to prison education, it has opened the doors to say if federal funding is going to become available, then we probably need to be more sensitive to our students’ needs and where they're coming from and figure out how best to support them.” Because this institution is a part of the Second Chance Pell Experiment, it demonstrates the commitment and value placed on creating pathways to education and supporting students, even in a controlled environment.

Accessibility of Information

Locating information on this review process on the institution’s website was straightforward. The institution has information about this process in two places. First, the catalog incorporates language regarding the pre-admissions review. It outlines the requirements of the process and states that checking “yes” to any disciplinary questions does not automatically preclude admission to the institution.

Secondly, relevant information is found on the admissions page. When applicants check yes to one of the disciplinary questions, they must submit a form that captures more information about dismissal from another educational institution and a criminal history. The website contains this form for a student to submit a personal statement and provides clear instructions for the next step in the review process. It is unclear if language notifying students that the institution reserves the right to revoke or rescind admission if falsified information is evident.

Summary of Individual Cases

Each case presents unique characteristics of the community standards review process. Administrators who participated in the study have different backgrounds and lived experiences that contribute to how they perceive and lead the community standard review process efforts. As governing structures look differently in various states, this influenced how much control institutions have over a review process and campus safety assessment. The analysis of each individual case led to the conclusions drawn for this study and are organized into four overarching themes: personal relevance, campus safety, advocacy, and state legislation.

Cross Case Analysis

These themes were identified by analyzing codes that emerged in this study and support the findings in the data from each individual case. The first theme, personal relevance, reflects how each participant connected to the study and how lived experiences played a role in the respective institutional review process. The second theme, campus safety, addresses how each institution defines safety and measures taken to ensure a safe learning community. Advocacy, the third theme, represents actionable steps in how each institution assists the applicant through the process. Lastly, state legislation describes the influence that state policy has on the community standards review process.

Personal Relevance

Personal relevance, lived experiences, and social identities influence how administrators approach the community standards review process. While representation from research sites consists of one Black woman, one White woman, one Black man, and one White man, social identities among the participants go far beyond race and gender. Two participants hold doctoral degrees, and two have master's degrees. Three participants hold lifelong careers in higher

education, though one transitioned to Enrollment Management later in their career, and one participant transitioned to higher education midway through their professional career.

One participant identified as an international exchange student in college and eventually transferred to a college in the United States, graduated, and has been a permanent resident and employed in American higher education ever since. Another participant identifies as first-generation, grew up in a lower socioeconomic household, and was a student-athlete in college. One participant has a background working in the social system and brings a wealth of knowledge about foster care and individuals serving probation. In contrast, one participant is directly impacted by the social system as a family member is currently incarcerated.

These identities play a role in beliefs and perceptions about a review process, particularly knowing students come from many of these backgrounds. One administrator believes, “I think a person's background plays a role in how they perceive things and what lens they view things in.” Another administrator felt that it gives “a whole different perspective.” One participant expressed, “I had some values that I think were really important. That kind of helped shape the office as where we are now.” Lastly, another administrator shared that they make decisions based on prior professional experiences at other institutions.

Campus Safety

All institutions have a self-report process that begins the review process. Table 4.1 provides a comparison of the complete institutional process for this review process. In some cases, schools require a formal criminal background check later in the process, but it all begins with the self-report expectation either on the college application or questionnaire. Institutions describe and enforce campus safety in various ways, and all share similar perceptions. Some institutions described campus safety as posing risks or threats to the campus community. Other

institutions described campus safety as determining if an applicant will be a productive member of the campus and assessing if any potential concerns that impact the health and safety of the campus community. There is evidence that some institutions maintain close conversations with campus partners to remain proactive in identifying trends that could affect campus safety.

Institutions differ in what is considered threatening behavior and what needs additional information for various disciplinary and criminal-related charges. Some institutions collect information on everything disclosed on the application, while others collect information on incidents that are more elevated and severe. Table 4.2 outlines what type of information each institution collects for this review. Though no specific rubric or tier level of offenses were shared, research sites were fairly consistent with higher-level concerns to include felonies, sexual assault, murder, and drug distribution.

Two institutions shared they rarely assess conditions to an acceptance for a student with a prior criminal history and one institution shared they never assess conditions. However, two institutions shared students could receive a housing restriction with an acceptance if there is concern from the prior history, and this prohibits students from living on campus. For social media incidents, two institutions stated they do not review social media for misconduct related incidents and one institution stated they only review social media when there is a notification of concern. One institution did not disclose information pertaining to a review of social media related incidents.

Review committees differ in structure and composition for campus safety and threat assessment. Some committees shared consistent positions for representation, such as admissions, dean of students, and public safety representative. However, legal counsel, Title IX, and faculty representatives varied among the institutions. Table 4.3 provides details of the committee

compositions. In addition to having these types of committees to promote campus safety, higher education institutions must also report criminal activity each year through the Clery Act. This is another measure designed to provide safeguards for this type of activity on a college campus.

The Clery data from the participating research sites, outlined in Table 3.3, show that a higher number of incidents stem from disciplinary and arrest cases. Crimes committed on campus were fairly consistent as the second highest occurrence across the institutions. Lastly, VAWA numbers were almost consistently the lowest of the other categories, expect at one institution. In each institutional report, Public Safety provides a detailed explanation of this data and how various situations are handled, along with justification if there is a significant change in data since the prior year's report.

Advocacy

Administrators from each institution reflected on beliefs of advocacy for students flagged in this review process. All institutions in this study affirmed giving students a second chance in various ways. Because most schools provide a holistic review, there is a desire to give students an opportunity to show growth, maturity, and motivation to begin higher education. One administrator declared, "we have to give them a chance," and another expressed, "we believe in a second chance." A third administrator shared, "I see education as an opportunity for people to reset their lives."

There are evidence institutions have a commitment to serve the needs of the student through this review process. One institution felt it was their duty to serve the student and assist in navigating the process. Though, sometimes it is beyond the administrator's control if a student is not cleared for admission as elevated incidents are often committee decisions. If a decision did

not go in favor of the student, “it’s not because the process was cumbersome, or [the staff] were not helpful.”

Two institutions shared almost identical statements, “you can’t hold things over a person’s head for their entire life” and “we don’t want to hold it against these students forever.” Another institution felt, “just because somebody did something one time does not mean that’s going to be their forever life journey.” Similarly, another institution described a situation of a “mature, returning student that early in life didn’t make great decisions, and now has worked really hard to be on the straight path.” Institutions recognize when applicants make strides to move forward. This study includes administrators’ passion about helping advocate for students to navigate the process and identifying the challenges that exist because, for many of them, this is the first time they have applied for college and, they have additional hurdles to overcome.

