

Fighting for A Second Chance: Policies & Practices that Impact
College Students with Criminal Record's Experiences In Traditional Higher Education
Settings

by

Terrence Stephon McTier Jr.

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Graduate Supervisory Committee:

Keon M. McGuire, Co-Chair
Molly Ott, Co-Chair
Mirka Koro-Ljungberg

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ABSTRACT

Very little information is known about the experiences of graduate students with criminal records in higher education. As such, the purpose of this dissertation seeks to understand the various factors that impact graduate students with criminal records experiences in higher education. The overarching purpose is broken down into three individual research papers. The first research paper uses a thematic analysis to assess the ways Arizona's four-year public higher education institutions utilize their power, via written policies, to deter, ban, or prohibit college students with criminal records from actively pursuing or participating in academia. Specifically, I provide a robust overview of all the current policies practices that target college students with criminal records in traditional higher education settings. The next two papers draw its attention to how college students with criminal records navigate the academy. Specifically, I seek to understand the experience(s) of living through institutional barriers as a graduate student while possessing a criminal record using Van Manen's Hermeneutical Phenomenology. In the last paper, I seek to understand the experience(s) of living through criminalized microaggressions as a graduate student while possessing a criminal record using Van Manen's Hermeneutical Phenomenology. In each of these papers, limitations, implications for research and practice are included for future policy makers, administrators, and scholars.

DEDICATION

To my sister Shelly, may your spirit soar with the angles! Rest In Paradise!

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CHAPTER 1

AN OVERVIEW OF DISSERTATION

Diversity has been a hot buzzword and topic within the field of higher education for quite some time. Researchers such as Cuyjet, Linder, Howard-Hamilton, and Cooper (2012) have written on the topic of *Multiculturalism on Campus*, specifically providing theory, models, and practices for understanding diversity and creating inclusion on college campuses. However, these scholars, along with others (see e.g., Archer, Hutchings, & Ross, 2005; Birnbaum, 1983; Smith, 2015; Van Vught, 2008) lack empirical research, theory, and practices as it relates to college students who may possess a criminal record. In fact, the recently updated and third installment of the *Student Development In College: Theory, Research, and Practice* book, which is a widely used source by many scholars, students, and practitioners in the field of higher education, lacks literature on college students with criminal records (Patton, Renn, Guido, & Quaye, 2016).

The lack of attention and awareness from colleges and universities, scholars, and practitioner across the United States (US) is extremely concerning seeing how various media outlets are constantly unveiling incidents where prospective students with criminal records are subjected to countless types of barriers and various forms of discrimination prior to being denied or accepted into an institution (Florence & Karr, 2017; Hager, 2017; Melamed, 2017; Sweigart & Filby, 2018). The fact that media outlets are unveiling these issues and calling out higher education institutions for their practices while higher education institutions remain silent is a major concern. These issues brought about by media outlets should be a cause of concern for any person working or interested in

diversity, equity, inclusion, or social justice at colleges and universities across the country.

Moreover, the exclusion of people with criminal records from educational opportunities is particularly problematic due to the racism inherent in the criminal injustice system. Blacks and Hispanics are more likely to have a criminal record than Whites (Pierce & Runyan, 2010). It is expected that, one out of every three Black and one out of six Latino males will be incarcerated at least once in their lifetime (Mauer, 2001). Additionally, Black and Hispanics are six and two times likely to be incarcerated than their White counterparts (Stewart, Warren, Hughes, & Brunson, 2017). As it pertains to being admitted into postsecondary institutions, Blacks and Hispanics are more likely to be disproportionately screened out during the admissions process, more so than White applicants, for having a criminal record and no resources to expunge their records (Pierce & Runyan, 2010). One study found that the state of California incarcerated more Black men in state correctional facilities than it enrolled in all of its higher education institutions combined (Harris & Allen, 2003).

In addition to the inherent racism that prevents college students with criminal records from pursuing educational opportunities, another possible explanation is the higher education system itself. Prospective college students with criminal records experience a range of obstacles when attempting to access higher education that are imposed by federal, state, and institutional gatekeepers (Dickerson, 2007; Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010). Students who manage to matriculate often encounter campus-level restrictions in accessing academic and social supports that are critical to degree completion (Livingston & Miller, 2014; Strayhorn et

al., 2013; Todis, Bullis, Waintrup, Schultz, & D'Ambrosio, 2001). Very few studies have examined the prevalence of institutional policies restricting college students with criminal records participation in higher education (Daehn Zellmer & Knothe, 2011; Haski-Leventhal, Gelles, & Cnaan, 2010; Hughes, Elliott, & Myers, 2014; Simon, 2014; Tweksbury & Lees, 2006).

Generally speaking, college students with criminal records are still invisible to the higher education community at large. Very few studies actually utilize the voices of college students with criminal records more broadly and graduate students with criminal records more specifically. Additionally, few studies actually address the various types of barriers the aforementioned population experiences in higher education and only a handful of studies (e.g., Burns, Frank-Stromborg, Teytelman, & Herren, 2004; Custer, 2013, 2016; Dickerson, 2007) investigate the current policies and laws that either exist or does not exist for this particular student population in higher education.

Although there are several studies about college students with criminal records, the main focus have been around barriers within admissions settings (see e.g., Halkovic, 2015; Jung, 2015; Pierce, Runyan, & Bangdiwala, 2014; Sokoloff & Fontaine, 2013), undergraduate students and students with felony convictions (Dreger, 2017; Halkovic & Greene, 2015; McTier, Santa-Ramirez, & McGuire, 2018; Strayhorn, Johnson, & Barrett, 2013). Only recently have researchers begun to expand beyond admissions and address other areas of concern for college students with criminal records. Particularly, Ott and McTier (2018) have studied faculty stigmas toward college students with criminal convictions at four-year public flagship higher education institutions across the United

States while Dreger (2017) has researched and addressed the various types of institutional barriers experienced by college students with criminal records in community colleges.

Shifting gears, people with criminal records are one of the most stigmatized groups of individuals. Yet, when it comes to the large body of research on stigma, this particular population is rarely mentioned or even considered (Moore, Stuewig, and Tangney, 2013). This is especially true for college students with criminal records in higher education settings. When examining the last decade (2009-2019) of literature, research has focused a great deal on issues that affect people with criminal records ability to successfully reenter or transition back into society without making the connection that stigma has a lot to do with those reentry issues.

One of the pervasive issues that have affected people with criminal records successful reentry back into society has been stigma, which can be broken down into three parts. They are broken down by structural, which consist of institutional barriers and marginalizations of any group (Corrigan et al., 2005), social, which consist of stereotypes and discrimination from society and community members (Corrigan et al., 2010), and self-stigma, which consist of an individual's perceptions and responses to the social and structural stigmas (Corrigan et al., 2010). While a great deal of research directs its attention to the structural and social stigmas that occurs towards people with criminal records, self-stigma has received less empirical attention.

When examining structural stigmas, many States within the US often exclude people with criminal records from housing, employment, political (Binnall, 2008; Corrigan et al., 2010), and educational opportunities (Alexander, 2011; Livingston & Miller, 2014). For example, States often exclude and restrict people with criminal records

from running for political seats, voting, or serving as a jury of their peers because the State no longer allows people with criminal records to uphold these civic duties (Binnall, 2008). Additionally, similar to those who suffer from a mental illness, people with criminal records are often seen as incompetent and unable to fulfill the required duties of civic participation because of their felony status (Binnall, 2008; Walker et al., 2016). Other structural stigmas and perhaps the most notorious for stigmatizing people with criminal records, comes from businesses and employers (Pettinato, 2014).

A great deal of research focuses on disenfranchisements and stigmas that people with criminal records face from employers (Flake, 2015; Pager, Western, & Sugie, 2009; Shivy et al., 2007), and one of the notable forms of stigmatization comes in the form of criminal background checks (Blumstein & Nakamura, 2009). In a previous study, Blumstein and Nakamura (2009) found that criminal background checks often revealed an individual's past criminal history, which often-overshadowed people with criminal records reformed behaviors. With easier access to criminal background information, thanks to the Internet and the easy accessibility to look up someone's criminal past (Blumstein & Nakamura, 2009; Clark & Roberts, 2010), many businesses and employers were reluctant to hire people with criminal records due to fear of being victimized by the individual, fear of losing customers and clientele, and the perceived lack of skills to accomplish the job at hand (Giguere & Dundes, 2002).

As it relates to social stigmas, many members within society stigmatize people with criminal records, specifically violent sexual offenses. For instance, research suggested that members of society believe people with sexual related offenses would reoffend again (Levenson, D'Amora, & Hern, 2007b) although people with sexual related

offenses had a lower recidivism rate (15%) compared to other crimes committed (Roberts, 2008). Furthermore, members within society believed that sexual violence was a social problem, which incited fear and anger towards the population (Levenson & Hern, 2007a) and an increase in harsh policies, laws, and use of the sex-offender online registry (Schultz, 2014). Ironically, these various types of stigmas laid out by Corrigan et al. (2005) carries over into higher education settings. Unfortunately, to my knowledge, no empirical study has investigated the various types of stigmas held towards college students with criminal records from various campus stakeholders (e.g., faculty, administrators, students). We also do not know how college students with criminal records navigate these various forms of stigmas, policies, or institutional barriers. Nor do we know how those stigmas impact college students with criminal records on campus.

Study Significance

There are several reasons as to why this study is significant. The first reason is the sole focus on graduate students with criminal records in traditional higher education settings. After scouring through various research sites and databases (e.g., Google, Google Scholar, Arizona State University Library), I was able to find only one empirical study investigating the experiences of a Black male graduate student with a criminal record in higher education (Brower, 2015). Because there is a lack of research investigating the experiences of graduate students with criminal records in higher education, my study makes a major contribution to the literature and to the field of higher education at large. Because there is a lack of research investigating the experiences of graduate students with criminal records in higher education, my study makes a major contribution to the literature and to the field of higher education at large.

This study brings to light issues that have not been considered in research. For instance, addressing the phenomenon of how graduate students with criminal records experience institutional barriers gives us first hand access to the barriers that graduate students experience when pursuing a graduate degree. Furthermore, this research is invaluable because I am using the voices of 10 graduate students with criminal records to investigate their experiences in traditional higher education settings. In my opinion, this is a major contribution because majority of the research has focused on institutional barriers for undergraduate students with criminal records (see e.g., Copenhaver, Edwards-Willey, & Byers, 2007; McTier et al., 2018; Potts & Palmer, 2014) in higher education. Additionally, this study contributes to the ongoing research on microaggressions by arguing that people with criminal records experience various types of microaggressions because of having a crime. My research expands the conversation on microaggressions.

Another reason this study is significant is because it addresses issues in traditional higher education settings and not higher education in prison settings. Particularly, in recent years, there has been a major focus on student's issues in higher education in prison settings (Evans, Pelletier, & Szkola, 2018; Mastroilli, 2016; Page, 2004; Simpkins, 2015). However, scholars have not addressed, in depth, the issues that college students with criminal records experience in traditional higher education settings. By traditional higher education settings, I mean brick and mortar higher education institutions not housed in a prison setting.

Beyond admissions (see e.g., Bressler & Von Bergen, 2018; Custer, 2016; Escobar, Jordan, & Lohrasbi, 2013), very few studies have investigated other areas of concerns as it relates to this underrepresented and invisible population in higher

education and to my knowledge, only one study within the last five years have considered various types of students (i.e., graduate students with criminal records). Despite the focus being on higher education in prison, I have deliberately centered this dissertation in traditional higher education settings. Meaning, I am addressing some of the major concerns in traditional higher education settings and expanding beyond the barriers of admissions. For example, I am focusing on graduate students with criminal records, institutional barriers throughout the university, policies, and criminalized microaggressions.

Purpose of Dissertation

The overarching purpose of this dissertation seeks to understand the various policies and practices that impact graduate students with criminal records experiences in higher education. To be more specific, I seek to address various circumstances (e.g., policies, barriers, forms of discrimination) that either contribute too or influence how graduate students with criminal records experience and transition through higher education. To understand the policies and practices that impact graduate students with criminal records in higher education, I draw my attention to three areas: 1) state policies; 2) graduate students with criminal records experience(s) with institutional barriers; and 3) graduate students experience(s) with criminalized microaggressions.

Key Terms & Definitions

The terms and definitions listed in this section are terms that I use frequently throughout the entire dissertation. Each of the key terms listed below, emanates from two places: 1) pre-existing research, which has the appropriate citation; or 2) they are terms

that I am introducing. As such, the key terms and definitions are displayed in a table below (See table 1).

As an aside, I think it is important to address the use of terminology, which differs in this dissertation study from pre-existing studies. There has been a major assumption, which is hidden in the term formerly incarcerated, that students returning to college have only been convicted of a felony and spent time in jail as an adult. However, this is not entirely true. All students are not adults with felony convictions. Take for instance, Ma’Lik Richmond, an undergraduate college student with a criminal record, who was convicted as a juvenile for rape while he was in high school (Bromberg, 2017). He now attends college as college student with a criminal record. The research that currently exists typically focuses on those who have a felony or those who’ve only been incarcerated. This study moves away from the term formerly incarcerated student, because it only reflects a select few of individuals.

In its place, I use the term college student with a criminal record for two reasons: (1) the term allows me to humanize and focus on the student rather than focusing solely on a “label” that is meant to be stigmatizing and dehumanizing to the individual (2) the term formerly incarcerated student refers to a person who has spent time in jail or prison and possesses a felony (see e.g., Browler, 2015; Strayhorn, Johnson, & Barrett, 2013; Copenhaver et al., 2007) and doesn’t take into account nor does it reflect those who’ve been convicted but never spent time in incarceration, juveniles who have a criminal record but no felony, students with no previous incarceration who commits crimes as a student, or those solely on mass or community supervision. The term college student with criminal record provides a generalized term that encompasses both juvenile and adult

students who may or may not have been incarcerated, may have a juvenile or adult misdemeanor or felony, violent or non-violent offenses, and it accounts for students who may have been adjudicated or convicted of a crime.

Table 1: Key Terms & Definitions

Terms	Definitions
College Students with Criminal Records	Is a generalized term that (1) recognizes the individual as a college student and (2) encompasses both juvenile and adult students who may or may not have been incarcerated, may have adjudications, misdemeanors or felony, and violent or non-violent offenses (McTier et al., 2018).
Concept Map	A pictorial or word representation of an individual's thinking relative to the topic at hand (Trochim, 1989a, 1989b).
Criminalized Microaggressions	Is a form of systemic, everyday indignities that are used to keep those with criminal records oppressed and disenfranchised.
Formerly Incarcerated	Refers to a person who is no longer incarcerated in a jail, prison, or a detention facility.
Graduate Students with Criminal Records	A sub-population of college students with criminal records pursuing a graduate degree.
Hermeneutical Phenomenology	"A method of abstemious reflection on the basic structures of the lived experience of human existence" (Van Manen, 2016, p. 26).
Injustice System	A system that deliberately discriminates, stigmatizes, and treats people inequitably based on a person's race, gender, sexuality, or offense type. These injustices occur in areas of sentencing, rehabilitation, as well as in areas of available resources (Hagan & Albonetti, 1982; Henderson, Cullen, Cao, Browning, & Kopache, 1997).
Institutional Barriers	Are practices and procedures at higher education institutions that exclude or deter college students from partaking in educational activities and functions (Cross, 1981).
Microaggressions	Are "brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative...slights and insults" (Sue et al., 2007, p. 271).
Participant Perspectives	Are thoughts, ideas, or lived experiences that derive solely from the participants within a study. In return, researchers use participant's perspectives for analyzation and interpretation purposes (McTier et al., 2018).
People with Criminal Records	A term used to reflect the broader community of people who has a criminal record

Limitations

The first set of limitations that I acknowledge centers around methods and methodology. Specifically, only one semi-structured interview and one concept map exercise was used to address two of the studies phenomenon: (a) how graduate students with criminal records experience various types of institutional barriers in higher education and (b) how graduate students with criminal records experience various types of criminalized microaggressions in higher education. Instead of separating these two topics into two different interviews, which could have yielded additional participant perspectives, I opted to combine the two topics into one interview. I did this to be cognizant of the participant's time given the fact that these interviews were being conducted virtually and due to limited funds. Perhaps by engaging in multiple interviews, the participants could have yielded more in depth perspectives, which could have provided even richer perspectives on their lived experiences in higher education settings.

Another limitation that I acknowledge in this study was the lack of focus on a particular institution type. The participants in this study were from various institutions types and various regions. Although the perspectives were useful and yielded very interesting findings, I was unable to provide implications for specific types (i.e., HBCUs MSI, Private Institutions, For Profit Institutions) of four-year higher education institutions. Furthermore, the policy analysis study yielded very little findings. This could be due to only collecting policy manuals from three four-year public institutions in the state of Arizona and one manual from the Arizona Board of Regents. I did not incorporate other qualitative techniques such as interviews with policy makers and campus leadership or observations of the policies being carried out. Perhaps by adding

other qualitative techniques, such as interviews or observations, I could have solicited additional insight on policies and practices. Additionally, there could be potential for context as to why policy are lacking for this particular population in higher education.

While there are many limitations within this dissertation that could have been easily talked about or reflected on, these are just a few examples of how the dissertation could have been improved to provide more rich context and understanding of the experiences of college students with criminal records more broadly and graduate students with criminal records in a general sense. Despite the limitations, the dissertation produced rich and meaningful information that can be used to improve the experiences for graduate students with criminal records in higher education. As an aside, scholars and practitioners should not generalize this study to the entire population of graduate students with criminal records because of the various nuances (e.g., location of institution and institution type, state policies and laws, different crimes and crime types) in this study that exist.

Abstract of Chapters

The next three chapters will be individual studies addressing the overarching purpose of this study, which seeks to understand the various factors that impact graduate students with criminal records experiences in higher education. Each chapter will address one specific aspect of the dissertations overarching purpose. Additionally, each chapter will have its own set of limitations, conceptual frameworks, and implications that will be offered at the conclusion of each chapter. To provide specifics, I offer brief abstracts of each chapter.

In chapter two, I conduct a thematic analysis to assess the ways Arizona's four-year public higher education institutions (i.e., Arizona State University (ASU), Northern Arizona University (NAU), the University of Arizona (UA) as well as the Arizona Board of Regents (ABOR), use their power, via written policies, to deter, ban, or prohibit college students with criminal records from actively pursuing or participating in academia. In this chapter, I provide a literature review, which focuses on the *Policies Pertaining to College Students With Criminal Records In Higher Education* and I provide the methods on how I go about collecting various policies, the institutions of focus, and I end this section on how I analyze the policies. Once I have provided detailed information on the methods, I offer the findings on the policies that impact college students with criminal records, the limitations, and then I offer implications for practice and research.

In the subsequent chapter, chapter three, I examine the experience(s) of living through institutional barriers as a graduate student while possessing a criminal record. In this chapter, I provide a conceptual framework using Cross's (1981) definition of institutional barriers, a literature review, which provides research on *campus policies and practices pertaining to college students with criminal records*, and then, I provide the methods on how I carried out this study. Particularly, I use Van Manen's (2016) hermeneutical phenomenology and a concept map exercise to address the phenomenon of focus. I also provide detailed descriptions of the participants and I provide the ways in which I collected the participant's perspectives. Immediately following this section, I provide the findings of the study after conducting a thorough analysis of participant's perspectives, I acknowledge the limitations in this chapter, and I offer implications for practice and research.

