

**Letter of Recommendations for Equitable Admissions**

**From: The Incarceration to Education Coalition**

**To: Linda Mills, Vice Chancellor for Global Programs and  
University Life at New York University**

**October 14, 2014**

Dear Linda Mills,

We are the Incarceration to Education Coalition. IEC is a group of New York University [hereinafter “NYU”] community members (students with and without criminal records, faculty, alumni, and public supporters) working to end discrimination against formerly incarcerated NYU applicants and applicants with criminal records. Our vision and efforts are centered around the voices and experiences of directly impacted people, families and communities. We are founded on the principles that education is a human right, and that we as members of the NYU community have an active obligation to expand access to that right while working for racial economic, and socio-political justice.

As an organization, our efforts aim to improve the overall educational quality of NYU. We believe as a group that our advocacy efforts nicely dovetail with the ongoing political commitments and institutional programming already existing on campus including but not limited to:

- NYU’s Statement on Diversity<sup>1</sup>
- The Center for Multicultural Education and Programs
- The Prison Education Project

Over the past 14 months we have spoken with a wide range of voices throughout the NYU community. Some of these core influential voices include, but are not limited to the following individuals:

- John Sexton, President
- Shawn Abbott, Assistant Vice President for Undergraduate Admissions
- Randy Deike (former)
- Tom Ellett, Senior Associate Vice President for Student Affairs
- Student Senators Council
- Dean’s Council
- Gabrielle Starr, Dean of the College of Arts and Science
- Susanne Wofford, Dean of the Gallatin School
- Professors from across all disciplines of the academic community<sup>2</sup>

Our advocacy is also based in our ongoing relationships with community members throughout New York. These community members recognize the importance of access to higher education for people, families, and communities impacted by the criminal punishment system. They have supported us in our campaign as we have lectured in over 50 NYU classrooms, hosted hip-hop and artistic festivals, collected over 2,000 petition signatures from audiences at NYU events, staged a rally/speak out in

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<sup>1</sup> “Since our founding in 1831, NYU’s history has been marked as ‘open to all’. ...As a community of scholars (faculty, students, and staff) that is inclusive of divergent backgrounds and historically underrepresented groups, NYU engages a diversity of viewpoints, perspectives, and approaches.”

<sup>2</sup> Please refer to statements of support following this letter

Washington Square Park, and have built a national base. We will continue to maintain these relationships and build upon the network of people who believe in the power of equitable education.

We feel it is important to note our awareness of the current media climate regarding sexual assault on college campuses informs the administration's perspective on abolishing the box. As a coalition we understand that these are two separate issues and that this campaign presents a critical opportunity to differentiate between on-campus sexual violence and the criminalization of communities of color. We maintain an ongoing dialogue with NYU students about this differentiation, and have garnered explicit support for our campaign from students advocating for survivors. In addition, we have authored our own statements on this issue to acknowledge those fighting for Title IX protections, and to respond to concerns we have received.<sup>3</sup>

As we enter the second phase of our campaign our goals are amplified by our partnerships with the undersigned NYU organizations and professors; schools including Harvard, Yale, Princeton, multiple SUNY campuses, the CUNY Graduate Center and Columbia; professors, leaders, organizations and coalitions throughout the country.

We are hopeful that as a collaborative partner, the NYU administration will commit to thinking through how to achieve our shared goals of fair and equitable admissions. We welcome a conversation with NYU to further improve this list of recommendations and move forward together. We believe that these policy and practice changes would systematically transform the way in which formerly incarcerated people are treated both within the admissions process and during their educational experience at NYU. Below are our recommendations:

1. **Abolish the Box:** NYU removes any questions and procedures pertaining to criminal and disciplinary records from its college application, such as:

*Have you ever been found responsible for a disciplinary violation at any educational institution you have attended from the 9th grade (or the international equivalent) forward, whether related to academic misconduct or behavioral misconduct, that resulted in a disciplinary action?*

*Have you ever been adjudicated guilty or convicted of a misdemeanor, felony, or other crime?*

This can be advanced through option (a) or (b):

- a. NYU will cease purchasing and using the services of the Common Application, and develop its own application for exclusive use that does not include any questions that asks applicants about disciplinary infractions and criminal records.
- b. NYU will release a public statement addressed to the Common Application stating that the "Box" does not reflect the educational values of the institution or the stated values of the

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<sup>3</sup> See attached article

Common Application itself, and that the policy of screening applicants for disciplinary infractions and criminal records is discriminatory.