State Legislation

Isomorphic pressures, such as state legislation, have influence and govern how higher education institutions, particularly public institutions, conduct a review process. Three research sites have state legislation statutes that relate back to the review process. One research site’s state recently passed a law that allows individuals to carry concealed weapons on a college campus. This implies how the institution defines campus safety and will have an impact for the review process.

Ban the Box is a state law for one of the research sites. The institution was eager to implement the change within the review process and helped other institutions in that state transition to the process with a similar committee structure. Two research sites shared that their respective states contemplated and researched this legislation; however, did not pursue action to make any change. One state legislature gathered data on the frequency of applicants answering

yes and demographic information, but nothing became of the initial request. Another research site continues to monitor other states' Ban the Box momentum but was unsure if the respective state would ever pursue legislative changes.

Other state laws that influence the review process concern what is specifically asked on the application and how previous conduct incidents with specific outcomes impact the college admissions process. One state mandates uniform questions to capture misconduct information on the application. While this state allows institutions to add additional questions, specific questions must reflect on the application and outlines that an institution can deny a student based on misconduct. Additionally, one state law allows institutions to deny admission based on an applicant's past misconduct. Autonomy is given to the governing body, such as the Board of Trustees, to establish specific guidelines for each institution within this particular state.

Lastly, one state law attempts to ensure campus safety measures. It states when a student is expelled from an educational institution, upon conviction of a violent crime, suspension must be served for a minimum of one year, provided the student is not dismissed from the institution. This law impacts when a student reapplies for admission or applies to another educational institution within that state.

Conclusion

This chapter provided the findings of each individual case represented in this study. Attention was given to the overview of each institution's process, composition of the review committee, findings related to each research question, and accessibility of public information. I identified four overarching themes to perform a cross-case analysis. Chapter 5 will discuss the findings regarding answering the research questions by each theme in a cross-case analysis format. The next chapter will also interpret the data, draw conclusions, relate findings to the

problem statement, literature, and other scholarship, along with the theoretical framework. Lastly, Chapter 5 will examine implications, limitations, and future research.

Table 4.1

Institutional Comparison of Review Process

Review Process	**Institution 1**	**Institution 2**	**Institution 3**	**Institution 4**
Step 1	Student self identifies on the questionnaire prior to paying enrollment deposit. There is one question as it pertains to felony charges or convictions.	Student self identifies on the application. There is one question regarding criminal history.	Student self identifies on the application. There are three questions regarding misconduct.	Student self identifies on the application. There are two questions regarding misconduct as it pertains to academic misconduct and criminal behavior.
Step 2	Staff member reaches out to the students to see if student is willing to provide additional information.	Staff member reviews information.	Student self identifies on the application. There are two questions regarding misconduct as it pertains to academic misconduct and criminal behavior.	Once students check the box, they are given directions on how to provide information and documentation.
Step 3	Once questionnaire is received, the student's file is sent to a committee for a threat assessment and to determine if applicant is a good fit for the academic community.	Sometimes the reviewer will confer with Public Safety.	The committee reviews the information and provides the recommendation whether or not to clear the student.	Once relevant information is received, then the Pre-Admissions Committee meets to discuss each applicant.
Step 4	The students are notified of the final decision by an official letter sent via email.	Decision is made and letter is mailed.	If student is not cleared by the committee, then the student will be denied and sent a decision via email.	The committee makes a recommendation and sends it to the Admissions office. Admissions will make a final decision and notify the student.

Table 4.2

Institutional Comparison

Overview of Process	**Institution 1**	**Institution 2**	**Institution 3**	**Institution 4**
Placement of Review in Admissions Decision	After	Before	Before	Before
Reviews high school disciplinary information	Only elevated or severe incidents	Did not disclose	Yes	Only if criminal related in nature
Reviews Social Media	No	Did not disclose	Only when notified of concern	No
Conducts formal criminal background history	Situational	Did not disclose	Only indication of a felony	Only when self-disclosed
Appeal Process	No	Did not disclose	Yes	Yes
Graduate criminal history review mirrors undergraduate review	Yes	Yes	Yes	Yes

Table 4.3

Committee Composition

Committee Composition	**Institution 1**	**Institution 2**	**Institution 3**	**Institution 4**
Police Department	yes	did not disclose	yes	yes
Legal Counsel	no	did not disclose	yes	no
Admissions	yes	did not disclose	yes	yes
Dean of Students/Conduct	yes	did not disclose	yes	yes
Housing	yes	did not disclose	no	no
Faculty	yes	did not disclose	yes	no
Title IX	no	did not disclose	no	yes

CHAPTER 5: DISCUSSION

The purpose of this study was to understand the community standards review process for college admission at four 4-year public higher education institutions and explore how or if institutional stakeholders perceive institutional values are reflected in the process. The first chapter of this study provided an overview of the study and established the theoretical framework that guided the study. The second chapter provided a synthesis of related literature. The third chapter outlined the methodology for this study. This exploratory mixed methods constructivist comparative case study analyzed institutional processes regarding community standards review for college admission. I interviewed participants, administered a survey, and analyzed institutional artifacts that included: content published on institutions' websites, university catalogs, institutional data, state laws, mission statements, diversity statements, and core values. Additionally, I analyzed IPEDS and Clery data.

Chapter four presented the findings from this study, and the purpose of this final chapter builds on that through a discussion the results. This chapter includes sections that discuss the results of the research questions in a cross-case analysis format, an interpretation of the data, conclusions, how the findings relate to the problem statement, literature, and other scholarship, along with the theoretical framework. I also examine implications, limitations, and future research. Lastly, I conclude the study by constructing the meaning of the data as it contributes to understanding institutional processes.

Research Questions

This section discusses the research questions' findings in a cross-case analysis format. It is organized by themes and interprets the data and relates the significance of the findings to related literature.

RQ1: How do college administrators at 4-year public universities describe their perceptions of the community standards review process at their institution?

There is overall satisfaction with the current process in place at each institution. As institutions recognize weaknesses in their processes, they also believe they are moving toward providing more students educational opportunities than before. However, one institution felt faculty serving on the committee have unrealistic expectations about students with a prior criminal record. This committee felt anyone with a prior criminal conviction should not be allowed on a college campus. Another institution felt strongly that communication needs to improve. Departments that are closely related to the review process are not always informed of current practice and this creates challenges when working with prospective students. One institution felt they have barriers to enrollment because of this review process. Two institutions believe the current process is fair but also recognize it is not perfect. Additionally, two institutions shared a belief in affording students a second chance, and all schools demonstrated a desire to advocate for students so they could support students as much as possible throughout the process.