Lastly, chapter four draws attention to the experience(s) of living through criminalized microaggressions as a graduate student while possessing a criminal record. In this chapter, I provide an overview of literature, which focuses on the various *forms of discrimination in the academy* and *discrimination toward people with criminal records*. Thereafter, I provide a conceptual framework along with detailed methods on how the study was conducted, the participants, and the analysis techniques. This chapter also offers findings on the phenomenon of focus, and I also acknowledge the limitations of this study. Thereafter, I offer implications for future research and practice.

CHAPTER 2
AN ANALYSIS OF THE STATE OF ARIZONA’S FOUR-YEAR PUBLIC
COLLEGES

Having a criminal record in the 21st century is considered the new scarlet letter for people who commit crimes (Braudway, 2004; Lee, 2011; Murphy, Fuleihan, Richards, & Jones, 2011; Tavill, 1988). Though invisible, unless outed, the criminal record excludes millions of people returning back into society from countless opportunities such as employment, education, and housing (Alexander, 2011; Farley, 2007; Murphy et al., 2011; Pogorzelski, Wolff, Pan, & Blitz, 2005). Further, it is considered a “chronic and debilitating badge of shame” that plagues people with criminal records for the rest of their lives (Murphy et al., para. 1).

It is estimated that roughly 2.3 million people are incarcerated in jails, prisons, and detention centers (Wagner & Rabuy, 2017) while over eight million people are on some form of mass or correctional supervision (i.e., probation, parole) within the U.S. (Uggen, Manza, & Thompson, 2006). On average, over 700,000 people return back into the community from incarceration on an annual basis (Petersilia, 2000). Furthermore, Black men and women make up roughly 40 percent of the penal system, the highest of any other race (e.g., White, Latino(a), Native American), while only making up 13 percent of the U.S. population (Wagner & Rabuy, 2017).

As it relates specifically to higher education, there is no empirical data capturing the amount of people who apply to higher education institutions with criminal records, nor is there information on how many college students with criminal records are accepted to post-secondary institutions each year (McTier, Santa-Ramirez, & McGuire, 2018) with

the exception of State New York Suny whose institution estimates over 222,000 applicants apply each year with a criminal record (Rosenthal, NaPier, Warth, & Weissmann, 2015). Despite the lack of empirical data, institutions across the nation are beginning to implement more overt policies that exclude prospective and current students because they have this invisible scarlet letter (i.e., criminal record), because they fear that prospective and current college students with criminal records will commit a crime and harm someone, and because institutions want to avoid potential lawsuits (Langford, 2004; Lee, 2005; Rasmussen & Johnson, 2008). Notwithstanding these unsubstantiated concerns, institutions still move forward with implementing institutional policies.

These policies have been known and designed to deter, ban, or prohibit current and prospective college students with criminal records from participating fully in higher education (see e.g., Custer, 2017/2018). For instance, several scholars have addressed admission policies that purposely screen out prospective college students with criminal records (Escobar, Jordan, & Lohrasbi, 2013; Ramaswamy, 2014; Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010) through a process called criminal screening (Pierce & Runyan, 2010). Other policies such as mandatory disclosure policies (Nelson, 2018) have also been implemented so that higher education institutions could weed out prospective students with certain types of offenses (e.g., violent offenses and sexual related offenses) (Custer, 2017).

While some higher education institutions are implementing or already have policies in place for college students with criminal records, it's important to know that this is not the case for every higher education institution across the U.S. Hence the purpose of this study, which is to assess the ways Arizona's four-year public higher

education institutions (i.e., Arizona State University (ASU), Northern Arizona University (NAU), and the University of Arizona (UA) as well as the Arizona Board of Regents (ABOR), use their power, via written policies to deter, ban, or prohibit college students with criminal records or students with no previous criminal history who commits a crime while on campus from actively pursuing or participating in academia.

To my knowledge, there are no empirical studies investigating any type of policies pertaining to college students with criminal records in the state of Arizona. Additionally, based on my own personal experiences at one the institutions of study (refer to researcher reflexivity), I believe the aforementioned institutions uphold discriminatory practices towards college students with criminal records and towards students who engages in or commits a crime while on campus via written policies. Therefore, to assess the policies, I employ the following research questions: (1) what type of institutional policies are in place at four-year higher education institutions within the state of Arizona as it relates to crime and criminality and (2) what type of institutional policies are in place at four-year higher education institutions within the state of Arizona for students (with or without a previous criminal history) who engage in criminal activity while on campus? In the next section, I discuss the literature as it relates to policies pertaining to college students with criminal records in higher education and policies and practices beyond admissions.

Policies Pertaining to College Students With Criminal Records In Admissions

There is a growing body of literature that investigates the various institutional policies that impact college students with criminal records transitions in higher education. Many researchers (Halkovic & Greene, 2015; Hughes, Elliott, & Myers, 2014) believe

the Jean Clery incident, which brought about lawsuits and bad publicity for Lehigh University, prompted the increase and implementation of policies towards prospective and current college students with criminal records nationally in higher education. Jean Clery was a student who was raped and killed in her dorm room by another student (Fisher, Hartman, Cullen, & Turner, 2002).

As a result of the Jean Clery incident, Congress passed the Crime Awareness and Campus Security (CACS) Act (also known as the Clery Act) in 1991 as a way to hold college campuses that participate in federal financial aid programs accountable for reporting accurate criminal threats on college campuses (Fisher et al., 2002). Particularly, the CACS Act requires higher education institutions to track and report crimes that occur on campus, post security policies, and to make timely warnings to every employee and every student at institutions who are apart of the federal financial aid program (Fisher et al., 2002; Janosik, & Gehring, 2003; Weissman et al., 2010). As a way to stay ahead of the game, institutions began to implement their own policies that screened students for past criminal histories. For example, institutions began contracting with the Common Application, which is a non-profit organization that streamlines the application process for prospective college students, because this non-profit already had the infrastructure in place to screen students for criminal and academic disciplinary records (Common Application, 2016). However, due to the Ban the Box movement, which argues for the eradication of criminal history questions on employment and admissions applications (Agan & Starr, 2017; Henry & Jacobs, 2007; Jung, 2016), the Common Application has discontinued asking the question as of 2018 (Jaschik, 2018).

Although the Common Application no longer ask about criminal history questions, higher education institutions still have the power and authority to create and implement their own screening policies (Dickerson, 2007). However, there is currently no empirical data indicating, which (e.g., two-year, four-year, private, HBCUs, for profit) or how many institutions across the U.S. are engaging in this particular practice. While there is no data indicating the exact number of institutions who implement their own screening policies beyond admissions, Weissman et al. (2010) found that roughly 66.4% of collegiate registrars and admission officers have implemented policies allowing them to ask about a students previous involvement with crime. In a follow up study, Rosenthal et al. (2015) found that, 2, 2924 prospective students who apply to the State University of New York (Suny) checks the criminal history box due to having a felony conviction on an annual basis. Of the 2,924 applicants, roughly 1,828 prospective students do not finish the application because of a question asking about the student's previous criminal history.

Furthermore, many higher education institutions have created and implemented their own policies to deter, ban, or prohibit college students with criminal records from being admitted into higher education (Custer, 2013/2016; Epstein, 2005; Erwin, & Toomey, 2005; Ramaswany, 2014). In 2015, Norfolk State University approved policy 21-04(2014), which requires prospective students to divulge their criminal history and provide all requested documentation to a special admissions committee prior to being admitted (Norfolk State University, 2015). Oregon State University (Nelson, 2018) and the University of Michigan (2019) have also implemented similar policies, which requires prospective students to divulge past criminal history. However, Oregon State University's policy, policy 02-015, also requires currently enrolled students to divulge

their past criminal to the university (Nelson, 2018). Another example can be seen in Indiana University-Purdue University Indianapolis (IUPUI) institutional policy, which requires prospective college students with criminal records or any person with a criminal record to disclose their criminal histories because of safety concerns, fear of lawsuits from victims, and for licensure issues for certain majors (Lantigua-Williams, 2016).

Policies and Practices Beyond Admissions

Very few studies examine the policies and practices that exist beyond the admissions process within higher education. Though there are very few empirical studies, several states across the country have begun to impose their own policies allowing public higher education institutions to perform background checks on students interested in living on campus. One example can be seen in the state of Texas where the Governor passed a law in 2013, Senate Bill 146, allowing campus housing and campus police to perform background checks on all students interested in living on campus property (Downing, 2013). Particularly, this bill would screen students for violent offenses as well as theft and drugs.

This policy is especially concerning because many of the colleges and universities in Texas require students to live on campus. Another example can be seen in the state of West Virginia, where a similar bill, House Bill 4009, was proposed to allow state higher education institutions to also perform background checks on students residing on campus (Barajas, 2014). However, in Custer's (2016) review of literature, which examined case laws of special admissions policies and the policies effectiveness, he questioned whether background checks actually enhanced campus safety and predicted future misconduct. Based off his review, he found no proof of the background check actually reducing a

student's misconduct and his literature review actually produced very little insight on the number of institutions who have policies. In a qualitative exploratory study, which explored the transitional experiences of college students with criminal records at a four-year higher education institution, McTier, Santa-Ramirez, and McGuire (2018) found that college students with criminal records completed a background check and were prohibited from obtaining student housing, work-study programs, and admissions into various educational programs because of having a felony.

Moreover, Archer and Williams (2005) found certain academic programs such as education, social work, nursing, law, or any other program that requires a state license prohibits any student with a criminal record from pursuing the program because they wanted to ensure students were eligible to meet licensing qualifications upon graduation (Archer & Williams, 2005; Erwin & Toomey, 2005; Haski-Leventhal, Gelles, Cnnan, 2010; Simon, 2014). The process to determine if a student meets the requirements is usually done through a background check or fingerprint clearance check (Dickerson, 2007). These policies enacted by higher education institutions are in direct correspondence to the laws enacted by the federal and state governments, which prohibit certain offenses from working in certain areas. Some of those offenses include, individuals who have been convicted of sexual related offenses, especially towards children, are not allowed to be in proximity to children and or a school, which is in accordance with most state laws (Custer, 2017). People convicted of drug related offenses are not allowed to work or pursue certain medical careers such as pharmacy positions for ethical reasons (Epstein, 2005). Students, especially prospective lawyers, may not pursue

the state exam to practice law in certain states (e.g., Kansas, Mississippi, Texas) if they possess a criminal record (Mystal, 2011).

Applied to my present study, policies and practices within higher education suggest that current and prospective college students with criminal records are likely to be deterred, banned, or prohibited from pursuing an educational degree. It also suggests that this particular student population may be subjected to a number of discriminatory actions and practices, which can lower their ability to matriculate into college as well as access all that higher education has to offer its students (Ott & McTier, 2018). This inquiry advances our understanding of various policies and practices at four-year public higher education institutions in a particular state. No existing research has investigated an entire state's four-year higher education institutions' policies and practices. In addition, no empirical study has investigated institutional policies and practices that impact current and prospective college students with criminal records beyond the admissions process. Only, individual institutions have been examined. Because of this absence within empirical research, this study is making a significant contribution by exploring an entire state and its higher education institutions.

Methods

Researcher Positionality

Before I discuss the procedural aspects of this research design, I offer a brief statement about my positionality and how it informs this current study. First, I approach this study as a graduate student with a criminal record attending one of the institutions of study, ASU. I was incarcerated as a juvenile at the age of 13 for what is considered a violent offense. Due to the way my court order was written by the presiding judge at the

time of the crime, my criminal record transcended my 18th birthday and followed me into my adult years unbeknownst to me. As a result, I was negatively impacted and exposed to various policies, practices, and forms of discrimination because of my past criminal history.

Some of the various policies, practices, and forms of discrimination that I experienced include, being required to obtain court documents from 15 years ago proving I had met the terms and conditions of my parole. These documents had intimate details about my crime. Additionally, I was required to stop attending classes and my assistantship funding, which was tied to Arizona State University's Human Resource department, was temporarily suspended. I was called deceitful by Human Resources and the institutions lawyers because I did not disclose my juvenile record during admissions or my fingerprint check. However, their forms asked if I was convicted of a crime, which I was not, I was adjudicated. I was also given 5 days to rectify the issue with the courts otherwise I would no longer be eligible to maintain my assistantship. However, after my doctoral advisor intervened, I was granted 3 additional months to rectify the situation.

As an aside, I was not required to check a box during the admissions process into the doctoral program at ASU. However, I was upfront about having a criminal record in my personal statement as well as my on campus interview. Once accepted and enrolled into the institution, my entire cohort received an email stating we had to satisfy the fingerprint requirement from our department in order to receive our assistantship funding. We later found that to be incorrect.

Moreover, while my academic experiences as a graduate student with a criminal record were challenging, these unique experiences allowed me to frame my research

questions and think critically about the policies being written and upheld at these 4-year public higher education institutions in the state of Arizona. Admittedly, I approach this study with my experiences in the forefront of my mind.

Institutions of Focus

There are three four-year public institutions within the state of Arizona: ASU, NAU, and the UA. ASU boasts over 70,000 undergraduate and graduate students as of fall 2017. This particular research one (R1) institution has five campuses across the metropolitan Phoenix area. As for NAU, there are roughly 30,000 undergraduates and graduate students who attend this university. NAU is considered a research two (R2) institution and is located in Flagstaff, Arizona. This particular institution has several statewide satellite campuses, with the largest located in Yuma Arizona, and offers a complete online bachelors degree. The UA, which is the flagship institution within the state of Arizona, boasts over 43,000 undergraduate and graduate students as of 2016. This R1 institution was the first established university in the state of Arizona and is located in Tucson. This particular institution has over 20 colleges and 12 schools divided amongst four campuses throughout the state of Arizona.

The ABOR (2019a) governs and controls each 4-year public higher education institution in the state of Arizona. Although, these institutions are governed and controlled by the ABOR, these universities operate independently from one another. Comprised of 12 board members (two student regents, the governor and superintendent of public instruction, and eight appointed officials), this particular board is responsible for providing policy advice and supervision for the state's three public universities (i.e., ASU, UA, NAU). Specifically, the ABOR provides guidance as it relates to "academic

and student affairs; financial and human resource programs; student tuition, fees, and financial aid programs; university capital development plans; strategic plans; legal affairs; and public and constituent outreach” (Arizona Board of Regents, 2019a, para. 2).

Data Collection

Policy manuals for this study were collected summer of 2018 and spring of 2019 and reflect the August 2017 through July 2018 academic calendar year. Moreover, there are two sources of data being collected from each public 4-year higher education institution in the State of Arizona. The first source of data comes from each of the four institutions (ABOR, ASU, NAU, the UA) and the second source of data comes from key areas (i.e., academics, business management, enrollment, and student life) embedded within each of the three aforementioned universities being studied.

Particularly, for the first source of data, I collected every institutions (i.e., ASU, NAU, the UA) main policy manual because each institution operates independently from one another and may have differentiating policies based on the needs of their institution: (1) ASU policy manual (Arizona State University, 2019a); (2) NAU policy manual (Northern Arizona University, 2019a); and (3) The UA policy manual (The University of Arizona, 2019a). In addition, one policy manual came from the ABORs (2019b), which every institution adheres too. To locate each document, I contacted each institutions public operator number and they directed me to the website where the policy manuals were located.

For the second source of data, I sought out specific policy manuals from ASU (Arizona State University, 2019a, 2019b, 2019c), NAU (Northern Arizona University, 2019a, 2019b, 2019c; Northern Arizona University, 2018), and UA’s (University of

Arizona, 2019a, 2019b) academic colleges such as education, criminal justice, nursing, and social work because these particular academic programs have been known, on a national level, to create policies that deter, ban, or prohibit any student with a criminal record from participating or getting into these specific programs (Ott & McTier, 2018). In addition, I collected a policy manual from each of the three institutions admissions offices, on campus housing departments, student life, student conduct, and human resources departments because, like the aforementioned academic programs, these departments have been known to create policies that deter, ban, or prohibit any student with a criminal record from participating or getting into the program (McTier, Santa-Ramirez, & McGuire, 2018; Miller, Mondesir, Stater, & Schwartz, 2014).

While I have outlined the sources of data collection at each of these particular institutions, I think it is important to address what was excluded from collection and why Arizona's 4-year public institutions were the focus of this study. As mentioned previously, the purpose of this study is to assess the ways Arizona's 4-year public higher education institutions (i.e., ASU, NAU, the UA) as well as the ABOR use their power, via written policies, to deter, ban, or prohibit college students with criminal records from actively pursuing or participating in academia. As such, policy manuals that did not reference college students were not included in the collection process. For example, policy manuals referring to business and finance, personnel, and building, infrastructure and land were not included in collection because these particular policy manuals were not about students. As mentioned in my researcher positionality statement, I chose to reflect on the state of Arizona's 4-year public higher education institutions because of my own experiences as a graduate student with a criminal record at one of the particular

institutions of study. Beyond my own experiences, there is currently no empirical research investigating policies in the state of Arizona as it relates to college students with criminal records. For these reasons, I chose to use Arizona's 4-year public institutions as a starting point.

Data Analysis Process

To answer the critical questions posed in this study, I opted to use Braun, Clarke, Hayfield, and Terry's (2019) six-phase approach to thematic analysis. In the first phase of the analysis (i.e., familiarize yourself with the data), I read through the ABOR, ASU, NAU, and the UA policy manuals. During this process, I asked no questions. I simply read through each manuscript to become familiar with the text and to obtain a general sense of the content. For the second phase of analysis (i.e., generate initial codes), I began to search for policies using keywords (e.g., crime, felony, misdemeanor, background check, violent behavior, criminal) that directly referenced or mentioned college students with criminal records or referenced any type of crime (e.g., sex offense, drugs, alcohol). These keywords derive from the literature. I then began to ascribe a code, which "identifies and provides a label for a feature of the data that is potentially relevant to the research questions" (Braun, Clarke, Hayfeild, & Terry, 2019, p.61), to each policy. This process was done inductively so that findings could emerge from the data on its own. As an aside, there were policies related to faculty and staff who might have criminal records. However, for this study, I restricted my focus just to students and removed any content focusing on or referencing any other population (e.g., administrators, faculty, staff) at these institutions. There were some instances where policy manuals referenced students and other populations on campus. If this occurred, I made sure to include these policies in

my analysis process.

Immediately following phase-two of the analysis process, I proceeded to phase-three (i.e., search for themes). While in this phase, I reread through each policy manual while paying close attention to the codes and the purpose of this study. I began to raise critical questions about the text such as who's really impacted by these policies or what modes of power are reflected in the written text. In addition, I examined how the text was constructed. Meaning, I looked for themes of overt and subtle messages that were embedded within each of the written policies. Thereafter, I began phase four (i.e., review potential themes). In this particular phase, I reexamined the text and the proposed themes, identified its genre (policy referencing students and crimes), and then I focused on the framing of the policies referencing students and crimes, paying special attention to the perspectives embedded within these policies. Afterward, I began phase five (i.e., defining and naming themes). In this phase, I ascribed names and meanings of each theme. The final phase consisted of producing a report (i.e., writing the findings). Particularly, I began to write my interpretation of the themes as reflected in the findings section.

Limitations

There are several limitations that I would like to address in this study. The first limitation speaks to methodological decisions. This study was only limited to a thematic analysis of policy manuals at the ABOR as well as 4-year postsecondary institutions in the state of Arizona. Specifically, I did not include every institutions (i.e., ASU, NAU, the UA) academic (e.g., college of business, honors college, Engineering, Music, Art) or department policy manual (e.g., transportation, safety, athletics) for analysis purposes. Another limitation to this study includes the absences of interviews and observations.