- i. This statement will be co-authored by members of NYU administration and the IEC.
  - ii. This statement will be reproduced and circulated to the entire NYU community, including but not limited to the university's student body, administration, faculty, staff, Board of Trustees, and alumni networks.
2. **Transparency and Accountability:** NYU provides public disclosure of names and contact information for individual administrators responsible for purchasing and communicating with the Common Application, and the facilitation of a relationship between these administrators and IEC.
3. **Creation of a Welcoming Community:** IEC will be a core collaborator on the implementation of these policies. NYU will fulfill its role as a partner by providing administrative and financial support to develop curriculum, pedagogy, trainings, and workshops to challenge stereotypes and myths associated with communities impacted by mass incarceration and the prison industrial complex by the end of Fall 2014 and distributed or enacted starting Spring 2015. This will include the institutionalization of the following initiatives that IEC has already taken the lead on in partnership with existing NYU entities and community partners, including but not limited to:
- A. Workshops to be incorporated into all existing diversity and sensitivity trainings for NYU faculty and staff, including Resident Assistants, and admissions staff.
  - B. Programs open to the public to be co-produced by CMEP and community based organizations that serve people, families and communities impacted by the criminal punishment system.
  - C. Programs to be incorporated into Resident Life for NYU housing residents, staff, and public safety.
  - D. Tuition support, scholarships, and grant opportunities for NYU community members, including students, applicants, and alumni, who are impacted by the criminal punishment system

Given the urgency of our campaign, we kindly request that you respond to this letter within a month of today's date. If you choose not to follow any of these recommendations, please communicate with us your reasons with a detailed explanation so that we can continue to build a relationship. We look forward to hearing from you by November 14, 2014.

Sincerely,

**The Incarceration to Education Coalition**

NYU Gender-based Violence Awareness Week Co-Chairs

African Heritage Month Co-chairs

Gentlemen of Quality, NYU

Queer Union, NYU

NYU Dream Team  
Student & Labor Action Movement, NYU  
NYU Divest  
Students for Justice in Palestine, NYU  
International Socialist Organization, NYU  
Students for Sensible Drug Policy, NYU  
Know Your City, NYU  
NYU Alumni for Equitable Admissions

### Statements of Support\*

“NYU prides itself on being the Global Network University: an educational institution with a bold vision for education that transcends geographical and social borders. Yet when it comes to providing open and equitable access to education for formerly incarcerated students we fall dramatically short of our values. I support Banning the Box because as an educator I know that a quality education is just as much about about what you study as it is about who you study with. For NYU to live up to it’s vision we must ABOLISH THE BOX and eliminate all barriers to admission targeting formerly incarcerated people.”

*Piper Anderson, NYU Gallatin Faculty*

“I support banning the box on all college applications including that of New York University. Equal access to education is a fundamental human right and is one of the most essential tools that one can use to advance in today’s society, as an employee, taxpayer, involved citizen. Education improves one’s life chances, reduces reoffending, and advances public safety. The value of equal access to education far outweighs any sham argument that criminal history screening promotes campus safety. Criminal history screening is just one in a long list of historic hurdles created to make equal access to education more unattainable for students of color.”

*Alan Rosenthal, Counsel  
Center for Community Alternatives*

“Banning the box for all college applicants, including those applying to NYU, is the best way to provide educational opportunities for formerly incarcerated individuals. A vast body of research shows that education is the key to reducing recidivism and improving job prospects. As a private university with a public purpose NYU has a moral obligation to help those who are trying to improve their lives through education.”

*Pedro Noguera, Professor of Education  
New York University*

“I support the removal of questions concerning prior contact with the juvenile and criminal justice system from college applications. Such questions drag forward the same racial and class discrimination and disproportionality that characterize the entire process of policing, arrest, charging decisions, detention, trial and sentencing. The right to a robust education is the best antidote to the costly and failed system of criminalizing and caging.”

*Bernardine Dohrn  
Assoc. Professor of Clinical Law, Northwestern University School of Law, Bluhm Legal Clinic*

“I support banning the box on all college applications, including that of New York University.

Advanced education is obviously and empirically “good” for formerly incarcerated students, but as important, our universities benefit enormously from the rich participation of a wide range of students, including those with criminal justice histories. College during and after prison has positive effects on students, the university, the children of those who have been incarcerated, and the classmates of those who have been spared (so far) the criminal justice system.