These second chances afford vulnerable populations opportunities to utilize education as a means to secure meaningful jobs. For those that spend long periods of time in incarceration, they rely on education to meet job qualifications to earn a fair living wage. Also, the higher the levels of education individuals receive, the likeliness of a return to prison decreases, which lowers recidivism rates. Education sparks hope and when educational opportunities are present, many individuals are motivated and committed to having success that will give them a chance to encounter social mobility. As institutions of higher learning focus on the value of education, and promote core values that include DEI, then regardless of an individual's background, there must

be some pathway that ensures opportunities for equitable education. Because mission statements and published core values are often performative and conflict with practice and policy, institutions must consider changes to align their actions with their message. In efforts to promote DEI, some institutions utilize consistency to maintain a fair process. Institutions often relate the reported disciplinary and criminal history on the college application to conduct infractions that occur with the current student population on that campus. This standard provides context in how institutions approach disciplinary outcomes through the student conduct process and allows for a consistent evaluation of matters that could present safety concerns. While the institutions were vague and did not share precise outcomes and admissions decision of each criminal-related charge or conviction, they felt this standard provided dependability in how to initially review for community standards. This type of assessment includes collaborative efforts in shared decision-making with campus partners that are familiar with conduct violations and criminal-related convictions that pose a threat to a college campus. Oftentimes, these campus partners have representation for a committee review. This representation is significant because it allows more voices to carefully discuss each incident as opposed to a singular individual making a judgment call at that moment of the review and this approach alleviates bias in decision-making.

The problem statement draws attention to the fact that threatening behaviors are difficult to predict (Ramaswamy, 2015). Institution 3 realizes “you never know what's going to happen.” Some college campuses witnessed tragedies and want to avoid such horrific incidents again. Therefore, serious criminal convictions often result in an automatic denial for admission because institutions do not want to risk students repeating such behaviors on a college campus. These types of convictions often include a demonstrated history of violence, murder, possession of weapons, sexual assault, and higher-level drug charges, such as distribution. However, when

institutions are able, they attempt a fair screening for potential risks and threats through this process. It often becomes a decision if an applicant can impact "the health and safety of the campus community" and, therefore, not invite potentially harmful behaviors onto campuses through the admissions process.

Nevertheless, institutions cannot forecast potential challenges. They rely on the expertise of campus partners to discuss any concerns of applicants with a prior history. This presents challenges because it exemplifies an exclusionary practice without having the full context of a given incident. Oftentimes, applicants share limited information on the college application. If admissions review teams possess little knowledge of the legal system and fail to consider underlying explanations for disclosed charges and convictions, this population may be often excluded from admission.

The theoretical framework supports how culture influences the review process. Schein (2017) outlines culture with three levels: assumptions, espoused values and beliefs, and artifacts. The first research question focused on assumptions. As administrators reflected on their beliefs about the review process, they shared what they believed to be true. Assumptions also emerged in how administrators decide what applicants need to complete non-academically to clear this community standards review for admission. For example, students with a violent history are sometimes recommended to undergo "counseling or work on anger management." Administrators believe this type of therapy will have a positive influence on an applicant; however, it is not a guarantee it will alleviate the risk or concern for the review when a student reapplies. Therefore, in Schein's model, perceptions are also assumptions. This level in the model played a vital role in understanding each institution's review process as they socially construct their reality, supporting the constructivist paradigm. As this review process is often

complex, socially constructed realities help researchers understand each institution's experience from the administrator's point of view (Mertens, 2020).

Personal Relevance

One conclusion drawn is that research sites in this study recognize a bias in the process. Institutions experience disagreements and conflict in committee decisions on applicants because of prior history. This difference of opinion challenges the group to think through why they vote a particular way for a committee decision. Mindsets may not change as committee members subjectively view incidents, but having representation of campus partners, different belief systems, and different social identities can help discuss such complex scenarios. When committees discuss the student's complete profile, they can challenge each other on assumptions about a student and, ideally, come to a consensus that best serves the institution. Students often benefit in these situations because as administrators deliberate, there is accountability within the final decision that minimizes bias.

Dweck (2016) categorizes the power of a mindset in two capacities: fixed and growth. As mindsets and thought processes are often influenced by social and cultural norms, representative of normative isomorphism, institutions also assume a duty and responsibility to make decisions that protect the campus community, and oftentimes err on the side of safety. A fixed mindset indicates a lack of adaptability to change a thought process. One institution shared they have committee members that "do not want anyone on campus that has ever done anything wrong." This administrator recognizes this mentality is not realistic, however, represents the mindset of how individuals refuse to think differently when making a decision about a student's prior history. Another institution shared a colleague's concern for shared leadership in the decision-making process. Though the community standards decision impacts admissibility to the

institution and stems from the admissions office, there was pushback to include campus partners for the review. If institutions believe this decision should solely reside within admissions, it reflects a lack of understanding in the importance of including the voices of campus partners. In these cases, a fixed mindset is evident in the process and within the decision-making, and it often creates conflict within each committee. If committees agree they must be unanimous in the final decision, this mindset will create barriers in providing opportunities for students.

Conversely, a growth mindset can develop and cultivate over time. One institution shared, “the group challenges one another, and we'll come to a consensus. But it takes a little bit sometimes.” The committee from this research site strives to listen to each other, think critically, and collectively arrive at a decision. Another institution recognizes progress within the committee in how they view various types of drug offenses. Whereas in previous years, all drug offenses could have led to the same singular decision of not allowing a student to enroll, this committee now recognizes the difference in a first-time, one-time only offense, and that this does not always equate to a felony charge. Therefore, students are now reviewed holistically rather than being placed into categories by types of criminal offenses.

This strategy displays how a growth mindset allows a group to develop new thought processes over time. As administrators and review committees reflect on how decision-making impacts educational opportunities for students, perhaps a growth mindset will be considered more often. Administrators should consider the principle of metacognition and reflect on why they think the way they think. As social identities influence how others think, this creates opportunities for students when they otherwise would have just been denied admission.

Campus Safety

The Clery Act promotes transparency on criminal-related activity on college campuses. Data provided each year explains what occurs on and within proximity of each campus; however, it does not prevent such violent behavior from transpiring. Clery data among the research sites, referenced in Table 3.3, outline what institutions reported last year in terms of criminal behavior, violence against women, and other disciplinary and arrest-related incidents. This data is useful information for stakeholders and can provide insight into what to expect each year on a given campus and relate criminal activity reported on college applications with criminal-related outcomes.

Meiners (2011) challenges institutions to find alternative ways to define campus safety. While the review process screens for potential threats, it rarely considers how to incorporate restorative justice into decisions for fear it will counter campus safety. If institutions want to enact equitable education and create meaningful change by serving all populations of students, then they must implement policy changes that support cultural responsiveness. By offering programming and mentoring, along with admission, to students who would otherwise get rejected, this creates educational opportunities and accountability to lower recidivism rates and help this population learn to be productive campus and community members.