Particularly, I did not include interviews or observations with key stakeholders in this study. Including anyone of these methods within my study could have provided a much better understanding of the written policies, why, and how they are carried out. Other limitations included the exclusion of 4-year private institutions, community colleges, trade schools, or for profit institutions in the state of Arizona. There may be policies at these particular institutions that were not present in the 4-year postsecondary institutions in the state of Arizona.

Findings & Discussion

Two major themes emerged from the analysis of the ABOR and each 4-year public institution in the State of Arizona policy manuals. The themes are: *Policies Pertaining to Background & Fingerprint Clearance Checks*, which examines the written policies that require students to succumb to background and fingerprint clearance checks at various points of their academic journey and *Policies Pertaining to Student Code of Conduct*, which reflects the various policies and procedures that each of these institutions has in place for students as it relates to specific types of misconduct. Within each theme, I will provide a brief discussion followed by a separate section on implications for policy and practice.

Policies Pertaining to Background & Fingerprint Clearance Checks

Each of the 4-year public higher education institution in the state of Arizona (i.e., ASU, NAU, the UA) has written policies that deter, ban, or prohibit current or prospective students with convictions or felony offenses from being accepted into higher education institution or from being able to fully participate in the collegiate experience. Prior to discussing this particular theme as it relates to policies pertaining to background

and fingerprint clearance checks, I provide the ABOR policy as it relates to this aforementioned theme. The ABOR, which governs each of the three 4-year public higher education institutions has a written policy (i.e., policy 6-709), which states there are “mandatory background checks for employees and process for hiring, retaining, or terminating employees convicted of a felony offense.” This policy includes students who work for the university in any capacity (e.g., federal work study, campus employment, assistantships).

In this instance, the ABOR is asserting their power by using words such mandatory background checks to signify that they (the board) are unwelcoming or intolerant of people with criminal records as it relates to all employees (e.g., students, faculty, & staff). This is similar to existing literature on employers who assert their power by purposely denying people with criminal records from employment opportunities because of having a crime (Freeman, 2003; Pager et al., 2009). While this policy serves as a general guidance for each of the three 4-year public higher education institutions to adhere too, ASU, NAU, and the UA have created and implemented background and fingerprint clearance check policies that follows these particular guidelines set forth by the ABOR.

Particularly, each of the institutions of study has added additions to the ABOR policy to include students in certain areas of employment and education. Take for example, NAU’s employment policy, which states,

A minimum of a criminal background investigation, employment history investigation, and a fingerprint check, with the addition of an academic credentials check for faculty and administrator positions, will be completed on the

final candidate (including for internal candidates for whom any portion of this process has not been previously completed) who indicate, or who have been determined through a background investigation to have, a prior criminal conviction **and/or** are being hired for or assigned to a safety or security-sensitive position...

Or the UA policy, which states, “ if student employees or graduate assistants/associates are working in a security or safety-sensitive position, then and only then are they required to complete a background check”. Hidden within these examples are covert messages, which says any college student with a criminal record is not permitted to work at our institution or college students with criminal records are unable to handle safety or security-sensitive positions because of their past crimes. To enforce this, institutions have used their power and have embedded words such as required to, minimum, or mandatory within their written policies as it relates to college students with criminal records to deter, ban, or prohibit them from pursuing some form of employment on campus.

Moreover, employment is not the only place where ASU, NAU, and the UA have implemented written policies requiring background or fingerprint clearance checks. In fact, various educational programs such as education, nursing, and social work have implemented policies requiring students to succumb to background and fingerprint clearance checks at each of these institutions. For example, the UA’s college of medicine has implemented a policy requiring students to have a fingerprint clearance card prior to enrolling or moving forward in the program. Here is what the policy says,

Prospective students are advised that some hospitals and outpatient clinics require medical students (and residents) to submit to fingerprinting and criminal

background checks to receive appropriate clearance before they will be permitted to participate in clinical rotations at those institutions. Students who do not submit to fingerprinting and/or fail to receive appropriate clearance may be unable to fulfill the academic requirements at the UA College of Medicine – Phoenix, and, therefore, are not be able to complete their educational program.

Another example can be seen in ASU’s policies as it pertains to students interested in enrolling or pursuing a teacher education program. Particularly, ASU’s undergraduate education program requires students to obtain a fingerprint clearance card from the Department of Public Safety (DPS) prior to engaging in the student teaching component of their degree. Here’s what the policy states:

As outlined on major maps, students are required to meet milestones for successful progression into iTeachAZ. These milestones include obtaining a DPS fingerprint clearance card, submitting an iTeachAZ intent to progress form with an academic advisor, and attending an enrollment workshop.

As a final example of a written policy requiring students interested in pursuing a social work degree, NAU requires prospective students to submit a background or fingerprint clearance check so they can pursue internships. However, unlike ASU and the UA, NAU has written in a statement prior to publishing their policy, which states,

It is not the intent of the Social Work Department to automatically exclude persons who have been convicted of a crime. We strongly believe that people can turn their lives about and become valuable members of the profession.

However, despite the caveat, NAU’s Social Work policy states:

Students pursuing a Bachelor of Social Work Degree at Northern Arizona University are required to obtain a fingerprint clearance card after they are offered, and accept admission into the program. Many social service agencies require that students have obtained a fingerprint card in order to engage in work at that agency. According to Arizona State Law, a fingerprint clearance card is required to work and care for children, the elderly, and vulnerable adults. Fingerprint clearance is also required at the time of application for AZ Social Work Licensure.

Again, through these examples of written policies, specific departments within the institutions of study have exerted their power over current and prospective students with criminal records interested in working or pursuing their degree-granting program. Particularly, these departments make it clear that students will complete a background or fingerprint check prior to being enrolled. Covertly, these departments state that college students with criminal records need not apply. Why else would a background or fingerprint clearance check be warranted?

This particular theme, *Policies Pertaining to Background & Fingerprint Clearance Checks*, showcases how 4-year public higher education institutions in the state of Arizona use their power through written policies to solicit criminal history information via background and fingerprint clearance checks. Once these institutions are made aware of a prospective or current students criminal history, that information is then used against them. This practice is no different than the practices at other higher education institutions in different states (see e.g., Brower, 2015; Hager, 2017; Weichselbaum, 2015).

Based off this particular finding, I can conclude that students are unable to work in various capacities of their institution because of their previous criminal history. Additionally, in areas of academics, many programs prevent college students with criminal records, although they have been enrolled into the university, from being able to pursue their specific degree. Through these written policies, ASU, NAU, and the UA make it difficult for prospective and current students to reintegrate back into society because they are somehow deemed a risk or unsafe to the campus community. This is the same rhetoric that various institutions such as Oregon State University and the University of Michigan have used as justification for their policies (Nelson, 2018; University of Michigan, 2019).

Policies Pertaining to Student Code of Conduct

Each institution within this study (i.e., ASU, NAU, the UA) has written policies as it pertains to all students who enroll at one of these institutions. These written policies fall under the student code of conduct as outlined by the ABOR. Prior to discussing this particular theme, *Policies Pertaining to Student Code of Conduct*, I provide the ABOR policy as it relates to this aforementioned theme. The ABOR, which governs each of the three 4-year public higher education institutions of study, has a written policy (i.e., policy 5-308), which states,

Students may be accountable to both civil and criminal authorities and to the university for acts of misconduct that constitute violations of the Student Code of Conduct. At the discretion of university officials, educational interventions or disciplinary action at the university may proceed before, during, or after other proceedings. Sanctions may be imposed for acts of misconduct that occur on

university property or at any university-sponsored activity. As further prescribed in these rules, off-campus conduct may also be subject to educational interventions or discipline. With respect to student organizations, and their members, university jurisdiction extends to premises used or controlled by the organizations on or off campus.

While this policy serves as a general guidance for each of the three 4-year public higher education institutions to adhere to, ASU, NAU, and the UA have created and implemented their own policies, as it relates to the student code of conduct, in areas such as (drugs and alcohol, sexual misconduct, and threatening behavior).

As it relates to drugs and alcohol on campus, every institution in this study has written policies prohibiting the use and distribution of drugs and alcohol on campus. This applies to students of legal drinking age as well as students who may have written documentation from a medical provider. Here's what ASU's student code of conduct states,

ASU is committed to providing a drug-free environment for all university students and employees. To achieve this goal and to comply with federal law, ASU prohibits the unlawful sale, manufacture, distribution, dispensation, possession, and use of controlled substances on its property or as part of any of its activities. Sanctions are imposed on a student who violates a Board of Regents' or university drug or alcohol policy; those sanctions may include suspension or expulsion and may also include the requirement that the student participate in a drug education or assessment program.

Another example can be seen in NAU's student code of conduct as it pertains to the use of marijuana and other drugs on campus. There policy states,

The possession, presence, use, sale, manufacture, cultivation, or provision of any type of illegal drug (barbiturates, opiates, marijuana, amphetamines, hallucinogens, etc.), or aiding in the use of such are not permitted in university housing and are violations of the statutes of the State of Arizona.

The penalty for using or distributing these particular substances on these campuses can lead to expulsion, criminal charges, or additional sanctions (i.e., drug rehabilitation courses, counseling).

Furthermore, as it relates to sexual misconduct, every institution states that sexual misconduct, which includes sexual harassment, sexual violence and other non-consensual sexual contact, as well as other unwanted or non-consensual sexual conduct (e.g., indecent exposure, sexual exploitation, voyeurism, non-consensual photography, video, or audio-recording, or publishing or dissemination) is prohibited. According to the ABOR, a student who violates the student code of conduct at any one of the institutions of study "will be held accountable and appropriate remedial action will be taken to address the violation." The ABOR mandates that ASU, NAU, and the UA adopt additional supplemental procedures as it relates to sexual misconduct. For example, ASU supplemental policy states,

The Dean of Students will provide the parties a written decision within five (5) business days of making the determination. When feasible, Student Rights and Responsibilities will communicate this information in a meeting with the student(s). The written decision will state whether the charge(s) was substantiated.

If substantiated, the decision will state the administrative action, educational intervention, or disciplinary sanction to be imposed. This decision is final unless a party requests a hearing to review a disciplinary sanction. If a disciplinary sanction is imposed, the student (and in sexual misconduct cases, the complainant if a member of the University community) will be informed of the right to request a hearing before a University Hearing Board by filing a written request with the Dean of Students no later than five (5) business days following the date of the written decision.

Another example can be seen in NAU's policy, which states they will consider a student's previous disciplinary record as it relates to sexual misconduct. Here's what the policy states,

The prior or subsequent conduct of the Respondent may be considered in determining pattern, knowledge, intent, motive, or absence of mistake. For example, evidence of a pattern of similar sexual misconduct by the Respondent either prior or after the alleged sexual misconduct may be deemed relevant to the determination of responsibility for the alleged violation. Both Parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

In addition, NAU policy states,

While student disciplinary records are protected as "education records" under FERPA, there are certain limited circumstances in which disciplinary records may be disclosed without the student's consent. Northern Arizona University will disclose to an alleged victim of any crime of violence or non-forcible sex offense the final results of a disciplinary proceeding conducted against the alleged

perpetrator of that crime, regardless of whether the University concludes that a violation was committed. Further, the University may disclose to anyone—not just the victim—the final results of a disciplinary proceeding, if it determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against them, the student has violated University Policy.

Lastly, ASU and the UA have policies and procedures as it relates to students who pose a threat on campus. Some examples include ASU, whose policy states, “Students, faculty, staff, and other individuals do not have an unqualified right of access to university grounds, property, or services. The policy continues on to say, “Interfering with the peaceful conduct of university-related business or activities or remaining on campus grounds after a request to leave may be considered a crime.” Additionally,

If either office determines that the behavior poses or has posed a serious threat to personal safety or to the welfare of the campus, the student will not be permitted to return to campus or reside in any ASU residence hall until an appropriate threat assessment has been completed and, if necessary, conditions for return are imposed. ASU PD, the Office of the Dean of Students, and other appropriate offices will coordinate the assessment in light of the relevant circumstances.

An additional example can be seen in the UA’s policy against students with threatening behavior. Their policy simply states, “Threatening behavior is prohibited.” If found guilty of these behaviors, their policy states,

The Dean of Students may suspend the student for an interim period prior to the resolution of the disciplinary proceeding if the Dean determines that the continued

presence of the student poses a threat to any individual, property, or University function. Sanctions, as appropriate, may be imposed in accordance with the Student Code of Conduct, up to and including suspension or expulsion from the University. In addition to any other sanction, any student who has been found responsible for threatening behavior after an opportunity for appeal may be expelled from the University.

Or, the Dean of Students Office may, “utilize the Student Behavior Assessment Committee to assist in determining whether the student can remain on campus or whether other appropriate disciplinary actions should be taken.”

This particular theme, *Policies Pertaining to Student Code of Conduct*, draws attention to the many policies as well as practices that showcases how ASU, NAU, and the UA use written policies to maintain order on campus as it relates to the student population. At first glance, these particular policies, set forth by the ABOR, seem to be pretty straightforward. However, after examining the discourse of these policies, I have found there to be a level of ambiguity starting with the ABOR policy. In the later portion of the ABOR policy it states, “Off-campus conduct may also be subjected to educational interventions or discipline.” Does the statement mean a person who commits a crime off campus is subjected to dual forms of discipline (e.g., jail time outside of the confines of higher education and then discipline from their educational institution) because they happened to be a student at the time of occurrence? If the statement does mean that a student will receive two forms of punishment, then I believe this written policy falls along the lines of double jeopardy.

As it relates to the actual form of power that is present within these policies, each institution has created written policies for specific types of misconduct (i.e., sexual misconduct, theft, drug and alcohol, threats). But why the focus on these particular conducts over others? Is it because these particular forms of misconduct are often focused on within mass media (see e.g., DeLong, 2019; North, 2019; Silva, 2019; WCPO Staff, 2019)? Majority of the forms of misconduct outlined within these policies are violent, with the exception of drugs and alcohol and theft, which could also be signs that these particular institutions are more fearful of these particular misdeeds happening on campus. It's also interesting that these particular institutions use the term misconduct as it relates to current students but for prospective students, as mentioned in the earlier theme, crime is the chosen term. Based off these findings, one can only assume that current and prospective students who commit these specific types of misconduct would have a much difficult time at the institutions of study.

Moreover, while the written policies in this section are geared towards current students, some of the policies revealed that these institutions would consider a student's past behaviors (e.g., sexual related offenses) when making disciplinary decisions. A great deal of research and media presentations have shown time and time again that people accused of sexual offenses, regardless if they committed the crime or not, will automatically be assumed guilty (Gross, O'Brien, Hu, & Kennedy, 2014; Rattner, 1988; Vega, 2017). Thus, I wonder how much of the student's past will be used and considered when the disciplinary process occurs and I wonder what levels of protection are there in place for the accused students.

Implications For Research & Policy Recommendations

Based off this study, there is a need for continued research to take place. As such, I propose several implications for research that scholars should consider moving forward. First, future researchers should conduct critical discourse analysis of current policies as it relates to crime and college students with criminal records at institutions across the country. Seeing that policies can change rather quickly, researchers should continue to investigate various policies, practices, and amendments to stay abreast of current trends. Additionally, future researchers should conduct campus climate surveys to investigate how familiar students, faculty, and staff are of the current policies that exist and whether they understand them. Also, these surveys should gather whether or not the campus community believes these policies should be in place. Future researchers should conduct individual interviews as well as focus groups with administrators who create institutional policies so that there can be a level of understanding as to why they are created.

Researchers should conduct evaluations via observations, surveys, and document analysis of policies to see who's actually impacted by the policies in the long run, whether the policies and practices are accomplishing the attended goals, and to investigate the long-term effects of the policies on students and the campus community. Future research should also investigate policies at other institution types such as two-year colleges, private colleges and universities, and trade schools, using various qualitative and quantitative techniques (e.g., policy analysis, surveys, interviews and observations). Seeing that this study was done at one particular institution type, perhaps understanding adopted policies at other institution types can contribute to our knowledge and understanding. Lastly, scholars should continue to explore the experiences of college

students with criminal records at various institutions across the country to get better idea of the policies taking place within individual states and higher education institutions.

Moreover, I propose two policy recommendations that higher education institutions should consider to better position college students with criminal records in higher education settings. The first policy recommendation I suggest is the development of clearer policies pertaining to college students with criminal records particularly in areas of employment, housing, internships, and degree choice. Particularly, institutions shall not discriminate or use student's criminal or previous disciplinary records against them in any capacity. That includes areas such as athletics, academics, housing, and various capacities of student life. If students are paying their tuition and fees, then college students with criminal records should be given the same opportunities afforded to students with no criminal records, especially if they are paying the same amount. Based off existing research (see e.g., Ramaswany, 2014; Weissman et al., 2010), the decision to admit or allow college students with criminal records to participate fully in the higher education experience is at the discretion of higher education institutional gatekeepers. With no clear outlined policies, college students with criminal records are susceptible to various forms of discrimination from postsecondary institutions (See Custer, 2017/2018; Weisman et al., 2010).

The second policy recommendation that I suggest is a bold and radical move, which entails the complete removal of background or fingerprint clearance checks, which often occurs during enrollment into an academic program or during the employment application process, at higher education institutions. If institutions have to use the background check process to screen current and prospective students prior to enrollment

or admittance, then I urge institutions to develop a task force with various stakeholders (e.g., board of directors, institutional lawyers, campus president/chancellor, students, community members, and people with criminal records) to assess why the background check is needed, the effectiveness of background checks, the impact on campus safety, and the impact background checks has on college students criminal records.

Additionally, if background checks are to be used to screen for licensure purposes because the concern is college students with criminal records won't be able to pursue a specific type of career post graduation, then I believe the decision to pursue the degree should be solely left up to the student interested in the program not the department. As an aside, a former law student convicted of a drug related offense was approved by the Washington Supreme Court to sit and take her bar exam after being denied because of her previous criminal history (Ward, 2017). This case serves as an example that college students with criminal records can pursue a degree with licensure requirements in a particular field and potentially be able to practice. For this reason, institutions should inform current or prospective students of their current state laws and restrictions while also giving them agency over their degree and career choice.

Moreover, I believe that higher education institutions that utilize background checks to screen employees for criminal records, which include students, participate in upholding the vicious cycle of physical and mental incarceration. Particularly, they limit the educational opportunities made available to students who choose to better their lives post involvement with the injustice system. Furthermore, by upholding this practice, institutions send a distinct message that says a person with a criminal record is not deserving of a second chance even after they have paid their debt to society.

The second policy recommendation that I suggest is a bold and radical move, which entails the complete removal of background or fingerprint clearance checks, which often occurs during enrollment into an academic program or during the employment application process, at higher education institutions. If institutions have to use the background check process to screen students, then I suggest background checks be used for information/awareness purposes only and not as a screening process. Additionally, if background checks are to be used to screen for licensure purposes because the concern is college students with criminal records won't be able to pursue a specific type of career post graduation, then I believe the decision to pursue the degree should be solely up to the student interested in the program not the department. I believe that higher education institutions that utilize background checks to screen employees for criminal records, which include students, participate in upholding the vicious cycle of physical and mental incarceration. Particularly, they limit the educational opportunities made available to students who choose to better their lives post involvement with the injustice system. Furthermore, by upholding this practice, institutions send a distinct message that says a person with a criminal record is not deserving of a second chance even after they have paid their debt to society.