Exclusion of students with criminal records does NOT enhance the safety of campus life but does limit dramatically the economic and intellectual trajectories of those who have already served their sentences. It is time for universities to review the empirical record and check their ethical standards. Exclusion is political cowardice with no benefits. Remove the box, open your doors and others will follow. NYU will flourish in terms of the university’s intellectual life, the rich diversity of your student body and the ethical standards to which your institution aspires.”

*Michelle Fine, Distinguished Professor of Psychology  
City University of New York*

“Frederick Douglass said, “knowledge is the pathway from slavery to freedom.” From the time that Sophia Auld, a slave master’s wife, disobeyed the law and taught Frederick Douglas to read at the age of twelve, we have known that denying access to education is one of the most effective tools of oppression. Yet, for some reason, the practice of screening college applicants for criminal records continues to grow despite data suggesting that crime on campus is more likely to be committed by students who have no prior criminal record. This screening occurs without understanding the complexities of these records and with no thoughtful process through which to evaluate the impact a criminal record may or may not have on a particular student’s ability to successfully engage in the educational process. These aspiring students become subject to an intrusive and humiliating process of investigation that is often conducted by untrained, misinformed, and subjective reviewers. All applicants learn through this process is that in America the debt imposed by criminal conviction is never marked paid in full and comes with a lifetime of consequences. With so much at stake one cannot help but question who these policies are intended to subjugate. Who is it that we are still trying to keep beyond the reach of knowledge and the power that comes with it? Since racial disparities permeate every aspect of American criminal punishment the use of criminal conviction status to bar admission to college has a disproportionately negative impact on communities of color. The historical legacy of slavery and structural inequality has been embodied in practices that purport to protect the public safety while at their core they serve to add to the existing damage caused by a new divide in America in which criminal record based discrimination has replaced the blatant race-based discrimination that the civil rights movement aimed to dismantle. NYU’s discriminatory admission practices add to that shameful legacy.”

*Vivian Nixon, Executive Director  
College and Community Fellowship*

“Criminal history screening in the admission process has nothing to do with education or learning, creativity or discovery. It is, however, symptomatic of how thoroughly militarized residents of the USA have become — from wearing photo IDs as jewelry though accepting the notion that there are “enemies” who ought to be excluded from any and all aspects of social and civic life. I have fought this box at other institutions where those in charge — often people of color or white first-generation college graduates — explain to me that the “federal government” requires the information. Not so. I have cut and pasted the relevant regulations (related very very narrowly to specific histories of drug offenses on the one hand, and eligibility for federal student aid on the other), and those responsible then try to explain away my evidence by raising general concerns about “safety”. Why? The zeal to screen is part of US political culture, that rests on the belief in a perpetual enemy who must always be fought, but who can never be vanquished. The practice has to stop, and banning the box is one small but precise way to put the brakes on the culture of war.”

*Ruth Wilson Gilmore, Professor of Earth and Environmental Sciences  
City University of New York*

“New York University. An institution vested in a city that represents inclusion, unity, and equality supports a question which contradicts the very essence of the people it so called represents. The “box”, or the criminal background question on the admission application, sends the message that no one truly has “time served” or had paid their “debt” to society. I support banning the box because as an advocate for social justice I understand that order for those who have criminal histories to truly become productive and pay their “debt” to society, they/we must all be included in it. Educational equality is essential for the prosperity of all cultures.”

*Terrell Tate, Co – Director How Our Lives Link Altogether! (H.O.L.L.A!)*

“JustLeadershipUSA, an organization dedicated to amplifying the voices of people most affected by incarceration, believes that NYU is complicit with our morally bankrupt criminal justice system when using criminal record-based application bans, which serve as a surrogate for race discrimination. More than 175 years ago, Albert Gallatin, the distinguished statesman who served as secretary of the treasury under Presidents Thomas Jefferson and James Madison, declared his intention to establish “in this immense and fast-growing city ... a system of rational and practical education fitting for all and graciously opened to all.” Arguably, Mr. Gallatin would turn over in his grave if he knew that NYU had adopted systemic barriers to access that serve as lifetime punishment for a specific group of Americans who have been systematically criminalized and subjected to second-class citizenship.”

*Glenn E. Martin, Founder & President  
JustLeadershipUSA*

“In the words of one noteworthy formerly incarcerated person: “We declare our right on this earth...to be a human being, to be respected as a human being, to be given the rights of a human being in this society, on this earth, in this day, which we intend to bring into existence by any means necessary.” Discrimination in college admissions based on past arrests or incarceration is being used as a tool to

maintain white supremacist, capitalist power. In the midst of the ongoing race and class-based War on Drugs, and the largest prison system in human history, citizens returning home after the trauma of imprisonment need access to education as much as the nation needs us to have the power to redirect our own lives.”

