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**Beyond the Box**  
**File 181002**

**Summary**

This legislation, also known as Beyond the Box, prohibits private post-secondary educational institutions from asking about an applicant's criminal history in the pre-admission process. San Francisco will be the first City to pass this type of legislation.

The ordinance will delay any inquiries into conviction histories *after* an admissions offer has been made and an applicant has agreed to enroll in the college. Beyond the Box does not bar private schools from asking about an individual's conviction history, but concerns when private institutions may obtain and consider conviction information.

This ordinance draws from the U.S. Department of Education's resource guide that provided information to colleges to examine and remove barriers that citizens with criminal records face when applying to college. Research indicates 62% of applicants with a felony conviction failed to complete their college applications.

This legislation will impact approximately five private schools in San Francisco: University of San Francisco, San Francisco Art Institute, San Francisco Law School, Wharton-UPENN Extension, and Minerva KGI. This legislation becomes operative on August 1, 2019.

**Amendments**

The amendments proposed are non-substantive and provide further clarity:

-Section 5004, p. 5: The amendments provide guidance to institutions for post-admission inquiries to be limited to the purposes of offering counseling or supportive services, determining participation in housing or campus activities, or for determining eligibility for financial aid or scholarships. The post-admission prescription is not mandated but strongly encouraged.

-Section 5005, p. 6: The amendments allow for pre-admission conviction history inquiries for fields that restricts persons with Criminal History from employment or licensing but these inquiries should be used for the purposes of advising the applicants. Pre-admission inquiries are also allowed for individuals that will be applying from outside the United States and will need a Certificate of Eligibility of Nonimmigrant Student Status to attend the school.

-Section 5006, p. 8: These amendments clarify recordkeeping requirements that schools keep completed and incomplete applications if they asked pre-admission inquiries, but blank application forms regardless. They are also required to keep any other evidence of noncompliance, excluding artwork, GRE scores, and letters of recommendation.

NOTE: This legislation is currently housed under the Office of Labor Standards and Enforcement but might potentially be moved to the Human Rights Commission before the legislation becomes operative.

### **Supporters**

**Underground Scholars at UC Berkeley**  
**Operation Restoration**  
**All of Us or None**  
**San Francisco Youth Commission**