Conclusion

In conclusion, the process of attending a higher education institution with a criminal record can be a difficult task, especially when there's a plethora of laws and policies that serve as barriers to the institution and its resources. Moving forward, higher education institutions need to revisit and address policies that infringe upon prospective and current CSCRs ability to attend post-secondary education. I believe we have to look

deeper and find solutions that does not discriminate and marginalize a group of students based on past criminal offenses in order to move towards a brighter and diverse future.

CHAPTER 3

LIVING THROUGH INSTITUTIONAL BARRIERS

The United States (U.S.) has witnessed some of the most egregious crimes in both K-12 and post-secondary education. Crimes such as the Sandy Hooks shootings, the Parkland Shooting, and the Stanford Rape are just some of the incidents that have impacted many within educational systems in just the last decade alone (Pryal, 2018; Shultz, Muschert, Dingwall, & Cohen, 2013; Stack, 2016). These high profile incidents have left many wondering what national, local, and educational leadership were doing to protect students and teachers from crime and criminal activity on campus (Noguera, 1995).

One way that institutions take on this feat is by creating and implementing policies and practices that deter crimes and people with criminal records from coming to campus (Langford, 2004; Rasmussen & Johnson, 2008). For example, Oregon State University implemented policy 02-015, which mandates that both current and prospective students divulge their criminal histories to the university administration so they can assess whether or not the institution was safe with their presence on campus (Nelson, 2018; Oregon State University, 2018). Another example can be seen at the University of Michigan. This particular institution implemented policy 601.38, which requires prospective students to divulge felony charges and felony convictions as well as consent to a background check within one week of being engaged with the institution (University of Michigan, 2019). This was done to ensure the campus was safe and secure from crime and those who commit them. These implemented policies and practices are forms of institutional barriers, which are “practices and procedures that exclude or discourage

working adults from participating in educational activities” (Cross, 1981, p. 98).

Particularly, these policies deliberately target college students who have a criminal records and discourages them from pursuing an academic degree (Rosenthal, NaPier, Warth, & Weissman, 2015; Sokoloff & Fontaine, 2013).

Moreover, scholars (see e.g., Halkovic & Greene, 2015; Hughes, Elliott, & Myers, 2014) believe the institutional barriers that currently impact both prospective and current college students with criminal records were spearheaded by the death of Jeanne Clery, a student who was murdered and raped by another student at Lehigh University in 1986 (Fisher, Hartman, Cullen, & Turner, 2002) and was then reinforced by high profile incidents such as the Virginia Tech shooting (Rasmussen & Johnson, 2008) and The Pennsylvania State University (Penn State) Child Abuse Scandal (Carlton, 2015). Lawsuits from parents of the victims and public ridicule also pressured and contributed to higher education institutions taking immediate action to protect their students, their institutions reputation, and to avoid liability all while trying to deter “criminals” from committing crimes or coming to campus (Asmussen & Creswell, 1995; Pierce, Runyan, & Bangdiwala, 2014).

However, there is evidence that dispels the myth about campus crimes being committed by people with criminal records (see e.g., Baum & Klaus 2005; Hart 2003). The Jeanne Clery incident, the Virginia Tech shooting, and the Penn State incident were all committed by current students with no previous criminal histories (Carlton, 2015; Fisher et al., 2002; Rasmussen & Johnson, 2008). In fact, the evidence suggests that college students with criminal records are no more likely to commit a crime on college campuses than students with no criminal histories (Drysdale, Modzeleski, & Simons,

2010; Runyan, Pierce, Shankar, & Bangdiwala, 2013). Despite the lack of evidence, many higher education institutions across the U.S., specifically four-year public colleges and universities, still implement institutional barriers at the undergraduate and graduate level that are discriminatory, dehumanizing, as well as exclusionary towards prospective or current college students with criminal records (Halkovic & Greene, 2015) for the sake of “safety” and “security” (Noguera, 1995, p. 189).

Knowing very few empirical studies capture the experiences of college students with criminal records, how they experience institutional barriers, or the various types of institutional barriers experienced, this study seeks to contribute to the literature by utilizing the voices and experiences of graduate students with criminal records. I chose to utilize graduate students with criminal records, a sub-population of college students with criminal records pursuing a graduate degree, because I believed they would provide broader examples and experientially rich descriptions of their lived experiences with institutional barriers and because their experiences could have implications for college students with criminal records more broadly (Van Manen, 2016). Therefore, the purpose of this hermeneutical phenomenology seeks to understand the experience(s) of living through institutional barriers as a graduate student while possessing a criminal record. I do this by employing the following research question: How do graduate students live through institutional barriers while possessing a criminal record and pursuing a graduate degree?

Conceptual Framework

I draw from Cross (1981) barriers to learning model for adult learners in higher education. Adult learners in this context are considered non-traditional students, usually

25 years of age or older, who are pursuing an education for the first time, choosing to change careers, or obtaining a new set of skills (Cross, 1981; Hardin, 2008). As it pertains to graduate students with criminal records in this study, all participants are over the age of 25 and are pursuing or changing careers because they possess a criminal record or they are no longer eligible to work in their previous profession due to the type of crime they have.

To understand why adult learners participated or refrained from participating in educational activities, which are activities outside of the classroom that increases student learning (Cross, 1981), Cross identified three types of obstacles. Those obstacles include situational barriers, institutional barriers, and dispositional barriers. Situational barriers arise from an individual's "situation in life at a given time" (Cross, 1981, p. 98). Some examples include poverty, familial support, and financial burdens (Flynn, Brown, Johnson, & Rodger, 2011).

Institutional barriers consist of practices and procedures such as enrollment obstacles (Miller, Mondesir, Stater, & Schwartz, 2014), lack of information about course offerings and eligibility (Cross, 1981), or the use of background checks in education (Dickerson, 2008; McTier, Santa-Ramirez, & McGuire, 2018) that discourage or exclude the participants in this study from participating in any educational activity outside of the classroom (Cross, 1981). Dispositional barriers are those related to how an adult learner

view themselves as a learner. For example, adult learners may feel as if they are too old to learn or to be in the classroom with younger people (Livingston & Miller, 2014). Cross argues that these three types of barriers experienced by adult learners are what keeps students from participating and learning in higher education.

Very few scholars have actually utilized Cross's (1981) work on adult learners and institutional barriers. However, scholars who have utilized Cross's model in their work, used her model as a foundation for studying various student populations, various types of institutional barriers, and to understand adult learners and the institutional barriers they experience in higher education (Flynn et al., 2011; Rubenson & Desjardins, 2009). For example, Dreger's (2017) dissertation utilized a transcendental phenomenological methodology to study the various types of barriers experienced by formerly incarcerated community college students. Here, she extended Cross's (1981) model on institutional barriers by including stigmas and its influence on institutional barriers. Rubenson's (1994) policy analysis utilized Cross's model on adult learners and institutional barriers to examine and analyze the various directions that Sweden's government policies took on adult education.

Despite its lack of empirical use, I chose to utilize Cross's (1981) model because certain elements (e.g., adult learners and various types of barriers) aligned closely with my population of study. For this reason, I draw my attention to the institutional barriers

experienced by graduate students with criminal records who are pursuing graduate degrees. Specifically, I focus on the practices and procedures that often prohibit or deter graduate students with criminal records from learning and participating in educational activities in and beyond the classroom (Hardin, 2008). By exploring the various types of institutional barriers experienced by graduate students with criminal records throughout their collegiate journey, I hope to provide a more up to date understanding of policies and practices that make it difficult for graduate students with criminal records specifically and college students with criminal records more broadly in higher education settings.

Literature Review

Experiences of College Students With Criminal Records

Prior to discussing the literature on campus policies and practices pertaining to college students with criminal records, I want to provide a brief overview of what is known about college students with criminal records in traditional higher education settings (not to be confused with higher education in prison). By traditional, I mean brick and mortar higher education institutions that operate independently from higher education institutions in prison. Very few studies capture the lived experiences of college students with criminal records in a broader sense (Copenhaver, Edwards-Willey, & Byers, 2007; Dreger, 2017; Halkovic & Greene, 2015; McTier, Santa-Ramirez, & McGuire, 2018; Strayhorn, Johnson, & Barrett, 2013). Those that do exist have focused primarily on undergraduate students with felony offenses and have excluded students with adjudications, students who have or haven't been incarcerated, or students who are on

mass supervision. These particular studies have all been exploratory qualitative studies focusing on the experiences of males. With the exception of McTier, Santa-Ramirez, and McGuire's (2018) whose study included the transition experiences of formerly incarcerated females.

Majority of the studies have also talked about the transitions into college. However, only a handful of studies (Copenhaver et al., 2007; Halkovic & Greene, 2015; McTier et al., 2018; Strayhorn et al., 2013) have actually examined how this particular student population experienced academia once they enrolled into the institution. For example, in Strayhorn, Johnson, and Barrett's (2013) seminal piece on Black males college adjustment and transition experiences at a predominantly white institution, they found that Black males in this study were often subjected to demeaning labels that often caused problems with their peers, limited their opportunities to be involved on campus, and it shaped how faculty viewed them. Another example can be seen in Copenhaver, Edwards-Wiley, and Byers (2007) seminal piece on the lives of formerly incarcerated students in higher education. In this particular qualitative study, these researchers found that the students had experienced various forms of stigma, which altered the way they interacted on campus.

As it relates specifically to graduate students with criminal records, I was able to uncover only one empirical study capturing their experiences. Particularly, Brower's (2015) qualitative case study examined one African American males experience transitioning from federal prison to graduate school. In this study, the researchers findings mostly focused on the participant's journey leading up to prison and it briefly highlighted how the participant was denied admittance into a graduate program because

of having a criminal record prior to being admitted. While I was only able to uncover one empirical study investigating graduate students with criminal records experiences in higher education, several news articles indicate that graduate students with criminal records experience various forms of discrimination at colleges and universities across the country (Castro, Ginsburg, Howard, 2017; Hager, 2017; Riley, 2017). For instance, Michelle Jones who applied to various doctoral programs while in prison had her offer rescinded by Harvard University because a few faculty members felt as if she downplayed her crime during her application process (Hager, 2017; Riley, 2017). These are just a few examples of the experiences of college students with criminal records in higher education. The next section of this literature review speaks to microaggressions in the academy followed by the treatment of people with criminal records.

Campus Policies & Practices Pertaining to College Students with Criminal Records

College students with criminal records are impacted by various policies and practices in higher education. These policies and practices often deter, revoke, or ban college students with criminal records from accessing or participating in the higher education experience for reasons such as stigmatization (Greene, 2013; Ott & McTier, 2018), fear (Garland, Calfano, & Wodahl, 2016; Pierce & Runyan, 2010), safety (Evans, 2013; Ramaswany, 2014), or concern with college students with criminal records not becoming licensed in their respective field or discipline (Haski-Leventhal, Gelles, & Cnaan, 2010; Pierce & Runyan, 2010). This is done through a process called “criminal screening,” which is a practice of excluding perspective students with certain types of crimes or criminal histories from admittance into departments, colleges and universities (Pierce & Runyan, 2010). While there are very few empirical studies capturing the

experiences of college students with criminal records in higher education and the policies and practices that exclude this minoritized population from post-secondary education opportunities, scholars have begun to investigate issues pertaining to this population.

One of the most notable policies and practices that deter, revoke, or ban college students with criminal records from higher education opportunities is admission into a college or university with a criminal record. There has been empirical evidence suggesting that prospective college students with criminal records who answer the criminal history question on college applications are subjected to unjust and questionable screening processes from a committee of college personnel (Custer, 2013; Pierce et al., 2014; Sokoloff & Fontaine, 2013; Weissman, Rosenthal, Warth, Wolf, & Messina-Yauchzy, 2010) and the practice varies from student to student and crime to crime (Weissman et al., 2010). The committee usually consists of faculty, police officers, deans, mental health professionals, and judicial affairs and all are mostly untrained or unknowledgeable about this particular population in higher education settings (Halkovic, 2013; Weissman et al., 2010). This is especially true for prospective students with violent offenses and sexual offenses (see e.g., Haski-Leventhal et al., 2010).

One example can be seen in Custer's (2013) work where he conducted a case study on a prospective college student with a criminal record applying to a university. In this case, the prospective student had been convicted of aggravated assault a decade before she applied to a university. Like other cases (see e.g., Evans, 2013; Greene, 2013; Simon, 2014), she was required to disclose in detail her criminal history and provide an essay of why she wanted to attend the university but was ultimately denied after refusing to provide additional detailed information about her past.

Since Custer's (2013) publication, more and more cases have received national attention via mainstream media. Cases such as Michele Jones who after being accepted by her department with a full scholarship had her admissions offer rescinded and overruled by Harvard's administration because they believed she down played her criminal history and didn't provide enough detail about the specifics of her crime(s) (Castro, Ginsburg, Howard, 2017; Hager, 2017; Riley, 2017). These cases are not exclusive to Jones. Other cases have revealed that graduate students with criminal records have been required by higher education institutions to do gratuitous task to determine if they are a threat to the campus community and to obtain details about the students past criminal history before being rejected (Brower, 2015; Weichselbaum, 2015). With all of these cases, no actual policies have been provided by the institution when asked or challenged (see e.g., Custer, 2013).

Moreover, admissions policies and practices are not limited to being admitted into a university or college; these practices are also reflected in certain educational programs and departments requiring licensure such as social work (Haski-Leventhal et al., 2010), nursing (Alley, Marrs, & Schreiner, 2005; Burns, Frank-Stromborg, Teytelman, & Herren, 2004; Farnsworth & Springer, 2006), counseling (Erwin & Toomey, 2005), law school (Simon, 2014) and pharmacy, medical, education, and business (Dickerson, 2008). College students with criminal records seeking admittance into anyone of these programs have also experienced instances where they were either denied access, banned, or deterred by departments and academic programs because they were not considered a good fit for the position due to their criminal history (Daehn Zellmer, & Knothe, 2011), fear the clients in which the college students with criminal records would work with

would be converted into criminals (Leedy & Smith, 2004), or it was considered one part of a social sanction. More specifically, it was considered “a form of social control to enforce society's standards,” which included denial to professional academic programs (Magen & Emerman, 2000, p. 401).

Many higher education institutions across the country utilize a background check to determine if employee's as well as students are fit to live or work in campus residential housing (Hight & Rachel, 2003; Hughes et al., 2014). While there have been major arguments for the use of background checks in the admissions college application process, many people agree the use of background checks for students wanting to reside on campus is warranted to keep current students safe (Hughes et al., 2014). Several states across the country have begun to impose their own laws allowing public higher education institutions to perform background checks on students interested in living on campus. One example can be seen in Texas where the Governor passed a law, Senate Bill 146 allowing campus housing and campus police to perform these background checks on students interested in living on campus property (Downing, 2013; S.B. 146, 2013). This policy was especially concerning because many of the colleges and universities in Texas required students to live on campus. Another example can be seen in the state of West Virginia, where a similar bill, House Bill 4009 (2014), was being proposed to allow state higher education institutions to also perform background checks on students residing on campus (Barajas, 2014).

In addition to housing, higher education institutions have used and implemented background checks to mitigate violence, in particular assaults and sexual assaults, by student athletes (Gill, 2017). Higher education institutions such as Fresno State have

implemented a university wide background check policy that prohibited athletic directors from recruiting students with felony convictions (Potrafke, 2006). Other institutions such as Baylor implemented policies requiring the institution to conduct background checks on all athletes who transfer from other institutions (Black 2005; Datz, 2005; Hughes & White, 2006) while higher education institutions such as the University of North Carolina, the University of Kansas, and the University of Miami (Florida) are considering implementing background check policies (Hughes & White, 2006; Potrafke, 2006). Higher education institutions such as Florida State University, the University of Florida, and the University of South Florida have decided against implementing such background checks on student athletics citing that the background check is not beneficial to their current recruiting process (Potrafke, 2006).

Background checks are the most utilized practice in higher education that screens for violent offense and people with criminal histories (Dickerson, 2008). Though background checks have been implemented in various capacities within higher education, very few empirical studies have investigated the practices on student experiences outside of admissions or the actual effectiveness of the practice on campus crime. The studies that do exist briefly highlight the use of background checks to deny college students with criminal records eligibility to work or volunteer in areas such as work-study and internships (Dickerson, 2008; McTier et al., 2017).

Much of the literature provided in this review reflects the experiences of college students with criminal records more broadly. A few media articles, which are also present in this study (Evans, 2013; Greene, 2013; Simon, 2014), provides evidence that graduate students with criminal records also experience institutional barriers during the admissions

process. Because there is a lack of empirical evidence and a great deal of media evidence that suggest graduate students with criminal records are experiencing similar institutional barriers, it is imperative that research investigates these issues as well.

Applied to my present study, graduate students with criminal records who experience institutional barriers within higher education are likely to not pursue an educational degree although higher education has been deemed as a benefit (Weissman et al., 2010). It also suggests this particular student population is prone to experience a litany of discriminatory practices, which can lower their ability to access higher education fully (Ott & McTier, 2018). This inquiry advances our understanding of institutional barriers experienced by graduate students with criminal records. Prior to this study, empirical studies have only focused on undergraduate students. My study not only contributes to the literature, it brings awareness to another student populations needs and that is graduate students with criminal records.

Methods

For this study I apply Van Manen's (2016) hermeneutical phenomenology to understand the experience of living through institutional barriers as a graduate student while possessing a criminal record. Van Manen defines and considers hermeneutic phenomenology to be "a method of abstemious reflection on the basic structures of the lived experience of human existence" (p. 26). Specifically, abstemious means there is an "abstention from theoretical, polemical, suppositional, and emotional intoxications" while hermeneutics means "reflecting on experience must aim for discursive language and sensitive interpretive devices that make phenomenological analysis, explication, and description possible and intelligible" (p.26). Furthermore, Van Manen also acknowledges

that phenomenology is an interpretive process in which the researcher interprets meanings and intermediates between the various meanings provided by the participants of this study.

Moreover, phenomenology is a method of questioning more so than answering (Van Manen, 2016). According to Van Manen (2016), what sets his hermeneutical phenomenological approach apart from other phenomenologist is the “wondering pathos for the pre-reflective experience and the singularity of the phenomenon” (p. 27). Meaning, he is more so interested in the many insights that come from participants lived experiences through reflective questioning, the researchers fascination with the various meanings of lived experiences, and the sources they derive from. Additionally, hermeneutical phenomenology calls for the suspension of the researchers beliefs (epoché or bracketing) and the return back to the phenomenon of focus (reduction), which are considered the two most quintessential elements of this method (Van Manen, 2016). To bracket, I put aside all of my assumptions and allowed the lived experiences of my participants to lead me to and through the phenomenon of focus.

Participants & Recruitment

The participants for this study consist of 10 graduate students with criminal records encompassing various identities and backgrounds (e.g., educational attainment, race, gender, crime type, & criminal status) that are pursuing one of the following: masters, doctoral, or professional degree at a four-year higher education institution across the country (see Table 2). To be eligible to participate, prospective participants had to: (a) be over the age of 18; (b) be a graduate or professional student; (c) have access to a computer with video capabilities; and (d) possess a criminal record, which includes any

combination of the following: juvenile or adult record (e.g., an adjudication, felony, or misdemeanor), a violent or non-violent offense, or have been charged of a crime and not yet adjudicated/convicted by the legal system. These selected criteria are informed by Van Manen's (2016) hermeneutical phenomenology because it provides insight into the phenomenon of focus.