In 2019-2020, over 370 postsecondary institutions offered college credit within prison education programs (Vera Institute of Justice, n.d.). One institution represented in this study offers a prison education program for currently incarcerated individuals. Though this is an educational opportunity in a controlled environment, the institution is adapting to restorative justice principles. These programs are important for individuals who were formerly and are

currently incarcerated as they afford educational opportunities that will assist with securing employment upon release and after completing a college degree.

Decisions pertaining to campus safety often come from a committee review. These decisions have the potential to foreshadow what Foucault described as the exertion of power in terms of punishment because of authority. Foucault's (1977) theory of power supports a social concept that normalizes judgment. Foucault proposes "what has to be arranged and calculated are the return effects of punishment on the punishing authority and the power that it claims to exercise" (p. 91). As institutions review criminal history, a level of judgment is passed onto the applicant. One argument can include, as suggested in the findings, is to achieve campus safety. Institutions have two options: to err on the side of caution or to offer students with a criminal background a second chance. While higher education normalizes threat assessment, it also raises the question of who has the authority to pass such judgment and claim power over the applicant.

According to the findings of this study, state laws and systems that govern this process and justify denying admission because of misconduct claims power over this population of students. Policies that create barriers and make it difficult for students to benefit from an education also claim power over students. While institutions may not always consider how this type of review process can carry such influence over a student, it is important to consider how powerful policies are and address the barriers to create more equitable practices.

RQ2: What is the relationship between institutional values related to DEI and the community standards review process?

All institutions have some variation of DEI represented in their mission statement and core values. One institution shared they take pride in having a diverse campus and feel they give more students access to education. This same institution wants to make formerly incarcerated

individuals feel like they belong. On the contrary, another institution felt strongly that they do not currently have a fair review process for students. As one individual serves as the sole decision maker for this institution's review, it allows for bias with no accountability in the decision-making and is not reflective of this institution's published core values of being a "socially conscious community." A different institution described its service approach to students as "welcoming, understanding, and appreciating the differences" within their community. They felt it was rare to tell a student they could never attend their institution. The last institution demonstrated evidence of incorporating DEI in its review process. Programming, such as a prison education and Second Chance Pell, on this campus are examples of how DEI values are reflected and provides assistance to this population of students.

Schein's culture model also supports how DEI can reflect through assumptions, espoused values, and beliefs, along with institutional artifacts. These levels also provided the framework to collect and analyze data for these values. Assumptions, beliefs, and values did not always match institutional core values; however, dynamic leadership led to shared learning (Schein, 2017), which helped transform previous beliefs to align with more equitable thought processes. Theoretical ramifications resulting from the study's findings include the limited assessment of determining if DEI existed in each process at the research sites. Because this study encompassed a constructivist paradigm, and Schein's theory focused on assumptions, values, and beliefs, institutional artifacts played a crucial role to understand the reality institutions construct and to generalize the findings within each process.

Advocacy

Some institutions use language that encompasses diversity as performative rhetoric (Ahmed, 2018). Mission statements are often one aspect where crafted language exemplifies DEI

values. For example, research sites in this study have mission statements that incorporates terms such as, “inclusive environment,” “an inclusive academic community,” “cultivate an inclusive, just, and equitable community,” and “embraces diversity,” Findings include that some of the research sites that use this language in their mission statement embody diversity as an institution. Specifically, some institutions offer campus resources to support and advocate for underrepresented populations. One institution participates in the Second Chance Pell Experiment and offers a prison education program, while another has an office of contemporary services that support formerly incarcerated individuals.

When programs on a college campus support marginalized populations, particularly formerly incarcerated students, it is evident which institutions are strategic to showcase DEI efforts, advocate for students, and practice their mission and DEI values. As some research sites were able to identify how DEI reflects in their process, one institution could not provide examples of where DEI existed in the process. The administrator felt students rarely could get answers to questions or assistance throughout the process. Whereas some institutions shared that “they try and help them through” the process and “we are here to serve,” one institution did not provide evidence of supporting students through the review process. Therefore, one conclusion is if institutions are not intentional with DEI efforts, values get lost in the message. The adage, “actions speak louder than words,” carries a simple truth. If institutions claim to value DEI, then practices and policies must be in place that supports this ideology.

Institutions desire recognition for their efforts, even if it is not reflective of their practice. Ahmed (2018) believes this recognition is “a measure of good performance” (p. 84). However, as institutions recognize where they lack in exemplifying DEI, a statement that includes the desired goal suggests awareness and therefore, demonstrates an implied effort of DEI as an

institution. Where institutions lack is the consideration for how campus safety pairs with DEI. Proclamations of creating a safe environment are often in the context of DEI and ensuring students feel welcome and included on a college campus and not within the framework of threat assessment within the admissions process. Similarly, this process aims to maintain a safe learning community, but not necessarily within the lens of DEI. Both are designed to promote safety but fail to do so within the same framework. Therefore, institutions must consider how to implement systemic changes that produce an equitable process. If institutions fail to assess how DEI efforts influence this process and intentionally do not implement change, applicants will continue to feel the effects of not being included.

Subsequently, institutions also recognize a bias in the review process. When committee members have pre-existing assumptions regarding the outcome a student should receive due to a criminal history, implicit bias is evident in the decision-making (Banaji & Greenwald, 2016; Smith, 2020). Through advocacy, students are supported throughout the process. Transparency in the process, communication with applicants, listening, and showing compassion are additional ways to support students throughout the review process. Though the decision may not result in their favor, they are provided assistance to navigate the review and have an opportunity for a fair evaluation.

Two research sites spoke about advocacy efforts within the review process. One admissions office is intentional with helping students throughout the review process. Another institution shared the idea of collaborating with faculty with expertise in an academic discipline, such as criminal justice, political science, and counseling that understands the impact of a criminal record and collaboratively create an action plan that would help advocate for students

throughout this review process. Advocacy empowers the applicant and through the process, committees can learn to steer clear of any stigma presented by an implicit bias.

Ott and McTier (2020) argue that stigma is socially constructed. Students with criminal records often carry a stigma and, after going through the college admissions process to an institution, still face this stigma in the classroom. Likewise, Goffman (1963) relates stigma as a form of discrimination and victimizes others because of social differences. Ott and McTier (2020) recommend educating faculty members on how to support students with criminal records and fully access opportunities within higher education. As institutions pointed out, some campus communities are unaware of the community standards review process in place. Perhaps this is because many stakeholders within the institution have the privilege of never having to disclose this type of information and therefore is not familiar with what incidents are associated with "checking the box." Other institutions attempt to communicate with campus partners about this process. Some administrators strive to include faculty in conversations and even include faculty in the decision-making process for committee decisions.