*Bryonn Bain, Artist/Activist, Lyrics From Lockdown  
NYU Gallatin Faculty*

“The EIO Coalition strongly believes that questions pertaining to criminal histories have no place in the college admissions process, be it at NYU or any college or university. We all know the positive effects access to higher education has in reducing recidivism, strengthening families and communities, and improving people’s lives. Removing the question from the admissions process will not only serve to benefit applicants, but will also ensure diverse learning environments for all students from all walks of life.”

*Mel Gagarin, Senior Associate of Public Affairs,  
Education from the Inside Out Coalition*

“I support abolishing the box at NYU because the box itself represents an attempt to place yet another limit on individuals whose life choices have already been restricted by centuries of discriminatory practices and differential treatment that has relegated them to second class citizenship. My support for removing the box is based on my pursuit of fairness, equity and decency and all of the ideals and principles that these notions represent. Lastly, I support it because education is the only succession plan that will insure that we prepare future leaders to assume positions of responsibility and promote standards of excellence that keep us in the forefront of global leadership. I fully support removing the box, because doing so, will move us all closer to achieving human justice in America and all over the world.”

*Divine Pryor, Executive Director  
Center for NuLeadership on Urban Solutions*

“I support Abolishing the Box because policies should be based on facts, not fears. The facts are loud and clear: allowing greater access to education makes society better for all – without sacrifice to safety or quality of education. And more importantly, it is an act of social justice and human rights that is long overdue.”

*Shabnam Javdani, Ph.D. Assistant Professor Director of Doctoral Affairs  
New York University*

“Without question I support banning the box of exclusion on all college admissions applications, including my alma mater, New York University.

Higher education is one of the most empirically successful formulae for people returning home from incarceration. Why would anyone suggest creating barriers to successful citizenship? That's exactly what the question of exclusion on college applications are—barriers. This barrier is counterintuitive to public safety. If we have successful formula that contributes to public safety why would we not ensure that it is enforced any and everywhere? Banning the box of exclusion just makes sense.”

*Marlon Peterson Co-Founder of H.O.L.L.A! (How Our Lives Link Altogether!)*

“Please stand on the side of fairness, justice, and simple decency, and affirm the hopes and dreams of young people, by eliminating any reference to contact with the police or criminal courts from the Common Application. The box is blatantly discriminatory and has no relevance to the task of evaluating the records or the future potential of applicants; it undermines and distorts the meaning of education in a free society. Nothing is lost and much is gained by banning the box.”

*William Ayers  
University of Illinois at Chicago*

“I support banning the box at NYU and all college admissions processes. Numerous studies have shown that higher education for formerly incarcerated persons leads to the lowest rates of recidivism. The problem of mass incarceration is not going to go away by excluding formerly incarcerated persons. All colleges and universities should take the progressive path by banning the box and being inclusive and not exclusive.”

*Larry Mamiya, Ph.D. Professor of Religion and Africana Studies  
Vassar College*

“Working with incarcerated youth and with NYU students teaches a sobering lesson about American injustice, of which the recent events surrounding Michael Brown’s murder at the hands of Ferguson police are only the latest reminder: black boys pay far more dearly than white boys for the very same youthful stupidities—or ineffectual parenting or lousy schools.

If I or any of my high school friends had been black we would have done jail time for sure and may not have enjoyed the lives we built by going to college. Our youthful indiscretions were mistakes to learn from, not grounds for incarceration.

The box on college admissions compound this injury. Eliminating it will not end the larger injustice, but it will chip away at the waste of talent we currently allow.”

*Joshua Aronson, Ph.D. Professor of Applied Psychology  
New York University*

“If New York University truly wishes to share its resources with the community and promote social justice, then we must “Abolish the Box”. This question does nothing to make our campus “safer”;

rather, it reflects an institutional culture that is obsessed with punishment. As our country suffers from staggering economic inequality, widespread racial injustices, and unprecedented rates of incarceration, the box perpetuates these forms of oppression. All the while, too many voices, identities, and lived experiences have been absent from the NYU community. Abolishing the Box can help to transform NYU, as well as the lives of so many people who have been impacted by the punishment system.”