Participants were recruited using a criterion sampling method, which is "is a kind of purposeful sampling of cases on preconceived criteria" (Sandelowski, 2000, p. 248). Using this criterion sampling method, I posted a flyer, which included my contact information, remuneration (\$50 Amazon e-gift card) information, and a virtual link containing an informed consent and pre-questionnaire form to a private social media group (name removed to maintain anonymity) created by and for currently enrolled graduate students with criminal records and for people with criminal records who have graduated with a graduate or professional degree. This group currently has an active membership of 900 plus formerly incarcerated members. Due to being formerly incarcerated with a graduate degree, I was granted access to this private group. The informed consent form, which was IRB approved, detailed the study's aims, procedures, confidentiality agreement, and criteria to participate in study.

Moreover, to determine sample size, it is important to note that Van Manen's (2016) phenomenological approach is not interested in the number of participants a researcher can gather for the study. Rather, he is interested in the researcher gathering enough rich accounts that "make possible the figuration of powerful experiential examples or anecdotes" that help reflect the participants lived experiences as best as possible (p. 353). He further argues that to many participants "encourages shallow

reflection” (p. 353). As such, I recruited 10 participants in the spring of 2018; five who self-identified as female and five as male, because I believed having 10 perspectives would provide enough rich detail to reflect the participants lived experiences.

Collection of Participant Perspectives

Prior to explaining how I collect participant perspectives, I want to offer a brief explanation of the term and why I use participant perspectives in lieu of the term data collection. I consider participant perspectives to be the thoughts, ideas, or lived experiences that derive solely from the participants within a study. In return, researchers use participant perspectives for analyzation and interpretation purposes within a study.

As it relates to the term data collection, the term is known to represent a number or textual value, which is then used as a way to describe collected evidence during a study (Golafshani, 2003; McTier et al., 2018). It strips away the human element and “it can have little to no regard for the people or voices that provided the ‘evidence’ for the researchers use” (McTier et al., 2018, p. 13). Once a person is incarcerated, their name is stripped away from them and replaced with a number as a way to dehumanize and punish them further (McTier et al., 2018). As a way to give power back to those impacted by the injustice system, I chose to use a term that is reflective of my way of thinking.

The first step in the process of collecting participant perspectives consisted of participants reading and signing an informed consent form detailing their rights as it relates to their participation in this study. Next, participants completed an online pre-questionnaire form, which included 23 closed-ended questions pertaining to their individual demographics, specific information about their criminal history, and their educational background. The subsequent step consisted of participants voluntarily

participating in a concept mapping exercise, which is considered to be a pictorial or word representation of an individual's thinking relative to the topic at hand (Trochim, 1989a, 1989b). Particularly, participants drew a timeline, starting from the moment they experienced institutional barriers in higher education (community college or bachelors) because of their incarceration to the degree (graduate or professional) they are currently pursuing, and wrote down every institutional barrier they had experienced as a result of having a criminal record. The concept map was solely used as a guide and prompt for the semi-structured interview, which specifically asked questions about the barriers the participants experienced in higher education.

Moreover, during the concept map exercise, I made myself available via Facetime, Zoom, or a simple phone call in case participants had a question. Following the concept map exercise, each of the 10 participants participated in one semi-structured interview, which was comprised of 17 questions, to discuss the institutional barriers they have experienced while pursuing their graduate degree. Some examples of questions included: (a) thinking about your daily experience in higher education, could you describe a situation where you experienced an institutional barrier because of your own criminal record; and (b) what were some unfair practices that you've experienced from faculty, staff, peers or administrators as a result of having a criminal record? Each interview lasted between 30-56 minutes; the collection of participant perspectives took place over a 30-day period and was transcribed verbatim using a transcription service (i.e., REV.com).

Table 2: Participant Demographics, Crime(s), and Education

Graduate Students with Criminal Records										
Characteristics										
Demographics										
Current Age	36	37	46	33	48	32	37	44	28	43
Gender	F	M	F	M	M	M	F	M	F	M
Race/Ethnicity	White	White	Multi-Racial	White	White	White	White	Black	Black	Black
Marital Status	Married	Married	Married	Divorced	Single	Single	Married	Divorced	Single	Divorced
Crime										
Charged As	Adult	Adult	Adult	Minor/Adult	Adult	Adult	Minor/Adult	Minor/Adult	Adult	Adult
Crime(s)	DUI & VH	DUI	F & IT	AB, B, DP, AT	C, DC, DP, DTD, DUI	DP & DHR	DP, DV, DTD OJ	R, DC, AAB, B	F & R	DP
Committed										
Length of Last	56 months	180 days	56 months	42 months	105 months	27 months	3-years	25 months	0	6 months
Incarceration										
Time Since Last	5-years	18-years	10-years	6-years	13-years	8.5-years	10-years	20-years	2-years	20-years
Education										
Degree Pursuing	Masters	PhD	PhD	PhD	Masters	PhD	PhD	PhD	PhD	Masters
Academic Major	*SW	*EP	*PSY	*E	*SW	*SW	*EP	*Ed	*TS	*OL
Required to Disclose	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes
Criminal History										
Receiving Financial Aid	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes

ABBREVIATION KEY: AAB=Aggravated Assault/Battery| AB=Assault & Battery| AT=Auto Theft| B=Burglary| C=Conspiracy| DC=Disorderly Conduct| DHR= Disturbing Human Remains| DP=Drug Possession| DTD=Drug Trafficking/Distribution| DUI=Driving Under Influence| DV=Domestic Violence| F=Forgery| IT=Identity Theft| R=Robbery| VH=Vehicular Homicide| *E=English| *Ed=Education| *EP=Educational Policy| *OL=Organizational Leadership| *PSY=Psychology| *SW=Social Work| *TS=Transformative Studies

Phenomenological Analysis

The first approach in Van Manen's (2016) phenomenological analysis consisted of wholistic reading, which was individually done on every participant's transcript. Here, I thoroughly read through each participant's transcript. Then I looked for phenomenological meanings and examples (i.e., their experience(s) with institutional barriers) and wrote short descriptive phrases or notes on the side of each participant's transcript. The next approach, which was also done on each participant's transcript, consisted of selective reading. Here, I read through each participants transcript two additional times and asked myself what phrases or notes highlighted in step one seemed essential or revealing about the experience being described. Thereafter, I highlighted, with color, what I thought were the thematic expressions (e.g., short sentences) or descriptive-interpretive phrases (e.g., short or long paragraphs) that addressed the phenomenon of focus. This was also done on every participant's individual transcript.

The last approach, which had several embedded parts, consisted of detailed reading. During this approach, I took each transcript containing their thematic expressions or descriptive-interpretive phrases and wrote a lived experience description (i.e., a sentence detailing what the lived experience was about). I then lifted those thematic expressions or descriptive-interpretive phrases from the main transcript, converted them into anecdotes, and then edited (rewrote portions of the anecdote for clarity while being careful to not overwrite) (see Van Manen, 2016, p. 254 for anecdote editing procedures) so that vivid illustrations of the lived experience were shown. Once the lifted anecdotes were edited and completed, I placed them in a master Word document, which contained all the participants' anecdotes, and began to do a wholistic,

selective, and line-by-line thematization of the master Word document. Specifically, I read through each anecdote looking for connections and outliers, I grouped and organized participant's anecdotes by like themes and similarities, and then started writing the findings.

Trustworthiness

Throughout the study, care was taken to ensure that my previous experiences did not influence interviewing, data analysis, and interpretation. Thus, I employed two criteria suggested by Guba and Lincoln (1981) to ensure trustworthiness. The first set of criteria that I engaged with was credibility. To meet this criterion, I employed triangulation, which involved using various methods to counter each methods limitations and strengths (Guba & Lincoln, 1981; Shenton, 2004). Specifically, I used two methods to collect participant's perspectives: (1) a semi-structured interview and (2) a concept map exercise. I also employed frequent debriefing sessions between three outsiders to ensure my biases were being recognized and checked, to serve as a sounding board for ideas, and to push back when things were unclear within the study (Guba & Lincoln, 1981; Shenton, 2004). Lastly, I employed member checking, which is checking for the accuracy of the participants perspectives being collected and presented in the final write up (Guba & Lincoln, 1981; Shenton, 2004). I ensured all participants had the opportunity to read through their individual transcripts and provide edits, clarifications, redactions, or comments. The next set of criteria that I appointed was transferability, which suggests, "all social/behavioral phenomena are context bound" (Guba, 1981, p. 86). Specifically, I provided complete details and thick descriptions of my participants, methods and methodologies that I used throughout this study.

Findings

To address the phenomenon, which is the experience of living through institutional barriers as a graduate student while possessing a criminal record, two findings emerged from the participant's perspectives (i.e., their lived experiences). The first finding draws attention to how participants are constantly proving themselves to various people at their graduate institutions while the second finding draws attention to how participants are constantly deflecting institutional barriers. Both of these findings contribute to our understanding of how graduate students live through institutional barriers while possessing a criminal record and pursuing a graduate degree.

Constant Proving of Self to Others

One of the ways graduate students live through institutional barriers while possessing a criminal record is through the constant proving of self to others. To be more specific, majority of the participants within this study talked about or explained how they were often tasked, from administrators and faculty, with proving that their criminal record was not going to cause a problem for them or their campus community. As one participant stated, "they want you to reassure them that you're not this person who you used to be, you're not the same person that you were when you were committing crimes." This quote reflects how graduate students with criminal records have to constantly reassure others that they are safe, that they are not dangerous individuals, or that they are no longer the person who committed a crime in the past. This does not happen all the time. However, it happens at specific moments in time such as during the admissions process or through various encounters with peers, faculty, or administrators while on campus.

Take for example, the admissions process, which is where a great deal of proving of self for participants in this study takes place because they are required to disclose their criminal records by the institution. During the admissions process, participants often talked about how they had to meet with people they didn't know and convince them that they belonged in the program. They also talked about how they had to locate and submit court and treatment documents, which contained personal and intimate details not only about their crime(s), but their behaviors, evaluations, and victims to these same unknown individuals just to prove they were safe enough to be in their institution and program. As one participant stated,

I had to meet with either like the head of the program and also I guess at that time it was like the dean of education. But yes, I did have to meet with them. Again, I had to basically bring letters of recommendation. Yeah. Letters of recommendation basically like before and after letters as to who I was verse who I am now. I brought stuff that I did when I was in prison to show that I was constantly working to better myself. And for actually my PhD program, I actually had to submit basically a plan, "What do you intend on doing? And okay, this is why you went to prison, well, should any of those triggers come up, what plan do you have to keep you from going back?" Yes, it was very, very in depth. So again, it's these specific moments of proving self to others that many of the graduate students with criminal records in this study endure just to be present and just to get an opportunity for an education.

Moreover, no matter how much time has passed from involvement with the injustice system to a higher education setting, the criminal record seems to follow the

participant everywhere they go and it always trumps all the good the student has done or is trying to do to better their lives. As one participant stated, “it’s like a spotlight on me. I felt like here I am in school and I feel all good and then all of a sudden my criminal record came back again, like is this ever gonna go away?” It is like no matter how hard the participants in this study try to better their lives and leave their past criminal records behind, higher education still wants students to prove they are safe to be around or that they are rehabilitated almost to the detriment of the student. Case and point, one participant talked about how they had to sit in front of a board of unfamiliar faces (i.e., faculty, administrators, instructors) and defend themselves with no help or support. Here’s what they said,

I think having to sit down in front of a whole bunch, like a round table of probably like 12 or 13 faculty, administrative, and instructors and defend myself, or explain myself and really just advocate for myself to be into the school ... It was a very intimidating and scary experience. Since then, I've become better about talking about my criminal background. But definitely at the time I was pretty insecure and I didn't know anyone. I was just there by myself. It was just kind of traumatizing. Yeah, they asked me a whole bunch of different stuff... One guy talked about my irresponsible behavior and was relating it to the [National Association for Social Work] Code of Conduct, of being a responsible professional. I was trying to kind of relate me as a student to being a professional, and not being responsible for my actions. He was just kind of going off on tangents about that and my behavior not being professional.

Not every participant experienced instances where they had to prove themselves to others because of having a criminal record. There was one specific participant who shared that they did not disclose their criminal record to the institution or program because they new what would happen if they did. Meaning, they new that that they wouldn't get into the program and they stated, "there's just a lot of fear of judgment and persecution from people...So, I hide all of this so I don't experience any of those things. Those things include the judgment and persecution from members of the campus community. These instances of having to prove themselves to others often traumatize the student because they have to constantly reflect back on a moment in time they've moved on from. There's also this fear and intimidation that participants in this study experience because of uncertainty on what's going to happen to them because they disclosed their specific details of their crimes. And, perhaps because sitting before a board to determine the individuals fate is very reminiscent of having to sit before a parole board pleading their case to be let out of prison.

Constant Deflection

Another way graduate students live through institutional barriers while possessing a criminal record is through constant deflection. Specifically, there are moments within the participant's academic journey where they have to constantly deflect the various institutional barriers they encounter because they have a criminal record. As an example, one participant talked about how they refused to disclose their criminal record to peers or administration because, as they stated, "I don't want to give someone the impression I'm an unsafe person to be around, I don't want to make people uncomfortable, there's so much stigma around prison." This is as sentiment shared by all the participants in this

study, which is why they are constantly deflecting situations where they would encounter institutional barriers.

To provide additional examples of how graduate students with criminal records are constantly deflecting, one participant stated, “you just don't talk about it. Yeah, you just don't talk about it. You never get through those barriers!” By not talking about their past criminal history, they are able to navigate through their graduate program unscathed because no one knows about their past. Additionally, another participant explained how they would put up a façade around their peers and faculty in order to suppress their past criminal history because they feared what would happen if they did disclose. Here’s what they said,

Some of my classmates know that I use student loans to support myself, some of them don't, so I just let people assume that I'm making more money than I actually am... I just let people assume my parents are more well-off than they actually are and that's why they're able to help me out. It's not a major detriment, but it's a detriment enough that I feel badly about my mother having to pay my rent. Most of it is really financial. Finding ways to not have to spend as much on books. I do the inter-library loan at my local library, just figuring out ways to spend the least amount of money on getting a PhD, which is definitely difficult, because you incur a lot of expenses, especially if you want to travel to conferences. There are plenty of conferences I would love to be able to go to but I have no money to go to them.

This deflection only occurs when the participants in this study know or sense an institutional barrier is about to occur or prohibit them from actively participating in their graduate program.

Moreover, there came a time where the participants in this study would get tired of deflecting the institutional barriers they would experience because of having a criminal record. As indicated by a participant in this study,

I think I had enough, I don't know, stubbornness, I guess, and discipline and determination that I would fight pretty hard. Especially when I got kicked out, I appealed it. I appealed it and I talked to everyone that I could.

The reason being, many of the participants in this study felt that graduate school was their last attempt to not only make a change for themselves but to prove to others that they could achieve their goals with a criminal record. It was almost as if there was a level of vindication that took place when the students chose to come forth about their previous crimes and confront the institutional barriers head on. For instance, one participant stated,

Essentially basically I just drew upon the support of my family and my friends, who knew that I was better than my past and that I was more than what that piece of paper said. And I just drew upon their support and used that as motivation and basically turned what I call the haters into ... I basically used the hate of the haters to fuel my fire so that I can one day look back at them and say, "Ha-ha. This is the one that you had no hope for. This is the one that you had this preconceived notion about based upon what this piece of paper had said, but now look at me now."

Additionally, by disclosing and getting ahead of the potential institutional barriers they would experience, the participants felt they were maintaining their agency over self by accepting their lived reality. So when the institutional barrier would arise within their graduate program at any given moment, the participants in this study would mentally be prepared to tackle them.

Discussion & Implications

The findings from this study address how participants live through institutional barriers while possessing a criminal record and pursuing a graduate degree. Using Cross's (1981) conceptual framework, I was able to address the phenomenon of focus. Specifically, this conceptual framework allowed me to focus on areas of practice that often serve as institutional barriers for this particular population. What I found was that participants in this study, despite their location and institution type, established their own unique ways of living through various institutional barriers (i.e., practices) while pursuing a graduate degree.

One of the findings indicated that participants had to divulge detailed information about their crimes on various types of applications (e.g., admissions, internships, or assistantship applications). Many scholars, activist, and grass root organizations have voiced their concerns about the college application asking about criminal history questions because the question often violated prospective and current college students with criminal records privacy and a fair chance to be admitted into the college, university, or a specific degree granting program (Bressler & Von Bergen, 2018; Callahan et al., 2018; Jung, 2016). This practice, which serves as an institutional barrier for this student population, showcases how institutions use their power to reproduce inequities for

college students with criminal records in traditional higher education settings. Specifically, higher education institutions engage in practices that punish and disciplines college students with criminal records. For example, higher education institutions require college students with criminal records to reveal the intimate details of their crimes to a group of people they don't know prior to being admitted into their institution or by having them complete frivolous task (e.g., write personal statements, retrieved documents, prove their rehabilitated) without an explanation on why the task are being done or how the information is being used.

Aside from knowing personal information about the students who are entering educational institutions, what benefits have come from having such private information about an individual? How is this information being used and who has access to this personal information? Based off the findings from this study, one is left to assume there is no benefit and the information is used solely as a way to punish, via screening and denial practices, graduate students with criminal records.

Moreover, the findings also exposed instances where graduate students with criminal records were required to answer to a board or committee of college and university personnel prior to being admitted into the university or graduate degree-granting program. Ironically, this practice of requiring graduate students with criminal records to sit before a board of people to determine their safety risk mimics the experiences of incarcerated individuals who are required to sit before a parole board to determine if they are safe enough to be released back into society (Medwed, 2007).

Both of these institutions (i.e., higher education and incarceration facilities) lack established procedures and standards for determining graduate students with criminal

records admittance into a degree-granting program (Tonry, 2014). This practice of sitting before a board has been known to take a mental and psychological toll on the individual and the practice itself has been scrutinized publicly for their exclusive and racist behaviors toward people of color and toward individuals with violent offenses (Nellis, 2010; Tonry, 2014). And based off supporting evidence from the findings, sitting before a board of unknown people at higher education institutions and discussing intimate details of their past is a traumatizing experience.

So why do institutions engage in this particular practice when no other student population (i.e., students with no criminal record) have been required too? Many of the participants who experienced this institutional barrier spoke in depth about how they were unaware of the individuals present on these boards, why the board needed their criminal history, or how the board was evaluating their past. Reflecting back on this finding, this practice is very exclusionary and confirms prior research on questionable practices toward college students with criminal records, which contributes to their lack of enrollment post-incarceration or involvement with the injustice system (Custer, 2013; Jung, 2016). Furthermore, these practices are isolating for college students with criminal records, especially when there is no one to support them through the process.

Based off the findings, there are several implications for future practice and research that I believe will help foster a promising future for graduate students with criminal records specifically and college students with criminal records more broadly. I understand the need for student safety. However, I think the way student safety has been approached only benefits a certain type of student, which doesn't include college students with criminal records. Therefore, I suggest higher education institutions reevaluate this

idea of student safety and the impacts it has on specific types of students. Administrators should also reevaluate the unjust practices pertaining to graduate students with criminal records eligibility to seek and obtain assistantship opportunities, which is a vital component to funding graduate programs (Gardner, 2010; Perna & Hudgins, 1996) or find viable ways for graduate students with criminal records to fund their graduate degrees.

Researchers and higher education communities can benefit from literature pertaining to how graduate students with criminal records navigate institutional barriers and how institutional barriers impact their experiences in other areas of the college going and learning process. Specifically, for graduate students with criminal records who are not eligible for assistantships, how are they finding ways to fund their programs and what happens if they are denied funding? In addition, empirical research on other types of barriers (e.g., situational and dispositional barriers) as described by Cross (1981) is needed to obtain a holistic understanding of graduate students with criminal records experiences in higher education. Particularly, future research should investigate how outside experiences and their personal view of self contributes to the barriers they experience in higher education settings.