While the review process is often the first phase of academic exposure for students, upon acceptance, they will interact with other institutional stakeholders once they are on campus. Faculty might need guidance on how to engage with and support this population. This presents an opportunity to have conversations about challenges that stem from the review process and how this population can benefit from advocacy. Communication and transparency with campus partners regarding students in the review process promotes values of advocacy and can break barriers that prohibit student success. As some students will face challenges in the admissions process, this will not be the only hurdle to overcome in an academic setting. Therefore, equipping faculty and other campus partners is essential for student success.

RQ3: How does isomorphism influence the community standards review process?

The findings reveal all three examples of isomorphic influences. Various state laws, such as Ban the Box and statutes that outline which questions to ask, permitting institutions to deny students on misconduct infractions, and by parameters around expulsions reflect coercive isomorphism. Research participants' past work experiences and the influence it had on knowledge to revamp an existing process implies mimetic isomorphism. Lastly, normative isomorphism is apparent in social norms, lived experiences, and networking with professional networks. These isomorphic pressures held influence in various ways and had an impact on each existing process at each research site.

Through coercive isomorphism, institutions rely on external agencies for guidance in various processes. As Ban the Box legislation was discussed with the research sites, they recognize the influence state legislators have on public institutions. One institution shared regarding the process, "we take marching orders from the state" and another institution shared, "this is state mandated." As states create policies that guide a process, it helps streamline a consistent ebb and flow for all institutions, which can have benefits.

However, when states pass legislation that is highly contentious and creates apprehension for a campus community, it can be problematic for institutions. One of the research sites expressed concern over legislation that allows concealed carry weapons on college campuses. "We have been fighting that fight of not having that happen...Our university goes down and talks to the people of the Capitol." At the time of the interview, legislation was in progress; however, this legislation has since been signed into law by the governor. Institutions recognize how powerful political climates are within each state, especially on highly debated issues; however, the states hold the ultimate authority on public institutions, and therefore, must comply.

It is common to look at other networks to determine trends in higher education and assess best practices. This is evident within mimetic isomorphism. Peer and aspirant institutions compete in similar markets for recruitment of academic programs. To ensure they provide the most attractive profile as an institution, they want to streamline as many processes as possible, so students do not experience barriers to admission. Institutions will adopt similar ideas through mimetic isomorphism if it is believed it will improve their process.

Two institutions had clear examples of mimetic isomorphism. One administrator had prior experience with the review process at another institution. They felt it was a successful practice and therefore adopted this process at their current institution. Another administrator took a leadership role in helping other institutions within their state recreate their review process to mirror what was in place at their institution. After a state mandate of Ban the Box, and having experience to find an effective practice, other institutions within that state solicited help from this administrator to streamline their review process. Now many institutions within that state share a similar review process. Recognizing value and productivity in a given process is one way to measure effectiveness and efficiency and convince other institutions to consider making changes to a process.

Many professionals draw upon social and cultural norms to make decisions believed to be effective and efficient. This is reflective of normative isomorphism. Institutions have the knowledge and autonomy to identify the needs and recreate a process that best serves the students. Awareness of trends that impact this population and staying current on research are two ways institutions shared they stay informed. One institution relies on professional networks, such as the Association of Student Conduct Administration, regarding this review process. Another institution shared that they monitor conversations regarding state policy to assess their current

practice. As cultural norms shift and some states' ideologies are growing more critical of DEI interventions, some institutions could be forced to use extreme caution in how they incorporate DEI in decision-making (Lu et al., 2023). As some states advocate for prohibiting DEI from campus resources, this complicates how institutions strategize and justify moving towards equitable practices.

These findings support the theoretical framework of institutional isomorphism. DiMaggio and Powell (1983) argue the likeness and resemblance of structures stem from different types of pressure. Through state laws, professional networks, experiences at other institutions, and cultural norms, the research sites resembled structures from external agencies, either by mandate or by choice. These pressures are often bureaucratic and adapting to change can lead to uncertainty if it is not clear if the process will prove effective. Nevertheless, without any pressure to adapt to external influences, a process will remain unchanged and potentially continue to disenfranchise and discriminate against marginalized populations. When institutions fail to recognize how the systems in place impact these students, then efforts to implement an equitable process will never transpire.

State Legislation

There are connections between the findings in this study with the work of other scholars. The first comes from Custer's (2018) study comparing admissions policies at postsecondary institutions between the United States and United Kingdom concerning criminal convictions in the review process. The study noted several similarities, one of which describes common errors made on the application. Some students check the box in error, and this leads to unintentional screening in the review process. Often, error stems from inadvertently checking the box or because a student does not understand what the questions asked. This procedure draws attention

to efficiency in practice and policies and how institutions respond to students and remedy the mistake.

Though neither the United States nor the United Kingdom has a widespread policy on Ban the Box, some states passed legislation. As the Ban the Box gains more attention, questions arise on how this legislation positively influences applicants with a prior criminal history and whether this practice is effective for college admissions. While Ban the Box legislation does not forgive a criminal history review altogether, it does place the review process further along in the admissions cycle. One research site for this study is a product of Ban the Box and expressed overall satisfaction because of a higher number of applications, more acceptances, and improved enrollment rates from students with a prior criminal history.

A second challenge within the review process concerns college application completions. When asked about criminal information, 62% of college applicants do not complete a college admissions application (Castro & Magana, 2020). Institutions recognize that students feel stress and anxiety and often get upset during the process, especially if criminal related activity is more than ten years old. Administrators attempt to help guide students through the process; however, this does not take away the fear of rejection from students. Ban the Box legislation has made progress in addressing this challenge. Institutions in states under this change of process notice positive outcomes correlated with completed admissions applications. As institutions recognize the importance of creating pathways to education, simply moving where the review process takes place eliminates the fear of rejection on a criminal history alone. Ban the Box provides more educational opportunities as more students have the confidence to complete the application and therefore, will receive an admissions decision based on an academic profile.

Conclusions

To answer the research questions, the findings from each research site were examined according to how data emerged. As there were similarities and differences among the research sites, unique traits were presented with each case and allowed further analysis based on those traits. The first research question asked how administrators describe their perception of the review process. Each participant explained their perception of the process, allowing each administrator to construct their reality of the process. The second research question encompassed institutional values and if these values tie back to DEI. This question was difficult to answer without having demographic data regarding the review process and additional communication artifacts to incorporate into the analysis. Therefore, this question was not answered effectively. The last question captured how isomorphic pressures influence the process, and each institution had clear examples of various influences on the review process.