*Eric Sturm, Gallatin School of Individualized Study - Class of 2015*

“I support banning the box on all college application. Advance education is a right that should not be denied because of past criminal justice history. Especially in an era when incarceration has impacted whole communities, the explicit discrimination against former incarcerated people in effect creates a legal Jim Crow system of exclusion. For the rebuilding of communities, families, and lives, access to college during and after prison should be an education goal we all share.”

*Rick Ayers, Asst. Professor, Teacher Education, University of San Francisco*

“Education is liberation and the transformative powers of education should be accessible to all. The box is placed on college applications as a mechanism to keep those of us with criminal backgrounds out. Education is neither a privilege nor a luxury but a human right. Therefore, I fully support the abolishment of the box at NYU and other institutions of higher education.”

*Latoya Philip, John Jay College of Criminal Justice, Class of 2016*

“There is an NYU advertisement circulating the NYC subway system. It reads: “People who want to change the world start by transforming themselves at the NYU School of Professional Studies. Our undergraduate programs encourage you to think outside the box, to push beyond your limits, and to pursue what you really want to do.” I call on NYU to make the first example of *think[ing] outside the box* by ABOLISHING THE BOX that requires applicants to disclose their history within the criminal punishment system. NYU encourages its students to *push beyond [their] limits* but in fact, imposes limits on the first step of the application process. The Box is an inherently discriminatory screening process that disproportionately targets poor applicants and applicants of color. I call on NYU to *transform* its admissions process, to put into practice its marketed values of diversity and forward-thinking, so that we might truly make steps to change the world.”

*Aerie Em, NYU Class of 2015*

“The box must be abolished because it has no place in a just world. We must all reckon with historical oppression, and demand that our educational institutions refuse to be indifferent to injustice. This means that we must actively build communities with all kinds of wisdom and eradicate barriers to self-actualization for all peoples. The box is inherently antithetical to this. It is a structural mechanism of violence, and therefore will be abolished as we struggle for redistribution and peace.”

*Gina Hong, The Incarceration to Education Coalition (IEC)*

“I support the abolition of the box at NYU and all other institutions, not merely because of the numbers, but because I have had the privilege of being in a college classroom enriched by the perspective of a formerly incarcerated peer. If real learning is to take place at college, it is crucial, especially at an institution as elite and expensive as NYU, to share in classroom conversation with people who mainstream society constantly attempts to dehumanize and separate in order to justify their continued oppression. Look at the studies and you will see that inclusion makes sense logically, economically, justly, etc.. But there is something deeper still. May you have the opportunity to feel it, to have a small taste of the truth; that true diversity of identity and life experience, true inclusion of all humanity not only "makes sense," it feels right and it is the only thing that feels right. This is only the beginning. Abolish the box!”

*Danny Lentz, The Incarceration to Education Coalition (IEC)*

“The Box”, should be ABOLISHED at NYU and beyond because: Education must be recognized as a mechanism for liberation and not as an instrument of omission, and universities should be seen as environments to transform one’s life, not reproduce, the class, gender and racial stratification of society. In an attempt to spark dialogue between those with [documented] criminal records, educators, scholars, activist, students and institutions of higher education administrative folks, I echo the words of Victor Hugo, “(s)he who opens the school door closes the prison”. As a formerly incarcerated doctoral candidate I share my testimony, a story similar to other currently and formerly incarcerated individuals. I have mustered the courage. I have found the mental, emotional, financial, relational and psychological resources that are required to apply to college and enter into the financial debts of higher learning. I have crossed a threshold and made promises to my family, communities and self. Instead of succumbing to a life of crime and/or the reproducing of structural violence, I have rose up to the challenge of a life dedicated to education and human justice. For me, and many other system impacted individuals, families and communities crime is no longer an option. When we arrive to the college application and the steps of colleges and universities, we arrive as HUMAN, not as convicts or ex-felons. We carry no risk. We only carry hope.”

*Cory Greene, New York University 2013 Graduate, Co-director of How Our Lives Link Altogether! (H.O.L.L.A!) and Community Organizer for the Center for NuLeadership on Urban Solutions (CNUS)*

“I support the abolishment of the box at NYU and other institutions of higher education because education is not a privilege but a human right and should be treated as such. Frederick Douglas stated that “Knowledge makes a man unfit to be a slave” and in a nation that prides itself as “the land of free” yet has more black men in prison than were ever enslaved, “knowledge is power” has never had a more astute meaning. Equal access to education is just the beginning.”

*Skye Alvarez, Vice President of Steinhardt Undergraduate Student Government  
Steinhardt Academic Affairs Undergraduate Student Representative*

*\*These statements can also be found on our website.*