Moreover, this study found elements of isolation from the participants in this study. Meaning, graduate students with criminal records did not feel included within their campus communities when they experienced or navigated through institutional barriers. As such, future research should explore and incorporate other conceptual frameworks such as sense of belonging (O'Keefe, 2013; Strayhorn, 2012) or modes of power (Foucault, 1982; McHoul & Grace, 2015). Future research on how committees are

selected to review prospective and current graduate students with criminal records, how the information is being used to evaluate and determine if prospective and current graduate students with criminal records are safe, as well as how individuals on these committees are trained to access students past crimes is also needed. Moreover, future research on specific institution types and regions that do not engage in certain institutional practices is needed in order to understand student safety from all aspects.

Conclusion

As a final thought, college students with criminal records are still an invisible student population on many college and university campuses (McTier et al., 2018). To deny them the opportunity to change their life trajectories is a disservice not just to them but to their communities, their families, the people impacted by their past crimes, and taxpayers. This study, I believe, is one of many that has begun to address the pertinent issues that many have overlooked or turned a blind eye to for far too long. It is with high hopes that faculty, staff, administrators, students, and college students with criminal records can collectively come together to have the necessary conversations that would eliminate institutional barriers and ultimately build a shared future for all.

CHAPTER 4

LIVING THROUGH CRIMINALIZED MICROAGGRESSIONS

It is no secret; people with criminal records in the United States (U.S.) are treated like second-class citizens for the simple fact of having a criminal record and for possessing certain types (e.g., murder, sexual related offenses, theft) of crimes (Alexander, 2011; Behrens, 2004). As if being treated differently or being negatively thought about because of the color of one's skin, their gender, or sexuality isn't enough, society has also found a way to blatantly and subtly discriminate against people with criminal records (Geiger, 2006) through verbal and non-verbal actions I consider as criminalized microaggressions. Drawing from select scholars (i.e., Pérez Huber & Solorzano, 2014; Sue, Bucceri, Lin, Nadal, & Torino, 2007a), I define and consider criminalized microaggressions to be verbal, behavioral, or environmental vilifications and insults (intentional or unintentional) directed towards an individual with a criminal record. These criminalized microaggressions are often subtle and can be hard to detect at the time of occurrence or they are discriminatory, hostile, derogatory, and offensive (Sue et al., 2007a). Unlike other forms of microaggressions (i.e., racial, sexual, or gender), this particular type of micro-aggression criminalizes every action and reaction of a person who has a criminal record and reduces them to a tainted or discounted individual (Goffman, 1963; Ott & McTier, 2018).

Moreover, very few studies directly address the various forms of microaggressions experienced by people with criminal records (Becker, Carr, Knapp, & Giraldo, 2017; Fujii-Doe, 2017; Giraldo, Huerta, & Solórzano, 2017). These empirical studies have focused primarily on the racial microaggressions experienced by people with

criminal records within the community and higher education. Despite the small number of empirical studies as it relates to college students with criminal records, we do know that various student populations such as community college students (Casanova, McGuire, & Martin, 2018), students with disabilities (Dávila, 2015), undocumented students (Nienhusser, Vega, & Carquin, 2016), Asian American students (Sue et al., 2007a), African American students (Solórzano, Ceja, & Yosso, 2000), and LGBTQ students (Woodford, Chonody, Kulick, Brennan, & Renn, 2015) also encounter various forms (e.g., racial, interpersonal, gendered) of discrimination and various types of microaggressions on college campuses (e.g., Nadal, Whitman, Davis, Erazo, & Davidoff, 2016; Nienhusser et al., 2016; Soloórzano et al., 2000; Yosso, Smith, Ceja, & Solórzano, 2009) because of their involvement or association with a particular group.

While I recognize the various types of microaggressions experienced by different students and communities, I solely focus on microaggressions that directly affect or impact those with criminal records. I focus on this area because having a criminal record rouses various forms of discrimination that are distinct and different than any other form of micro-aggression. So as a way to contribute to existing literature, I deliberately draw my attention to criminalized microaggressions experienced by graduate students with criminal records. I chose to utilize graduate students with criminal records because I believe they can provide elaborate and robust accounts of their lived experiences and encounters with criminalized microaggressions in higher education and I believe their experiences can have major implications for undergraduate students with criminal records (Van Manen, 2016). Thus, the purpose of this hermeneutical phenomenology seeks to understand the experience(s) of living through criminalized microaggressions as a

graduate student while possessing a criminal record. I do this by employing the following research question: How do graduate students live through criminalized microaggressions while possessing a criminal record?

Literature Review

Microaggressions in the Academy

The term microaggressions was first introduced in 1970 by Chester Pierce, a psychiatrist who researched and documented race-related slights and indignities experienced daily by Black Americans (Wong, Derthick, David, Saw, & Okazaki, 2014). Since the inception of the term microaggressions, many scholars (e.g., Dovidio, Gaertner, Kawakami, & Hodson, 2002; McConahay, 1986; Sears, 1988) have tried to build upon Pierce's previous work by incorporating concepts such as modern, symbolic, and aversive racism (Wong et al., 2014). However, Derald Wing Sue and fellow scholars' have been credited with re-introducing the term and concept of microaggressions to the academy in the 21st century (Sue et al., 2007a, 2007b), expanding the knowledge around microaggressions, outlining taxonomy of racial microaggressions (Sue, 2010b), and for outlining future research as it relates to racial microaggressions (Wong et al., 2014).

Since the reintroduction and the reconceptualization of racial microaggressions, many scholars have engaged with the term microaggressions to study the racial experiences of various marginalized and minoritized student populations. For example, various studies have examined the experiences of African American students (Solórzano et al., 2000), undergraduate Latino/a students (Yosso et al., 2009), Asian American students (Sue et al., 2007a), and previously incarcerated formerly gang involved students (Giraldo et al., 2017) to study their responses to various racial microaggressions in higher

education as well as the campus racial climate (Solórzano et al., 2000; Yosso et al., 2009). Scholars have also engaged with the term microaggressions by focusing on areas other than race. For instance, microaggressions have been used to study undocumented students experiences with microaggressions during their college choice process (Nienhusser et al., 2016), interpersonal microaggressions in classroom settings (Suárez-Orozco et al., 2015), gendered or sexual microaggressions towards the LGBTQ student population (Woodford, Howell, Silverschanz, & Yu, 2012) as well as disability microaggressions experienced by students in special education (Dávila, 2015).

In addition to studying various student populations and their experiences with microaggressions, scholars have also found there to be varying types of microaggressions experienced by various student populations and people (Casanova et al., 2018; Nadal et al., 2011a; Yosso et al., 2009). For example, Suárez-Orozco et al. (2015) found four specific types of microaggressions delivered in diverse community college classrooms. Intelligence-related, which challenges one intellectual ability and fortitude within classroom settings intelligence (Suárez-Orozco et al., 2015; Sue, 2010b; Sue et al., 2007b), cultural/racial, which belittles the assumed individuals ethnic background (Suárez-Orozco et al., 2015), gendered, which micro-aggresses a person because of their sexuality or gender identity (Suárez-Orozco et al., 2015; Sue, 2010a), or intersectional, which is when an individual is micro-aggressed across multiple social groups (Purdie-Vaughss & Eibach, 2008; Suárez-Orozco et al., 2015).

Majority of the studies produced have been qualitative and have used methods such as interviews, focus groups, as well as observations to capture student's experiences with microaggressions. Scholars have also used various quantitative methods such as the

Racial and Ethnic Microaggressions and the Gendered Racial Microaggressions scale to study the various forms of microaggressions that exist, to form generalizations about specific populations, and to substantiate claims made in qualitative studies (see e.g., Balsam, Molina, Beadnell, Simoni, & Walters, 2011; Nadal et al., 2011b; Torres-Harding, Andrade, Diaz, & Crist, 2012; Yang & Carol, 2018). Together, these studies and their focus on microaggressions have sparked national and international conversations pertaining to overt and covert racism, gender issues, sexism and a host of many other issues that were once ignored or overlooked (see e.g., Ito, 2018; Moore, 2017; Vega, 2014).

The Treatment of People with Criminal Records

In this section, I turn to empirical literatures that address how this population is treated within the U.S. Studies have shown that people possessing a criminal record are treated differently than people who do not possess a criminal record (Alexander, 2011). This is especially true in areas of employment, housing, and education. One of the most documented places where people with criminal records are treated differently is in the employment sector. Employers have been notorious for not considering people with criminal records when the conviction question has been checked and answered on job applications regardless if the applicant has experience or not (Murphy, Fuleihan, Richards, & Jones, 2011; Smith, 2014). Additionally, research suggests employers have knowingly conducted interviews with prospective employees with criminal records despite having no intentions of ever hiring them in the first place (Atkin & Armstrong, 2013). Employers have also made statements pertaining to not hiring people with certain

types of criminal offenses because of fear of losing clients, their reputation, or being liable for victimization (Lageson, Vuolo, & Uggen, 2015).

Moreover, employment helps reintegrate formerly incarcerated individuals back into society and reestablishes social capital (Adams, Chen, & Chapman, 2017). However, people with criminal records are purposely overlooked for positions because of the type of crime and the assumed relation the crime has to the job (Atkin & Armstrong, 2013). Similarly, many employers share that they won't hire people with criminal records because they fear they are too dangerous or hazardous for their clientele and fellow co-workers (Harris & Keller, 2005). Using terms such as dangerous or hazardous to describe an individual are considered forms of discrimination (Sue et al., 2007b).

Adequate housing is a universal necessity and right for humans to live and thrive (Foscarinis, 2011). However, many landlords (public and private) have legally used background checks, the Internet, and credit information tools as a way to screen and reject people with criminal records from living in their communities (Oyama, 2009). For instance, according to Oyama (2009), private landlords have been known to search the Internet for updates in laws or new programs that gives housing vouchers to people with criminal records. Private landlords would then update their housing disqualification criterion by adding housing vouchers as things they would not accept. Landlords who do rent to individuals with criminal records have been known to harass their tenants, provide poor maintenance, and enforce stricter rules (Pager & Shepherd, 2008). Research also shows how housing authorities discriminate against individuals with criminal records in leasing contracts using statements and overt terminology such as no sex offenders or no convicted felons permitted to live in the community (Cain, 2003).

As it relates directly to race, Black men and women with criminal records are discriminated against at six times the rate of White, Latino, and other racial and ethnic groups of people (Murphy et al., 2011; Segall, 2011). In fact, Black people face double forms of discrimination, one for the color of their skin and one for their criminal record (Murphy et al., 2011). Individuals with sexual related offenses, regardless of the circumstances or the intricate details of the case, are often treated particularly harshly, discounted, and discriminated against more frequently than individuals with other crime types (Pager, 2003; Quinn, Forsyth, & Mullen-Quinn, 2004; Tweksbury, & Lees, 2006).

Access to education has been dubbed one of the best alternatives to crime prevention and recidivism (Lockwood, Nally, Ho, & Knutson, 2012). However, many research studies inadvertently showcase how postsecondary educational institutions and the educational community discriminates against college students with criminal records in higher education settings (Copenhaver, Edwards-Willey, & Byers, 2007; Halkovic & Greene, 2015; Hight & Raphael, 2004; Hughes, Elliott, & Myers, 2014; McTier, Santa-Ramirez, & McGuire, 2018). Take for example, institutions that utilize the criminal history question on college applications (Custer, 2013) or the background check process (McTier et al., 2018) to weed out and ban any person with a criminal history from pursuing an academic education. This is a form of non-verbal discrimination (Sue et al., 2007b). Other things that could be considered as discriminatory towards people with criminal records are the use of emails to blast, shame, or brand people and students with sex related offenses to the campus community at large (Quinn et al., 2004). Though legal, it further causes additional overt and covert forms of discrimination and stigmatization from students, faculty, staff, and administrators (Tweksbury & Lees, 2006).

This inquiry advances our understanding of various types of microaggressions that are experienced by various student populations within higher education. No existing research has investigated or considered crimes as a standalone micro-aggression. Previous studies have examined microaggressions as it relates to race and gender. My study contributes specifically to this literature and expands our understanding of microaggressions. In addition, my study includes graduate students with criminal records and their experiences with criminalized microaggressions. Previous works have mostly included undergraduate students.

Conceptual Framework

Sue et al. (2007b) considers microaggressions to be “brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative...slights and insults” (p. 271) towards underrepresented individuals (Suárez-Orozco et al., 2015). They are considered to be “subtle acts...that emerge in schools, college campuses, classrooms, and everyday conversations and interactions” (Pérez Huber & Solorzano, 2014, p. 2). To investigate the phenomenon of living through criminalized microaggressions as a graduate student while possessing a criminal record, I draw from Sue et al. (2007b) framework on taxonomy (i.e., various types) of microaggressions. Sue et al. (2007b) taxonomies, which were created to study the racial awakening of counselors who experienced racial microaggressions in their everyday life, is considered to be the various types of microaggressions that a person can experience. Those types of microaggressions include microassaults, microinsults, and microinvalidations.

Microassaults are explicit derogatory remarks about a person or a group of people (Huber & Solorzano, 2014; Nienhusser et al., 2016; Sue et al., 2007a; Sue et al., 2007b). These microassaults can be verbal (i.e., criminalized epithets), non-verbal (discriminatory behavior), or environmental (offensive visual displays). Some examples of microassaults as it relates to crime include calling someone with a sex offense a “child molester” or “sexual predator” without knowing the exact details of their crime or a woman clenching her purse when encountering someone who has been involved in the injustice system (Schultz, 2014; Sue et al., 2007b).

As it relates to the next two taxonomies, micro-insult and micro-invalidation, these two are not as blatant as microassaults (Capodilupo et al., 2010; DeAngelis, 2009; Wong et al., 2014). The two aforementioned taxonomies of microaggressions are subtle and can often be overlooked. Additionally, they can be intentional or unintentional microaggressions directed towards an individual or a group of people (Huber & Solorzano, 2014; Nienhusser et al., 2016; Sue et al., 2007a; Sue et al., 2007b).

Microinsults are considered to be a “behavioral action or verbal remark that conveys rudeness, insensitivity” (Sue et al., 2007b, p. 73) or demeans a person who has been involved with the injustice system in some form or fashion. An employer who states, a person with a criminal record is too much of a risk to work at their business may be implying that a person with a criminal history is dangerous or unqualified to work (Holzer, Raphael, & Stoll, 2002). The third and final taxonomy, micro-invalidation, occurs when a person’s thoughts, feelings, or experiences have been invalidated or undermined (Nienhusser et al., 2016; Sue et al., 2007b). An example of this may occur in

a classroom setting where a professor invalidates or refutes a graduate student with a criminal record experience about what happens while incarcerated.

Taken together, these taxonomies of microaggressions help me to understand and explore the phenomenon of focus. Furthermore, it allows me to put into context, identify, and classify subtle or blatant forms of criminalized microaggressions that further target and dehumanize graduate students with criminal records in the academy. I do this by adapting Sue, Bucceri, Lin, Nadal, and Torino's (2007a) interview protocol on racial microaggressions, which he includes at the end of his article, to focus on criminalized microaggressions. Specifically, I rewrote his questions and replaced racial microaggressions with my term, criminalized microaggressions. Here is an example of Sue et al. (2007a) original question on race, *what are some ways that people treat you differently because of your race*, being converted into a question on crime, *what are some ways that people within higher education settings treat you differently because of having a crime as a student?*

Methods

Van Manen's (2016) hermeneutical phenomenology was used as a way to study the phenomenon of living through criminalized microaggressions as a graduate student while possessing a criminal record. Hermeneutical phenomenology is considered a method that reflects on the lived experiences of people (Van Manen, 2016). Specifically, the hermeneutical portion of the method reflects on the type of language participants use to describe their lived experiences while the phenomenological portion is a method used for questioning lived experiences rather than answering or trying to solve a problem. Van Manen is interested in the insights gleaned from people's lived experiences through

various techniques such as reflection and questioning, the researchers interest in the participants lived experiences, and the sources of information.

According to Van Manen (2016), when reflecting on people's lived experiences, the researcher must aim for broad and concise language as well as sensitive interpretive devices that make "phenomenological analysis, explication, and description possible and intelligible" (p. 26). Additionally, Van Manen's approach to phenomenology is interpretive, which means the researcher must interpret the various meanings of the phenomenon of focus and then mediate between the different meanings and experiences. One way that Van Manen suggests doing this is by suspending one's own beliefs (i.e., epoché) as a researcher and constantly returning back to the phenomenon of focus to achieve an unbiased analysis of participant's experiences. To do so, I tabled my own opinions and beliefs as it relates to the phenomenon and confided with a team of outside scholars to make sure I wasn't influencing or imposing my own beliefs onto the participant's perspectives.

A total of 10 graduate students with various types of crimes and criminal statuses are the focus of this study. Each participant represents various races and ethnicities, genders, and various graduate degree programs at four-year public higher education institutions (See table 3). To be eligible for this study, participants had to be 18 years of age or older, a current graduate student, they had to have access to video technology or phone for recorded interviews, and they must have been formally charged, adjudicated, or convicted of a crime. Each criterion is informed by Van Manen's (2016) approach to phenomenology because it offers insight on the lived experiences of how graduate

students with criminal records experience various types of criminalized microaggressions in higher education.

Table 3: Participant Demographics

Gender	Age at time of interview	Race/Ethnicity	Degree Pursuing	Crime	Length of Last Incarceration	Time Since Last Incarceration
Female	36	White	Masters: *SW	DUI & VH	56 months	5 years
Male	37	White	PhD: *EP	DUI	180 days	18 years
Female	46	Multi-Racial	PhD: *PSY	F & IT	56 months	10 years
Male	33	White	PhD: *E	AB, B, DP, AT	42 months	6 years
Male	48	White	Masters: *SW	C, DC, DP, DTD, DUI	105 months	13 years
Male	32	White	PhD: *SW	DP & DHR	27 months	8.5 years
Female	37	White	PhD: *EP	DP, DV, DTD, OJ	3 years	10 years
Male	44	Black	PhD: *Ed	B, R, DC, AAB	25 months	20 years
Female	28	Black	PhD: *TS	F & R	0	2 years
Male	43	Black	Masters: *OL	DP	6 months	20 years

ABBREVIATION KEY: AAB=Aggravated Assault/Battery| AB=Assault & Battery| AT=Auto Theft| B=Burglary| C=Conspiracy| DC=Disorderly Conduct| DHR= Disturbing Human Remains| DP=Drug Possession| DTD=Drug Trafficking/Distribution| DUI=Driving Under Influence| DV=Domestic Violence| F=Forgery| IT=Identity Theft| R=Robbery| VH=Vehicular Homicide| *E=English| *Ed=Education| *EP=Educational Policy| *OL=Organizational Leadership| *PSY=Psychology| *SW=Social Work| *TS=Transformative Studies

To recruit participants for this study, I employed a criterion sampling approach. Criterion sampling “is a kind of purposeful sampling of cases on preconceived criteria” (Sandelowski, 2000, p. 248). Specifically, I contacted a private social media network comprised of 900 plus current graduate students with criminal records and formerly incarcerated professionals who have graduate degrees to recruit prospective participants for this study. I then posted a flier to the private group, which included information about the studies aims, goals, purpose, criteria on how to participate, and what they would receive for participating (i.e., one \$50 Amazon e-gift card per participant). The flier also included a Qualtrics link to an online informed consent form and demographics pre-questionnaire form. All recruitment procedures were pre-approved by Arizona State University’s institutional review board.