Overall, the findings reveal that each institution in this study is fairly consistent with how they approach the community standards review process. There is satisfaction, though institutions realize each process is not perfect. The findings also reveal that personal lived experiences and social identities played a significant role in how administrators approach the review process and how they advocate for an applicant's given history. Identities such as first-generation, entering college as a low socioeconomic student or as an international exchange student, having family members currently incarcerated, and having a professional background working in social system have impact on how administrators view various criminal-related incidents. Administrators represented in this study advocate for students, value service, and believe in second chances. There is a clear passion among administrators involved in this review process who desire to create pathways to education for students of all backgrounds.

Institutions are also cognizant of what DEI should look like in this review process. While they recognize inequities in the process, they are hopeful to make additional changes that reflect a fair and equitable process. Various external influences impact the review process; however, state mandates are common among all the research sites. Awareness of DEI is evident; however, administrators did not supply enough institutional data to analyze, and therefore results lacked a thorough analysis. State climates influence statutes and govern how college admissions inquire about criminal history. Thus, the research sites comprised various states in different geographic regions and political climates of the United States and produced different results for isomorphic influences.

Limitations

This study's limitations include the lack of institutional data and relevant information from research sites to fully understand the impacts of the current review process at the institutions. The level of willingness to provide data and answer the survey varied by each institution and was not consistent across all cases. Questions arose about how this study would keep anonymity intact; therefore, some participants did not share extensive information. One institution had vacancies in vital that played a significant role in the review process. If those positions were currently in place, there would potentially be more answers to unanswered questions.

Participants were also limited by implicit bias in perceptions about their institutional process. Though this study focused on beliefs and values reflected in the process, rhetoric from the interview stemmed from one person at each institution's thoughts and perceptions. The initial plan to collect data consisted of working with a few administrators at each school. As the study progressed, the administrators that committed to the study essentially served as the spokesperson

from each institution to discuss their process. If more administrators had been involved, it could have provided a more accurate picture of values and beliefs within this review process.

As a comparative case study, this study only represents a few institutions. The research sites were not comprised of similar characteristics, such as size, geographic region or state, accrediting body, or athletic conference, and therefore were not peer and aspirant of each other. The recruitment process was long because several institutions wanted to keep their review process private. Consequently, this study was limited to the only institutions willing to commit and participate. The analysis truly focused on data findings among this set of institutions rather than among institutions with similar features.

This study achieved the purpose of understanding the community standards review process and explored how stakeholders perceive institutional values that are reflected in the process. However, it could only partially grasp how DEI reflects in the process. Without having demographic data, statistics of applicants screened and cleared for admission, or language used to communicate with students in the process, the level of inclusivity is not clear. The lack of supporting artifacts makes this analysis inconclusive.

Improvements for this study should include a commitment from each research site to supply all requested information. This commitment helps with consistency in artifacts and data for the analysis process. Because one institution was from a Ban the Box state and another offered a prison education program, it would add value to the research if there were similar characteristics among all the research sites included in the study. This study did not expand on the development of the current practice or policy. This variable would have been useful to understand better why the process is in place at each institution.

Implications for Practice

This research implies that students flagged for the review process often become frustrated or disgruntled in the review process. Also, because this leads to another step in the admissions review, it prolongs the wait time for a student to receive notification of the admissions decision, as most committees do not convene weekly. This research also suggests that a campus community may not always know that this review process exists or the level of screening that is involved in the process. Institutions attempt to make the best decisions on behalf of safety measures; however, often, in making these decisions, students get discouraged.

As a result, institutions should be mindful of how they communicate and if compassion and encouragement are part of the language used with students in this process, especially if the institution truly values DEI efforts. Institutions can also assess the number of students impacted in this review process as it provides data on the number of applicants that have barriers but seek admission for higher learning. Committees can assess why cases result in denying admission and talk through those reasons with professionals in related academic fields, such as criminology, political science, and counseling. By recognizing the need to add more voices and provide new perspectives, committees can ensure they have a diverse range of institutional representation in these critical decisions.

The findings suggest that higher education administrators can use assessment data to address enrollment barriers associated with this process. Research indicates that many students do not complete an application once they see the criminal-related question. As the expected enrollment decline reaches higher education due to the changing demographics of students (Grawe, 2018), this population of students could use attention in navigating the process. Providing students with the counsel of an admissions representative is likely to increase the

number of completed applications. Also, understanding the assessment data and how many students are impacted in the process is essential to starting conversations about how to make changes in the process that are more effective and efficient and potentially foster an environment of inclusivity. Lastly, through assessment of any given process, higher education administrators can think through the challenges of decision-making within a process when revising related policies.

One of the most important implications for practice in higher education administration includes transparency in the admissions process. The clarity in language shared on institutions' websites and through communication with students affirms students on questions that may not always seem clear. For example, when institutions provide a further explanation of what a question means and what students should disclose on the application, this alleviates confusion with legal jargon and helps the student understand when it is appropriate to answer yes. Some institutions provide a notation that includes, "traffic citations $200 or more should be included" or "out-of-school suspensions that resulted in more than ten continuous days of suspension." When language is easily found on an institution's application or website and outlines the community standards review process, this provides clarification for potential students on the evaluation criteria for the respective institution.

Other implications include consistency in the process and committee representation. While an internal rubric of decision-making may not eliminate challenges in the process, consistency in questions asked, inclusive language, communication with students, and assurance a criminal history will not automatically disqualify a student for admission creates best practices and healthy habits for a given process. Consistency in these areas also helps eliminate bias in the process. Lastly, consideration for committee representation allows an institution to designate

who needs to be involved in committee decisions. Having diverse representation and perspectives will give students more opportunities for advocacy. Committees that encompass diverse voices can think critically to determine the difference between actual threats as opposed to assumptions of potential threats. For instance, one institution incorporated a Title IX representative, and while this was unique to the other research sites, it validated that the institution thought through frequent cases that are reviewed for misconduct and incorporated a Title IX professional represented on the committee.

Recommendations for Further Research

The purpose of this section is to offer recommendations for future research. Recommendations include further exploration of the review process, incorporating data with student conduct outcomes, focusing on Ban the Box states, and research on prison education programs and institutions that offer Second Chance Pell.

A larger sample for this type of study will help identify which aspects of the overall process are effective and efficient, along with having the ability to identify unique traits in institutional processes. If institutions provide data regarding the demographic information of students flagged for the review, it can also narrow the analysis to focus more on how DEI is reflected in the process. With a higher participation rate for this type of study, trends, and variables can be measured quantitatively to test for significance in the data.

