

# Criminal Histories, High School Misconducts, and Post-Secondary Educational Outcomes: Evidence from U.S. College Applications

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## 1 Background and Significance

Despite the gradual decline in U.S. incarceration rate, U.S. still has the highest incarceration rate in the world with the incarceration rate of 639 per 100,000 people of any age (Pew Research Center, 2021). According to Doleac and Hansen (2020), individuals are being released from state and federal prisons more quickly than they are being admitted; however, about two-thirds of those released will be rearrested within three years (Cooper et al, 2014). Given that a criminal record can be interpreted as a "negative credential" that can be used to restrict opportunities (Gaddis, 2015), those released from prison may see their opportunities restricted and face difficulties adjusting to normal life.

Higher education is a pathway to future opportunity, enhances critical thinking, and leads to higher-paying and stable employment (Center for Community Alternatives, 2010); in other words, higher education can be interpreted as a "positive credential". However, in order for individuals to benefit from education, in addition to focusing on characteristics such as student-faculty ratio and Professor's quality, one would need to address the opportunities for individuals to gain access to education in the first place. Therefore, I examine the presence of criminal history questions as well as high school misconduct questions on initial undergraduate college applications which may prevent individuals from even getting their feet into their education journey. In addition to high school misconduct questions, criminal history questions in college applications are very expansive since they apply to all types of conviction including misdemeanors and juvenile adjudications (Brookings, 2017). According to former U.S. Secretary of Education John B. King Jr., asking prospective students for information about their criminal history is a barrier especially to disadvantaged students (LA Times, 2016). While there are several research on the effects of information on criminal background and criminal history questions in job applications, research analyzing the effects of criminal history questions in higher education contexts are scarce. Using a large panel data of all colleges and universities in the U.S. spanning multiple years, I am the first to identify the causal effects of a policy regarding criminal history and misconduct questions on U.S. undergraduate college applications across public and private universities.

## 2 Research Questions

My main research question is quantitatively analyzing the effects of the Common Application system requiring member colleges and universities to add criminal history questions and high school misconduct questions to their undergraduate college applications beginning in 2006 on total Fall undergraduate enrollments within public and private universities. I also

examine whether changes in enrollments are driven by applications and admissions decisions. In addition, as a result of this Common Application policy, I examine the reasons behind why students decide not to pursue post-secondary education as well as analyze their possible alternate plans following their high school graduation. Lastly, I studied the impact of the statewide movement to remove criminal history and high school misconduct questions in an initiative known as Beyond-the-Box (BYTB).

### **3 Data**

For the main results on enrollments, applications, and admissions, university-level data for colleges and universities of all types from 2002 to 2010 in the U.S. is obtained from the Integrated Postsecondary Education Data System (IPEDS). Moreover, I requested the most recent data on the year that each university first joined the Common Application directly from the Common Application organization. In order to examine the outcomes directly pertaining to students with criminal histories or high school misconduct as well as their reasons for not enrolling in college, I used student-level data from the Educational Longitudinal Study of 2002 (ELS:2002) and the High School Longitudinal Study of 2009 (HSL:09). Lastly, to examine students' plans following their high school graduation, I used school-level data from the Massachusetts Department of Elementary and Secondary Education from 2002 to 2010.

### **4 Methods**

In order to examine the average effects of adding criminal history and high school misconduct questions on undergraduate enrollments, I use variation in the timing of when universities became a member of the Common Application and estimate a two-way fixed effects (TWFE) difference-in-differences equation where the treated group consists of universities with Common Application and control group consists of the non-Common Application universities. To examine the dynamic effects of the policy at each point in time, I also use an event study design. One strong benefit of using the event study design is that it allows the parallel trend condition to be tested; in other words, if parallel trend holds, this means that both the treated and control group follows similar trends in enrollments during the pre-policy period.

However, even if the parallel trend holds, the event study may suffer from biases. The first bias comes from the possibility that treatment effects may vary for early and late adopters of the Common Application, which would lead to the coefficient estimates of a given lead or lag being contaminated by effects from other periods (Borusyak et al., 2024; Goodman-Bacon, 2021; Sun and Abraham, 2021). Another bias coming from heterogeneity across time is negative weighting. Therefore, I estimate the dynamic effects of this policy using the interaction weighted estimator as proposed by Sun and Abraham (2021).

### **5 Results**

As a result of adding criminal history and high school misconduct questions to undergraduate college applications, enrollments within public universities decreased by 6.1%

with the impact being immediate, large in magnitude, and persistent. Since those with criminal records are more likely to come from lower income backgrounds and given the fact that public universities have lower tuition fees compared to private universities, it follows that public universities are more attractive to those with criminal records; this explains a much larger decrease in enrollments within public universities compared to private universities.

Since enrollments within public universities is the most affected, I also examine whether this decrease in enrollment is driven by applications or admissions decisions; I find that the total number of undergraduate applications or admissions is not affected. Therefore, consistent with labeling theory leading to negative social stigma (Becker, 1963), those with criminal records or misconducts may be discouraged from enrolling due to the fear that they could face barriers to other opportunities during their college years or be viewed negatively by others; for this reason, this group of students may prefer not to waste their time and money on going to school altogether. Analyzing datasets from ELS:2002 and HSLS:09, I find that, among high school students with criminal records or negative misconducts, they were less likely to enroll in post-secondary education following the Common Application policy of adding criminal history and high school misconduct questions; the reason for them not enrolling is not because of financial constraints or not being admitted, but because they simply dislike the academic and school environment as they doubt their sense of belonging and acceptance in those settings. Using data from the state of Massachusetts, I also examine whether the plans of high school students following graduation have changed after the questions were added; results indicate that they plan to go to work rather than attend post-secondary education.

So far, I discussed the outcomes pertaining to the addition of criminal history and high school misconduct questions. However, looking at the recent statewide BYTB movement, I also examine how the removal of those questions impacts undergraduate enrollments. I find that, in contrast to the addition of criminal history and misconduct questions, removing them leads to an increase in enrollments.

## **6 Conclusions**

In conclusion, as more people are being released from prison, policies that can open up opportunities and facilitate reentry into communities and normal life may not only reduce the probability of these people returning to a life of crime but also increase the chances of them becoming productive members of society. I find that adding criminal history and high school misconduct questions to undergraduate college applications decreases total undergraduate enrollments and removing them increases enrollments. This decrease in enrollments is due to students with criminal records or misconduct feeling discouraged due to the negative social stigma. Even though I find evidence that more students plan to go to work, the employment may not be stable or long-term due to the lack of education. Hence, in order to provide educational opportunities, especially for those who have criminal records or misconducts, colleges and universities should focus on making sure that there are no discriminatory questions, especially criminal history and high school misconduct questions, on initial college applications that could prevent those with criminal records or misconducts from enrolling in colleges and universities and obtaining the education that they needed, desired, and deserved.

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