To establish my studies sample size, I followed Van Manen’s (2016) suggestions on how many participants to recruit for this study. It is important to understand that Van Manen is not interested in the number of participants a researcher can obtain for a study. He is interested in the researchers ability to effectively gather enough rich accounts of participants lived experiences as it relates to the phenomenon of focus. Furthermore, Van Manen asserts that having too many participants in a study “encourages shallow reflection” (p. 353). Therefore, I opted to recruit 10 participants in the spring of 2018 because I believed having 10 perspectives would yield a great deal of rich insight on their lived experiences.

Moreover, there are several steps I utilized to collect participants perspectives (McTier et al., 2018). The first step required participants to complete and sign an informed consent form. This informed consent form outlined the purpose of the study,

detailed their rights as it relates to their actual participation in the study, and it provided an emergency contact number in case they felt violated or had questions. Once the informed consent form was signed, participants completed a pre-questionnaire form comprised of 23 closed-ended questions. The form asked questions about their demographics, past criminal history, and educational background in order to get a general idea about the participant. Immediately following the pre-questionnaire form, one semi-structured interview was scheduled with each of the 10 participants. There were a total of 17 questions asked to each participant and the interviews last between 30-56 minutes depending on how much the participant wanted to share. Some examples of questions included: 1) Describe a situation within a higher education setting in which you felt uncomfortable, insulted or disrespected by a comment that had criminalized overtones; or 2) What are some subtle ways that people within higher education treat you differently because of your crime. The collection of participant perspectives occurred over a 30-day period.

For the analysis of participant perspectives, I used Van Manen's (2016) three-step approach to phenomenological analysis. Each step had several requirements. The first step in Van Manen's phenomenological analysis consisted of wholistic reading. In this step, I read through each participant's transcript to familiarize myself with the content. Thereafter, I searched for examples of phenomenological meanings as it relates to the phenomenon of focus (i.e., criminalized microaggressions) and I wrote preliminary notes about what I was seeing throughout the entire transcript.

Once this first step was completed on every participant's transcript, I then moved on to selective reading, which is Van Manen's (2016) second step of phenomenological

analysis. In this step, I read through each participant's transcript two additional times. However, during these readings, I specifically looked for and focused solely on the phenomenon. While engaging in selective reading, I began to ask myself questions such as, how does this transcript reflect the phenomenon of focus and how do participant's describe their experiences with the phenomenon? From there, I began to highlight short and long sentences (also considered the anecdote) that addressed the phenomenon of focus.

The final and perhaps the most intricate step of Van Manen's (2016) phenomenological analysis consist of a detailed reading approach. In this step, I began to write a description of the lived experience and how it related to the phenomenon of focus for every highlighted anecdote selected in step two. I then separated the highlighted anecdote in step two from the participant's transcript and then proceeded to use Van Manen's technique for anecdotal editing (See Van Manen, 2016, p. 254 for detailed instructions on editing procedures). As an aside, every participant's anecdote was not edited. In fact, Van Manen states that the researcher should use this technique parsimoniously and should be careful to not alter participants lived experiences. He states, the purpose of anecdotal editing is to piece together a complete phenomenon that may have been talked about in fragments. For example, a participant may start off talking about a phenomenon. However, during the conversation, they either get side tracked or start talking about something unrelated to the phenomenon. Van Manen suggests that the researcher should edit the passage to reflect only the phenomenon of focus. Once the anecdote editing had commenced, I placed the edited anecdote into a master document, which was color coded and linked to the original participant's transcript. From there, I

began to shift various anecdotes into different categories looking for commonalities and differences and then I organized the categories into broader themes.

Trustworthiness

To establish trustworthiness in this study, I used triangulation, which uses various methods to minimize limitations within the study (Guba & Lincoln, 1981). Specifically, I utilized a pre-questionnaire and a semi-structured interview for collection of participant's perspectives as a form of triangulation. Additionally, I incorporated debriefing sessions with peers outside of the research study to ensure my biases were kept in check and that the information provided within the study was clear (Guba & Lincoln, 1981).

Furthermore, I used member checking, which checks for the accuracy of each participant's perspective being collected and presented in the final write up (Guba & Lincoln, 1981). During the member checking process, I gave each participant the opportunity to read through their transcribed transcript and the findings so they could make the necessary edits or provide comments on the document. In addition to member checking, I used transferability, which suggest, "all social/behavioral phenomena are context bound" (Guba, 1981, p. 86). Through transferability, I provided unambiguous details and vivid descriptions about each participant, the methods, and the methodology of use.

Findings

Reflecting back on the purpose of this study, which seeks to understand how graduate students live through criminalized microaggressions while possessing a criminal record, I was able to identify two findings. The first finding, *shutting down and disconnecting*, showcases how the participants in this study are constantly shutting down

and disconnecting when they encounter or experience criminalized microaggressions that are directed towards them in order to avoid confrontation, unnecessary attention, or institutional barriers in various higher education settings. The second finding, *speaking up for self*, showcases how some participants speak up for themselves when they encounter a criminalized micro-aggression while in graduate school. Drawing from the perspectives of the 10 participants in this study, I showcase this finding below.

Shutting Down & Disconnecting

One of the ways graduate students with criminal records in this study lived through criminalized microaggressions by emotionally shutting down and disconnecting from their present environment (e.g., classroom settings, meetings, on campus).

Emotionally shutting down and disconnecting in this context means retracting or pulling away from what an individual once participated in or taking a backseat when they were once an active or vocal person in any given setting. Particularly, there were times within the classroom setting where the participants in this study would be engaging with their peers and faculty when a criminalized micro-aggression in the form of changed behaviors would occur towards them.

For instance, several participants talked about how they were once trusted alone in the classroom with everyone's personal belongings or they were trusted with personal cell phone numbers from their peers and faculty. In addition, the participants in this study also described instances where they would linger after class to engage with willing peers and faculty or they would hangout with faculty and their peers outside of the classroom setting. All of this occurred, until the participants in this study divulged their past criminal history to their peers and faculty.

Once everyone became aware of the participants past criminal history, students and faculty alike began taking their belongs with them during class breaks, they avoided associating with the graduate students with criminal records outside of the classroom via email, personal phone, or in person, and they would avoid and ignore the students in the classroom setting. As an example, one participant stated,

Whenever my record had been disclosed, sometimes people who might have been kind of like warm or friendly to me on campus tend to ... they're not like mean, but there's a change where they're a little bit more like ... at this point I'm reading their minds, I don't know what they're thinking but I have suspicions of what they're thinking and it's very much of a ... it's different, from being warm and "Oh, hey," then to this idea that I'm different or that somehow now they know this about me and they didn't know it before and it's like whatever...If I had to guess I would say that they felt like deceived or something that they didn't know that about me.

When similar instances would occur, several participants expressed how they felt and what they would do. For instance one participant stated, "I didn't say anything. I mean, I wanted to. After class I thought of everything that I could have said. But I just kind of shut down." Another participant stated, "I don't really say anything. I know I probably should, but I just kind of shrug it off or whatever. I just kind of ignore it." Lastly, another participant stated, "Most times I just roll my eyes at it. I figure I can be more effective in using my language and producing knowledge in a more academic way, or my activism. I don't feel like I'm gonna win that fight in a one-on-one argument with somebody." These various action-oriented criminalized microaggressions directed

towards the participants in this study would cause them to emotionally shut down and disconnect completely from class as well as the campus community because they now felt alienated and no longer apart of the community.

Moreover, participants in this study also discussed instances where they would experience hurtful and derogatory comments from their peers and faculty because of having a criminal record. These instances happened in meetings, classroom settings, and all throughout campus. Furthermore, these comments would often leave the participants feeling a range of emotions because they didn't know how to combat the comments, which in return contributed to them emotionally shutting down and disconnecting from these various environments in higher education. As an example, one participant talked about how they had to sit through countless research and internship meetings with faculty and other graduate students who made sly comments about being a reformed criminal. Here's how the participant felt,

A lot of times I just kind of ... there's one situation where I have to sit in meetings with mostly other graduate students and I just stay quiet, I don't say much. It kind of becomes weird and kind of ... I feel frustrated, like, I don't even want to go to those meetings anymore... And so a lot of times I just avoid situations that I don't have to be in. But for the most part I just kind of blow it off or there's nothing I can do about it, you know, I don't get real upset... I'm just like whatever.

Another participant also expressed how they always left a conversation angry when their faculty made condescending comments about their crime to them. Here's what they said, "I went home angry. I really didn't address it, because I didn't know how to

address it, because I was angry.” These feelings of anger would occur because they didn’t know how to address the situation, which also resulted and contributed to the participants shutting down at that very moment or any time they encountered the individuals who made the comments towards them. Perhaps these feelings, which would cause the participants to shut down emotionally, would also arise because of the student to faculty power dynamic that existed.

Participants also discussed how they would often shut down emotionally because the classroom lessons and the language used by the professors and students would trigger and offend them. As a result, participants expressed how they would ignore the comments that were said about their specific crimes during classroom discussions because they didn’t want to cause any problems, confrontations, or they didn’t want to bring unnecessary attention to themselves. Perhaps this was because the participants felt as if they didn’t have enough power or agency to confront the situation head on because of having a criminal record. To capture these sentiments, one participant shared their thoughts and stated,

I'm not a very confrontational person, so I'm not the type of person who's going to be like, "Hey, you shouldn't say those things." If somebody said something that I felt was really unjust or incredibly insulting I probably would, but I usually just let those little things go, and probably again because I'm not confrontational and I'm kind of shy or whatever, so it's hard for me to speak up about those type of things. It's like my own discomfort.

Another participant also stated,

If I feel like me sharing might create a micro-aggression or create something or create a conflict where I've got to feel like defend myself, I don't mind going into conflict, but I'm kind of learning that it might be easier in some cases to go around it.

Again like before, these instances of people saying things about their crimes on campus would cause the participants in this study to emotionally shut down and disconnect in order to prevent conflict from happening, any future embarrassment, and even institutional barriers from occurring to them.

Speaking Up For Self

Another way the participants within this study lived through criminalized microaggressions is through the process of speaking up for themselves and others when they were faced with criminalized microaggressions. Typically, this happened when others (i.e., faculty, staff, administrators, and students) knew or found out about the participants criminal record(s). As noted in the previous finding, there are moments within various higher education settings where the participants in this study would shut down and disconnect from their environment, peers, or faculty when they encountered criminalized microaggressions. Contrariwise, though few and far between, there were also times where participants in this study were pressured to speak up for themselves and others because the criminalized microaggressions were occurring frequently towards them or they were in need of service or help. The latter reason required the participants to disclose their record.

Participants in this study conveyed how they were subjected to various condescending and hurtful comments such as, “those felons,” “freaking drug addicts,”

“they deserved what happened to them” or statements such as “oh that’s wonderful you’ve changed” or “I didn’t think you’d be engaged.” These condescending or hurtful comments would occur in the classroom, in assemblies, meetings, or via one on one conversation with their peers and faculty members. When the condescending and hurtful comments became too much to bare, some of the participants would address the criminalized micro-aggression that occurred head on. As an example, one participant described their experience with speaking out against criminalized microaggressions that occurred towards them. They’d say, "Hey, you know what? You're saying 'those people' I'm one of them." And so I was able to educate some people and have some really good talks.” Another example comes from a participant who had to speak up for themselves when a teacher made a comment about their past criminal history. Here’s an account of their experience,

When I was going through my online masters program, the teacher assigned us to groups to work on a final project. They expected us to share our ideas and whatnot, but at the end of the day we still had our own papers to submit. But it was still a team effort, even though we had individualized assignments. Make a long story short, my ideas were taken by somebody else, and we wrote on the same thing. The papers were very, very, very similar... I had a big, resounding F on my grade, and underneath it, it said, "Plagiarism." So I called the instructor and talked to the instructor, and because she had talked to the other person first, she took their word for it, assessing them a passing grade, assumed that I was plagiarizing, and when I asked her, she says, "Well, you have a history of this," referring to my criminal record. She elaborated and said, "You have a history of

being dishonest." So my follow-up question to her is, "How would you know this and why did you know this?" She could not answer. So then I immediately filed a complaint.

When it came to experiencing other types of criminalized microaggressions, such as explicit derogatory actions, some participants expressed how they would address the situation because it affected them negatively or it made them feel uncomfortable. As an example, one participant talked about how they addressed the class when individuals within the class started packing their belongings and taking it with them when they hadn't done so before (i.e., criminalized micro-aggression). Here's an account of what they said,

I just tell them, "Hey, you know what? I noticed that the other day this happened and it kind of bothered me. And I don't know, correct me if I'm wrong, maybe you meant to do it or you didn't mean to do it, but let's discuss this, because it made me feel uncomfortable, and at the end of the day, we still have to come in contact with each other whatever our capacity is. We still have to interact with each other. Some of them say that they didn't realize they were doing it, but then 20 minutes later it's the same thing. So I think it was just more kind of words. But for the most part, like I say, I bring it up to them and that's all I can do.

Participants also expressed how they would use these opportunities to educate their peers and faculty if a criminalized micro-aggression occurred during class or out of classroom settings. These opportunities often left the participant feeling empowered because for once, they were able to address the criminalized microaggressions that occurred and they were able to provide a counter narrative to others thoughts and beliefs about them or the prison system. As one participant stated,

I think that now it's an empowering thing to be able to share my experience. And I use it kind of as an educational opportunity, to kind of ... People have biases and judgments about prisoners and going to jail, and what it's like, They just have judgments about the whole criminal justice system. So being able to talk about it and tell people what it's actually like is exciting to me, because I feel like I'm educating them about stuff they don't know anything about. It's taken me awhile though. I mean, my crime happened in 2002, so I've been able to kind of feel more comfortable.

As a recap, this particular finding showcased how participants (i.e., graduate students with criminal records) spoke out against the various criminalized microaggressions they experienced and lived through while in graduate school. While some spoke out against the criminalized microaggressions, it's important to understand that the participants within this study weren't always granted the opportunity to speak up for themselves. However, when they found an opportunity to speak out, they took full advantage and rightfully so. Perhaps this is because they did not want to lose their voice or they did not want to be treated and viewed differently by various people within higher education.

Discussion

Through the use of existing literature and the conceptual framework on microaggressions, I was able to unearth a set of microaggressions (i.e., criminalized microaggressions) that were similar in type to what many other minoritized populations experienced yet distinctly different and geared towards graduate students with criminal records specifically and college students with criminal records more broadly. While the

participant's experiences can not be generalized to the entire population of graduate students with criminal records, this study sets a foundation for: (1) understanding the issues that many graduate students with criminal records experience specifically and college students with criminal records experience more broadly while attending colleges and universities across the country, (2) it considers another form of microaggressions that scholars should use and consider, and (3) it raises some critical questions such as how do higher education institutions expect students to learn and engage when the environment is not conducive for learning?

The findings from this study sheds light on how people within academia used criminalized microaggressions in the form of condescending comments as a way to belittle or demean graduate students with criminal records. This is similar to what many scholars have found in their research, particularly when it came to understanding how students experienced racial microaggressions (see e.g., Harwood, Choi, Orozco Villicaña, Huntt, & Mendenhall, 2015; Wells, 2013). As for my study, people would try to make light of the student's crime by making statements such as "you've redeemed yourself now" or "you turned your life around" as if they were to be criminals all their life. Furthermore, these condescending comments would often insult the student's intelligence, making it seem as if they were not capable of being engaged in the campus community because of their past criminal history.

The findings also showcase how teachers and students utilized criminalized microaggressions to belittle, dehumanize, discriminate, and to stigmatize against people with criminal records. For instance, participants within this study expressed how they were often subjected to their professors demeaning language when it came to anything

involving the injustice system, police, or crime. References such as, “felons,” “freaking addicts,” or “those people” were often words or phrases used to describe people with criminal records. These actions often prevented graduate students with criminal records from sharing their past or contributing to the lesson because they witnessed the venomousness rhetoric being used to describe them and people with other offenses. A great deal of research acknowledges how teacher’s behaviors can negatively impact or positively influence student’s learning environments at all levels of schooling (see e.g., Baker, Grant, & Morlock, 2008; Hamre & Pianta, 2001; Umbach, & Wawrzynski, 2005).

Moreover, the findings also showed and confirmed existing research on how students and professors used criminalized microaggressions by way of their actions to continuously criminalize students who ousted themselves during class discussions (Copenhaver et al., 2007). Actions such as zipping up their bags, hiding their property, taking their items with them on break, or shuffling out of class quickly to avoid being alone with the student are just a few ways criminalized microaggressions have been used in and out of the classroom setting. One would probably argue that these actions are relatively normal and harmless. However, graduate students with criminal records took mental notice of these subtle actions taking place. They noticed that prior to disclosing or outing themselves no one really engaged in those sorts of actions. It’s the fact that many graduate students with criminal records recognized that these actions took place once they ousted themselves. These types of criminalized microaggressions are reminiscent of LGBT+ students who disclose their identity and experience various forms of action oriented discrimination and toxic environments for doing so (Cox, Dewaele, Van Houtte, & Vincke, 2010; Longerbeam, Inkelas, Johnson, & Lee, 2007).

The findings also exposed how people were quick to change how they interacted with or viewed students who decided to disclose and share their past. To be a little bit more specific, people would no longer communicate, associate, or respect graduate students with criminal records once they found out they had a criminal record let alone the type of record they possessed. It's as if the relationship they've built with the student was no longer valid or they were somehow a different person than before. The findings showed how people would distant themselves from graduate students with criminal records for reasons unknown. These actions, which are similar to other student populations, usually resulted in graduate students with criminal records seeking out communities within higher education that would accept them or usually resulted in graduate students with criminal records isolating themselves from the campus community (see e.g., Clark, Kleiman, Spanierman, Isaac, & Poolokasingham, 2014).

Limitations

Several limitations were present throughout this study. The first limitation was the use of only one semi-structured interview, which was used as the sole method for collecting participant's perspectives. Perhaps by incorporating additional methods, I could have obtained additional insights into the phenomenon of focus. The next limitation includes the lack of focus on two-year institutions, technical, or trade schools. Incorporating these institutions could have unveiled various obstacles or successes at these particular institutions if they existed. Another limitation to this study includes the lack of attention to race, gender, and sexuality. Had I given more attention to these salient identities, the participant perspectives could have been different and perhaps could have contributed to our understanding of criminalized microaggressions. The perspectives of

higher education institutions were not considered in this study. By including their perspectives, different insights into the inner workings of the academy could have been displayed.

Implications

Research

There is a lack of empirical research investigating the experiences of college students with criminal records in general, which means there is a lack of research investigating graduate students with criminal records. There is also no generalizability when it comes to this particular population in higher education settings, which can make it difficult to provide adequate resources. As graduate students with criminal records matriculate through college, it is imperative to investigate their experiences and their needs so they can achieve their academic goals. As such, I propose a few areas of research that can be used to expand our knowledge about the population, to understand their personal experiences as college students with criminal records, as well as to contribute to literature within higher education settings.