A second study could test if students flagged in the review process are the same population of students with conduct violations during enrollment. A quantitative study can measure these conduct outcomes. According to the current study, institutions do not maintain records of how students perform during enrollment. However, institutions recognize internally that data is retrievable. Institutions often make admissions decisions by predicting violent or

threatening behavior. Therefore, by measuring conduct outcomes, analyzing how many students are flagged in the admissions process matriculate to college, and if such demonstrated behavior continues following a prior history, this could provide insight on the likeliness of conduct violations from this population following enrollment.

Another recommended study includes measuring outcomes for Ban the Box states. Because Ban the Box is still relatively recent for various states' legislation, this presents an opportunity to perform a longitudinal study and assess outcomes on college campuses in these states. If states are concerned with this legislation, a quantitative study could be used to compare results of prior and recent outcomes of Ban the Box and measure effects in the represented states. Institutions could also measure if there is an increase in completed applications, the number of students flagged for the review, the number of students cleared for enrollment, enrollment outcomes, and conduct infractions during enrollment. This would provide data to understand how this legislation influences enrollment outcomes. Additionally, measuring outcomes for Ban the Box with Clery data could determine if there is an increase or decrease in crime rates on a college campus.

A fourth recommended study includes partnering with institutions that have prison education programs. A qualitative study could focus on this population through the admissions review process to further explore how institutions adapt their practice and policy to accommodate prison education programs. A researcher could also analyze if conduct infractions arise during enrollment, performance throughout the degree program, and document any challenges that occur for incarcerated students. This assessment is vital to understand success rates in prison education programs.

Lastly, Second Chance Pell is still in the experimentation phase; therefore, research studies could identify challenges and affirmations in the process. Because Second Chance Pell creates an opportunity to help fund postsecondary education for individuals in prison education programs or upon release from prison, a quantitative study could measure students' academic progress to maintain eligibility for federal requirements or to measure how many students from this population complete a college degree. Additionally, a qualitative study could recruit Second Chance Pell recipients to understand better how this program influences access and obtaining a college degree.

Summary

In conclusion, this study has the potential to further explore the community standards review process at other institutions to understand better how DEI values are evident within the process. There is overall satisfaction, and administrators intentionally serve the students' needs. Administrators describe their review process as fair, though not perfect, and feel they are moving in the right direction of having more equitable processes in place. Personal lived experiences and social identities play a significant role in how administrators perceive their current process.

Mindsets influence how institutions evaluate systemic changes that produce equitable processes. Therefore, it is vital administrators consider metacognition when assessing and evaluating the respective review process. There is an awareness that implicit bias exists in the process and administrators aim to make the review more fair and equitable by including more diverse voices in the review process. While administrators advocate for incorporating more inclusivity, institutions and state mandates sometimes create barriers.

Lastly, isomorphic pressures carry significant influence on the process at each institution. State legislation governs how institutions approach the process. Prior work experience and

professional networks often impact how institutions approach a review process. If institutions of higher learning desire to create pathways to education for more students with a prior criminal history, there are opportunities to adopt transformative practices that includes restorative justice. To create meaningful change for equitable education, higher education institutions must recognize the need to add diverse voices with more representation of social identities in the review process. Institutions must also advocate for inclusive practice and policy at both the institutional and state levels to address barriers that prohibit educational access to students with a prior criminal history.

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APPENDICES

Appendix A: Institutional Review Board Approval

December 8, 2022

Kayla Johnson
Coastal Carolina University
Conway, SC 29528

RE: Exploring the Community Standards Review for College Admission: A Comparative Case Study

Kayla,

It has been determined that your protocol **#2023.84** is approved as **EXPEDITED** by the Coastal Carolina University Institutional Review Board (IRB) under the Federal Policy for the Protection of **Human Research Subjects Categories) #6 & 7**,

- #6 - Collection of data from voice, video, digital, or image recordings made for research purposes
- #7 – Research on individual or group characteristics, behavior, or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.

This approval is good for one calendar year commencing with the date of approval and concludes on 1**2/7/2023**. If your work continues beyond this date, it will be necessary to seek a continuation from the IRB. If your work concludes prior to this date, please inform the IRB.

Approval of this protocol does not provide permission or consent for faculty, staff or students to use university communication channels for contacting or obtaining information from research subjects or participants. Faculty, staff and students are responsible for obtaining appropriate permission to use university communications to contact research participants. For use of university email to groups such as <u>all</u> faculty/staff or <u>all</u> students, requests should be made to the Provost's Office after the research protocol has been approved by the IRB. Please allow at least one week to receive approval.

Please note, it is the responsibility of the Principal Investigator to report immediately to the IRB any changes in procedures involving human subjects and any unexpected risks to human subjects, any detrimental effects to the rights or welfare of any human subjects participating in the project, giving names of persons, dates of occurrences, details of harmful effects, and any remedial actions. Such changes may affect the status of your approved research.

Be advised that study materials and documentation, including signed informed consent documents, must be retained for at least three (3) years after termination of the research and shall be accessible for purposes of audit.

If you have any questions concerning this review, please contact Patty Carter, IRB Coordinator, at pcarter@coastal.edu or extension 2978.

Thank you,

[redacted]

Stephanie Cassavaugh
Director, Office of Sponsored Programs and Research Services
IRB Administrator

cc: Sheena Kauppila

Appendix B: Recording Authorization

PHOTOGRAPHY, VIDEO OR AUDIO RECORDING AUTHORIZATION

I hereby release, discharge and agree to save harmless Coastal Carolina University, its successors, assigns, officers, employees or agents, any person(s) or corporation(s) for whom it might be acting, and any firm publishing and/or distributing any photograph, video footage or audio recording produced as part of this research, in whole or in part, as a finished product, from and against any liability as a result of any distortion, blurring, alteration, visual or auditory illusion, or use in composite form, either intentionally or otherwise, that may occur or be produced in the recording, processing, reproduction, publication or distribution of any photograph, videotape, audiotape or interview, even should the same subject me or my to ridicule, scandal, reproach, scorn or indignity. I hereby agree that the photographs, video footage and audio recordings may be used under the conditions stated herein without blurring my identifying characteristics.

If you have any questions about this research study, please contact Kayla Johnson by phone 843-421-3500 or email kayla@coastal.edu.

The faculty advisor on this study is Dr. Sheena Kauppila and she can also be contacted by phone 608-320-9514 or email skauppila@coastal.edu.

The Institutional Review Board (IRB) under the Office of Sponsored Programs and Research Services is responsible for the oversight of all human subject research conducted at Coastal Carolina University. If you have any questions about your rights as a research participant before, during or after the research study, you may contact this office by calling (843) 349-2978 or emailing OSPRS@coastal.edu.

I have read this authorization and have been able to ask questions of the PI and/or discuss my participation with someone I trust. I understand that I can ask additional questions at any time during this research study and am free to withdraw from participation at any time.