A great deal of research, and rightfully so, has focused on the experiences of undergraduate students with criminal records (Copenhaver et al., 2007; Halkovic & Greene, 2015; Hight & Raphael, 2004; Hughes et al., 2014; McTier et al., 2018). However, the experiences of graduate students with criminal records is lacking in literature. I strongly suggest future research to include graduate students with criminal records because they too are pursuing degrees for better opportunities post-incarceration yet no one knows what they are going through to get them. The field of higher education and the community can benefit from graduate students with criminal records who are

pursuing graduate degrees, graduating, and contributing back to society via counter narrative research. Perhaps, this can help diminish criminalized microaggressions in the academy and society and provide a better reflection of people trying to better their lives after their mistakes.

Furthermore, future research on the intersections of race, gender, and living with a criminal record should be incorporated into the literature. As more and more college students with criminal records pursue educational opportunities, this research could help practitioners, students, and faculty to understand the complexities of being a student with multiple complex identities such as having a criminal record. The field of higher education can also benefit from theories, best practices, and literature pertaining to how college students with criminal records in general develop both in undergraduate and graduate settings as well as how professionals can utilize this information to better assist this particular population in their academic and career endeavors. Lastly, researchers, practitioners, administrators, and policy people can benefit from variances in qualitative and quantitative methodology and methods, which would allow researchers to ask and investigate different questions and perhaps, may influence changes to policy or provide resources and funding.

Practice

This particular study highlights how intrinsically involved institutional members (i.e., faculty, staff, administrators, and students) are in cultivating an atmosphere that can be inclusive or exclusive of graduate students with criminal records (McTier, Davis, & Briscoe, 2019; Ott & McTier, 2019). Therefore, I suggest higher education institutions implement sensitivity, bias, and stigma training that address how an individuals actions

(verbal and non-verbal) can negatively impact college students with criminal records in and out of the classroom setting and how their actions can be detrimental to college students with criminal records rehabilitation (McTier et al., 2019; Ott & McTier, 2019). I also suggest implementing some form of teaching pedagogy training for classroom instructors so that they can develop or update their teaching strategies, refresh their teaching materials, and so they can be aware and up to date on various student populations. As a finale suggestion, I recommend colleges and universities across the country create resource/research centers for this particular student population and for the campus community at large. Particularly, the center would provide the necessary resources specific to this student populations needs and the resource/research center would provide up to date trainings to the campus community.

Conclusion

The literature pertaining to microaggressions has made significant contributions to the field of higher education. However, there is more work to be done as it relates to the subtle and overt forms of discrimination and stigmatization experienced by graduate students with criminal records. This is especially true since microaggressions can be extremely difficult to detect. Because microaggressions are difficult to detect, we must be diligent in our quest to expose these subtle and overt microaggressions so that populations such as graduate students with criminal records are not impacted or treated negatively within higher education settings. And, we must be willing to provide trainings and best practices to overcome these microaggressions. Furthermore, based on this study, we must understand that graduate students with criminal records experience microaggressions that are vastly different than others. Thus, research must take a step

forward in understanding how these criminalized microaggressions impact graduate students with criminalized microaggressions while creating an environment that is unwelcoming. Until we address these criminalized microaggressions, we will continue to see a rise in the penal system and mass supervision and a decline in educational opportunities for all students who possess a criminal record.

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APPENDIX A
DEMOGRAPHIC PRE-QUESTIONNAIRE

Pseudonym (name you selected on the contact form):

Demographic

1. What year were you born _____
2. To which Gender do you most identify
 - a. Female
 - b. Male
 - c. Transgender Female
 - d. Transgender Male
 - e. Gender Variant/Non-Conforming
 - f. Not listed _____
 - g. Prefer not to answer
3. Race/ethnicity
 - a. American Indian or Alaska Native
 - b. Asian
 - c. Black or African American
 - d. Hispanic or Latino
 - e. Multi-racial
 - f. Native Hawaiian or Pacific Islander
 - g. White
2. Marital Status
 - a. Single (never married)
 - b. Married, or in domestic partnership
 - c. Divorced
 - d. Widowed
 - e. Separated

Education

3. What is the highest level of education you have obtained?
 - a. High School
 - b. GED
 - c. Trade School
 - d. Associates
 - e. Bachelors
 - f. Masters
 - g. PhD/EdD
 - h. Certificate
4. What is the name of the college, university, or trade school you are currently attending? _____
5. What major are you currently pursuing?
6. What level of education are you currently pursuing?

- a. High School
- b. GED
- c. Trade School
- d. Associates
- e. Bachelors
- f. Masters
- g. PhD/EdD
- h. JD
- i. Certificate
- j. None
- k. Other

- 7. Did you participate in an educational program while incarcerated?
- 8. Are you currently receiving any financial aid?
- 9. Were you required by your institution to disclose past criminal history?

Crime

- 10. Are you currently on probation or parole?
- 11. Are you required by any federal, state, or local agency to register for your crime?

Juvenile

- 12. Were you ever charged and adjudicated as a juvenile?
- 13. If yes, what crimes? (check all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Aggravated Assault / Battery | <input type="checkbox"/> Child Molestation | <input type="checkbox"/> Disturbing the Peace |
| <input type="checkbox"/> Aiding & Abetting / Accessory | <input type="checkbox"/> Child Pornography | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Arson | <input type="checkbox"/> Computer Crime | <input type="checkbox"/> Drug Manufacturing and Cultivation |
| <input type="checkbox"/> Assault / Battery | <input type="checkbox"/> Conspiracy | <input type="checkbox"/> Drug Possession |
| <input type="checkbox"/> Attempt | <input type="checkbox"/> Credit / Debit Card Fraud | <input type="checkbox"/> Drug Trafficking / Distribution |
| <input type="checkbox"/> Bribery | <input type="checkbox"/> Criminal Contempt of Court | <input type="checkbox"/> DUI / DWI |
| <input type="checkbox"/> Burglary | <input type="checkbox"/> Cyber Bullying | <input type="checkbox"/> Embezzlement |
| <input type="checkbox"/> Child Abandonment | <input type="checkbox"/> Disorderly Conduct | <input type="checkbox"/> Extortion |
| <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Manslaughter: Involuntary | <input type="checkbox"/> Murder: First-degree |
| <input type="checkbox"/> Forgery | <input type="checkbox"/> Manslaughter: Voluntary | <input type="checkbox"/> Murder: Second-degree |
| <input type="checkbox"/> Fraud | <input type="checkbox"/> Medical Marijuana | <input type="checkbox"/> Open Container Law |
| <input type="checkbox"/> Harassment | <input type="checkbox"/> MIP: A Minor in Possession | <input type="checkbox"/> Perjury |
| <input type="checkbox"/> Hate Crimes | <input type="checkbox"/> Money Laundering | <input type="checkbox"/> Probation Violation |
| <input type="checkbox"/> Homicide | | <input type="checkbox"/> Prostitution |
| <input type="checkbox"/> Identity Theft | | |
| <input type="checkbox"/> Indecent Exposure | | |
| <input type="checkbox"/> Insurance Fraud | | |
| <input type="checkbox"/> Kidnapping | | |

- Public Intoxication
- Pyramid Schemes
- Racketeering / RICO
- Rape
- Robbery
- Securities Fraud
- Sexual Assault
- Shoplifting
- Solicitation
- Stalking
- Statutory Rape
- Tax Evasion / Fraud
- Telemarketing Fraud
- Theft / Larceny
- Vandalism
- White Collar Crimes
- Wire Fraud
- Other

14. Were you ever incarcerated for these crimes?

15. If yes, how many times were you incarcerated? _____

16. What is the longest length of time you've spent incarcerated? _____

17. What is the shortest length of time you were incarcerated? _____

Adult

18. Were you ever charged and convicted as an adult?

19. If yes, what crimes? (check all that apply)

- Aggravated Assault / Battery
- Aiding & Abetting / Accessory
- Arson
- Assault / Battery
- Attempt
- Bribery
- Burglary
- Child Abandonment
- Child Abuse
- Child Molestation
- Child Pornography
- Computer Crime
- Conspiracy
- Credit / Debit Card Fraud
- Criminal Contempt of Court
- Cyber Bullying
- Disorderly Conduct
- Disturbing the Peace
- Domestic Violence
- Drug Manufacturing and Cultivation
- Drug Possession
- Drug Trafficking / Distribution
- DUI / DWI
- Embezzlement
- Extortion
- Forgery
- Fraud
- Harassment
- Hate Crimes
- Homicide
- Identity Theft
- Indecent Exposure
- Insurance Fraud
- Kidnapping
- Manslaughter: Involuntary
- Manslaughter: Voluntary
- Medical Marijuana
- MIP: A Minor in Possession
- Money Laundering
- Murder: First-degree
- Murder: Second-degree
- Open Container Law
- Perjury
- Probation Violation
- Prostitution
- Public Intoxication
- Pyramid Schemes
- Racketeering / RICO
- Rape
- Robbery
- Securities Fraud
- Sexual Assault
- Shoplifting
- Solicitation
- Stalking
- Statutory Rape
- Tax Evasion / Fraud
- Telemarketing Fraud

- Theft / Larceny
 - Vandalism
 - White Collar Crimes
 - Wire Fraud
 - Other
20. Where you ever incarcerated for these crimes?
21. If yes, how many times were you incarcerated? _____
22. What is the longest length of time you've spent incarcerated? _____
23. What is the shortest length of time you were incarcerated? _____

APPENDIX B

SEMI-STRUCTURED INTERVIEW QUESTIONNAIRE

Part I: Institutional Barriers

General Question

1. In thinking about your daily experience in higher education, could you describe a situation in which you experienced an institutional barrier because of your own criminal record?
2. In thinking about your daily experience in higher education, could you describe a situation in which you witnessed an institutional barrier experienced by someone else's criminal record?

Interview Questions

3. What were some unfair practices that you've had to experience from faculty, staff, peers or administrators as a result of having a criminal record?
4. Can you tell me how you feel when you experience institutional barriers in higher education?
 - a. Do the barriers make you feel apart of the community or distant?
5. As a college student with a criminal record, can you tell me how you navigated the barriers you've experienced at your higher education institution?
6. What institutional or state policies (i.e., admissions, housing, internships etc) related to attending college did you learn about as a result of having a criminal record?
7. How did your race coupled with your specific crime influence the type of institutional barriers you have experienced?
 - a. What about gender
 - b. What about sexuality

Part II. Microaggressions

I propose the term criminalized microaggressions (CM), which is a form of systemic, everyday indignities that are used to keep those with criminal records oppressed and disenfranchised.

General Question

8. In thinking about your daily experience in higher education, could you describe a situation in which you were personally or subtly discriminated against because of your criminal record?
9. In thinking about your daily experience in higher education, could you describe a situation in which you witnessed someone with a criminal record experience criminalized microaggression or subtle discrimination?

Interview Questions

10. What are some subtle ways that people within higher education treat you differently because of your crime?
 - a. e.g, has anything ever happened in the classroom where you felt treated differently because of your status? What about when you were interacting with other students? What about in the residence hall? What about at campus events or other out of class activities?

11. “How do you respond when you experienced this kind of treatment?”
microaggressions at four-year public institutions
12. Describe a situation within a higher education setting in which you felt uncomfortable, insulted or disrespected by a comment that had criminalized overtones?
 - a. e.g, has anything ever happened in the classroom where you felt treated differently because of your status? What about when you were interacting with other students? What about in the residence hall? What about at campus events or other out of class activities?
13. “How do you respond when you experienced this comment?”
14. Think of some of the stereotypes that exist about your specific crime type. How have people within higher education subtly express their stereotypical beliefs about you or someone who has committed a similar crime?
15. How has your criminal record influenced your sense of belonging on your college campus?
16. How do (faculty/staff/admins/peers) respond to you when you share your experiences based on your criminal record

Transition Question

17. What are some of the ways that you dealt with these responses?
18. Is there anything else you would like to ask?

APPENDIX C
RECRUITMENT FLIER

COLLEGE STUDENT WITH CRIMINAL RECORD(S) STUDY

A doctoral student is recruiting **graduate students** who currently have a **juvenile or adult criminal record** to understand the various types of barriers, laws, and policies that impact or influence college students with criminal records experience(s) in higher education.

Confidentiality are my top priorities!



Requirements:

- Must be 18+
- **Current** college student
- Must have a criminal record

To determine if you qualify, please contact:

Terrence S. McTier Jr., M.A.
(Primary Investigator)
404-644-8966
tmctier@asu.edu

You will be **compensated**
for your participation!



APPENDIX D
CONCEPT MAP EXERCISE

Barrier Map

What barriers have you experienced as a result of having a criminal record? Explore this concept and map the barriers you have experienced.

Instructions:

-Begin with a sheet of paper or word document. In chronological order, write words and phrases that encompass the barriers you've experienced. This map represents the barriers you've experienced throughout your academic journey!

Undergraduate

- Prior to College 2yr.
- During College 2yr.

- Prior to College 4yr.
- During College 4yr.

Masters

- Prior to Graduate School
- During Grad School

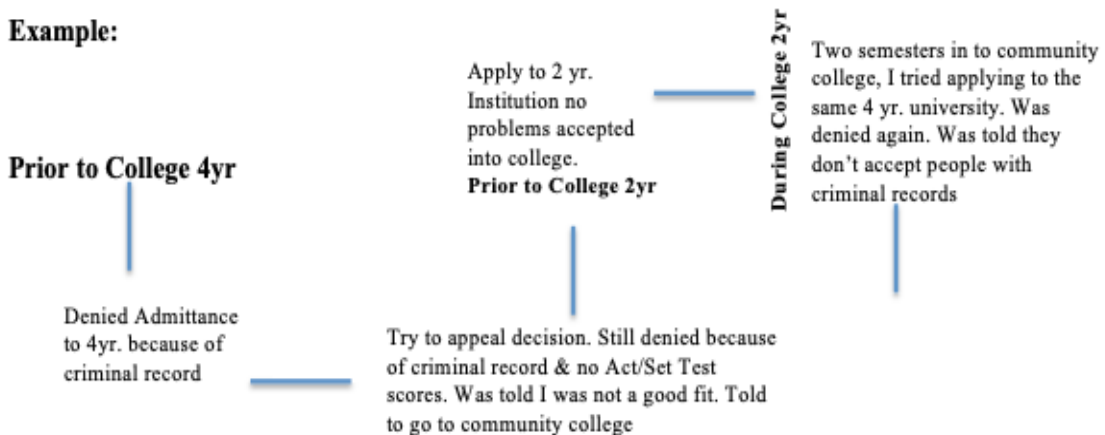
PhD or any Advanced Degree

- Prior to Grad School
- During Grad School

-- Only fill out the barriers up to your current degree classification. If you are currently pursuing an undergraduate degree only fill out the undergraduate section. If you are pursuing a Phd or advance degree complete each phase as closely as possible.

Please submit via email

Example:



LIST OF TABLES

Table 1: Key Terms and Definitions

Terms	Definitions
College Students with Criminal Records	Is a generalized term that (1) recognizes the individual as a college student and (2) encompasses both juvenile and adult students who may or may not have been incarcerated, may have adjudications, misdemeanors or felony, and violent or non-violent offenses (McTier et al., 2018).
Concept Map	A pictorial or word representation of an individual's thinking relative to the topic at hand (Trochim, 1989a, 1989b).
Criminalized Microaggressions	Is a form of systemic, everyday indignities that are used to keep those with criminal records oppressed and disenfranchised.
Formerly Incarcerated	Refers to a person who is no longer incarcerated in a jail, prison, or a detention facility.
Graduate Students with Criminal Records	A sub-population of college students with criminal records pursuing a graduate degree.
Hermeneutical Phenomenology	"A method of abstemious reflection on the basic structures of the lived experience of human existence" (Van Manen, 2016, p. 26).
Injustice System	A system that deliberately discriminates, stigmatizes, and treats people inequitably based on a person's race, gender, sexuality, or offense type. These injustices occur in areas of sentencing, rehabilitation, as well as in areas of available resources (Hagan & Albonetti, 1982; Henderson, Cullen, Cao, Browning, & Kopache, 1997).
Institutional Barriers	Are practices and procedures at higher education institutions that exclude or deter college students from partaking in educational activities and functions (Cross, 1981).
Microaggressions	Are "brief and commonplace daily verbal, behavioral, or environmental indignities, whether intentional or unintentional, that communicate hostile, derogatory, or negative...slights and insults" (Sue et al., 2007, p. 271).
Participant Perspectives	Are thoughts, ideas, or lived experiences that derive solely from the participants within a study. In return, researchers use participant's perspectives for analyzation and interpretation purposes (McTier et al., 2018).
People with Criminal Records	A term used to reflect the broader community of people who has a criminal record

Table 2: Participant Demographics, Crime(s), and Education

Graduate Students with Criminal Records											
Characteristics											
Demographics											
Current Age	36	37	46	33	48	32	37	44	28	43	
Gender	F	M	F	M	M	M	F	M	F	M	
Race/Ethnicity	White	White	Multi-Racial	White	White	White	White	Black	Black	Black	
Marital Status	Married	Married	Married	Divorced	Single	Single	Married	Divorced	Single	Divorced	
Crime											
Charged As	Adult	Adult	Adult	Minor/Adult	Adult	Adult	Minor/Adult	Minor/Adult	Adult	Adult	
Crime(s)	DUI & VH	DUI	F & IT	AB, B, DP, AT	C, DC, DP, DTD, DUI	DP & DHR	DP, DV, DTD, OJ	R, DC, AAB, B	F & R	DP	
Committed											
Length of Last	56 months	180 days	56 months	42 months	105 months	27 months	3-years	25 months	0	6 months	
Incarceration											
Time Since Last	5-years	18-years	10-years	6-years	13-years	8.5-years	10-years	20-years	2-years	20-years	
Incarceration/Arrest											
Education											
Degree Pursuing	Masters	PhD	PhD	PhD	Masters	PhD	PhD	PhD	PhD	Masters	
Academic Major	*SW	*EP	*PSY	*E	*SW	*SW	*EP	*Ed	*TS	*OL	
Required to Disclose	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes	
Criminal History											
Receiving Financial Aid	Yes	Yes	No	Yes	Yes	Yes	No	Yes	No	Yes	

ABBREVIATION KEY: AAB=Aggravated Assault/Battery| AB=Assault & Battery| AT=Auto Theft| B=Burglary| C=Conspiracy| DC=Disorderly Conduct| DHR= Disturbing Human Remains| DP=Drug Possession| DTD=Drug Trafficking/Distribution| DUI=Driving Under Influence| DV=Domestic Violence| F=Forgery| IT=Identity Theft| R=Robbery| VH=Vehicular Homicide| *E=English| *Ed=Education| *EP=Educational Policy| *OL=Organizational Leadership| *PSY=Psychology| *SW=Social Work| *TS=Transformative Studies

Table 3: Participant Demographics

Gender	Age at time of interview	Race/Ethnicity	Degree Pursuing	Crime	Length of Last Incarceration	Time Since Last Incarceration
Female	36	White	Masters: *SW	DUI & VH	56 months	5 years
Male	37	White	PhD: *EP	DUI	180 days	18 years
Female	46	Multi-Racial	PhD: *PSY	F & IT	56 months	10 years
Male	33	White	PhD: *E	AB, B, DP, AT	42 months	6 years
Male	48	White	Masters: *SW	C, DC, DP, DTD, DUI	105 months	13 years
Male	32	White	PhD: *SW	DP & DHR	27 months	8.5 years
Female	37	White	PhD: *EP	DP, DV, DTD, OJ	3 years	10 years
Male	44	Black	PhD: *Ed	B, R, DC, AAB	25 months	20 years
Female	28	Black	PhD: *TS	F & R	0	2 years
Male	43	Black	Masters: *OL	DP	6 months	20 years

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