Participant's signature: _____

Date: _____

Appendix C: Interview Protocol

1. What is your educational background?
2. How did you come to this role in higher education?
3. How long have you been involved in this review process?
4. How do you define campus safety through this review?
5. How do your social identities play a role with how you approach this process?
6. What does your process look like? Walk me through those steps that occur.
7. How do you determine what is an "elevated incident?"
8. What is your scope for requesting additional information?
9. What are examples of incidents that typically lead to not clearing a student for this review and therefore did not make a student eligible for admission?
10. If information is reviewed by committee, how often does the committee meet to review criminal history for college admission?
11. What type of follow up occurs to obtain information after an initial request to submit more information?
12. How are students notified of final decision of the community standards review?
13. Is there a departmental assessment of this process- do you ever look at data to see how many students are impacted in this process?
14. Does your institution ever compare this data with student conduct data to see how many students that are run through his process interact with the conduct office during time of enrollment?
15. Would you say this process is consistent for a criminal history review for graduate admission?
16. How do you feel this review process connects to campus safety?
17. How do you stay current with trends for this type of review?
18. Where do you think your institution recognizes value in this review process?

19. How do you think institutional stakeholders (admin, fac, staff) connect this process as a necessary practice to meet educational goals?

20. What types of issues or challenges have you noticed with the community standards review process?

21. How do you remedy these challenges?

22. What type of affirming outcomes do you notice or experience with this review?

23. What do you feel is effective or efficient about your process?

24. Do you notice anything missing or that is not as effective or efficient for this process?

25. Do you feel your institution's community standards review process is fair for all students?

26. How satisfied are you with the current community standards review process in place?

27. Has your institution ever considered not screening for a criminal history? What was involved in those conversations?

28. How does your institution connect the community standards review policy as a necessary practice to meet educational goals?

29. Describe an ideal community standards review process.

30. Is there anything that you would like to share about this process that maybe I didn't ask or that is unique to your institution?

Appendix D: Survey Questions

1. How does your institution refer to the community standards review process?
    a. Community standards review
    b. Criminal and disciplinary history review
    c. Criminal history review
    d. Non-academic admissions review
    e. Other (Explain)

2. The following statement best describes when the community standards review process is assessed on prospective students.
    a. During admissions process
    b. After admissions process

3. What questions are asked on the application regarding criminal and disciplinary history? (Option to upload questions for the community standards review)

4. Which departments and positions are included for the community standards/criminal history review? (List)
   (For example: Dean of Students, Chief of Police, etc.)

5. How often does your institution look at high school disciplinary infractions that are not criminal related activity?
    a. Never
    b. Only elevated or severe incidents
    c. Investigate all incidents
    d. Other (Explain)

6. How often does your institution look at social media incidents under this review?
    a. Never
    b. Only when notified of concern
    c. Only in specific context (Explain)

7. Does your institution run a formal criminal background check on all prospective students? If so, in what situations?
    a. Yes
    b. No
    c. Only when significant concerns are present (list types of concerns)
    d. Other (list)

8. Does your institution have a formal community standards review process?
    a. Yes
    b. No

   (Option to upload a copy of formal policy if applicable.)

9. How often is the policy and/or review internally reviewed?

a. Annually
b. 2-3 years
c. 4-5 years
d. Rarely
e. Never

10. When is the last time your institution reviewed the community standards/criminal history review process or formal policy?
(List approximate year.)

11. Did the policy or process have revisions?
    a. Yes (list major revisions)
    b. No

12. What level of governance approves your policy or practice?
Check all that apply:
    a. State Legislation
    b. Board of Trustees
    c. University Legal Counsel
    d. Faculty Senate/Governance
    e. Other (list)

13. How often does your institution assess a conditional acceptance or place a prospective student on probation at the time of enrollment as a result of the community standards review?
    a. Never
    b. Rarely
    c. Sometimes
    d. Frequently

14. On average, in a given year, how many students get denied admission or are not allowed to enroll each year based on the result of the community standards or criminal history review?
(List)

15. On average, in a given year, how many students appeal a decision concerning the community standards or criminal history review?
(List)

16. Of the number of appeals received, how many typically get approved?
{List)

17. Briefly describe your appeal process.

Appendix E: Complete List of Codes

Code	Description	Files	References
Assessment	Examples of assessment for this review process	3	5
Assumption	Predictions organizations make about the criminal history review process	3	9
Beliefs	Administrator's beliefs about the review process; values emerge within these concepts; including perceptions	4	124
Campus Safety	Perceptions of campus safety; risks associated with campus safety	4	16
Campus Programs	Programs and support services offered to assist students transition on campus. (This mostly concerns formerly incarcerated individuals or currently incarcerated individuals.)	2	4
Change in Process	Administrators reflect on and describe recent changes in the process	2	13
Committee Composition	Representatives from campus partners that play a role in committee decisions	3	18
Communication Types to Students	Types of communication to students throughout the process	3	6
Criminal History and Misconduct question	Questions and type of questions that encompass the criminal history and academic misconduct review	4	8
Decision-making	Thoughts regarding the decision-making process	4	9
Educational Background	Administrators describe their educational background and how this led to a career in higher education working with criminal history review	4	13
Isomorphism	Influences on the current process at each respective institution	4	24
Outcomes	Outcomes of the criminal history review in college admissions at respective institutions	4	20
Service	How institutions assist applicants through the review process	3	5

Code	Description	Files	References
Trustworthiness	Level of trust within the institution	1	1
Personal Interest	Administrators invested interest in select population of students	1	4
Personal Relevance	Administrators discuss how they self-identify and personal relevance related to a criminal history review in college admissions	4	10
Social Identities	How administrators socially identify	2	3
Process	Administrators discuss and describe various steps taken in the criminal history review process	4	94
Challenges	Administrators discuss challenges involved in the review process	2	12
Professional Experience	Administrator's experience as it relates to college admissions or a criminal history review.	4	22
Threat Assessment	Administrators discuss various components to evaluate potential threats to campus safety	4	22
Offense	Types of offenses that surfaced in the interview as administrators describe various scenarios at different levels of threat assessment	4	26
Values	Perceptions of institutional and/or personal values that surface in the interviews	0	0
Advocacy	How the institution advocates for students in the review process	2	2
Communication	How well or poorly communication is utilized in the process; could be within the institution or with the students	2	3
DEI	Perceptions of how DEI is reflected within the process and on the respective college campus	4	23
Efficacy	Leader's impact to change outcomes	3	19
Empathy	How the institution spends time listening, understanding, and working with students in sensitive situations	4	6
Leadership	Examples of ownership to lead and guide staff or students throughout the process	2	2