

THE COLLEGE OF NEW ROCHELLE TRANSCRIPT NOTATION APPEAL POLICY

Pursuant to Article 129-B §6444(6) of the New York State Education Law, if a student is found responsible through the College's conduct process for crime(s) of violence, including, but not limited to **sexual violence**, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S.C. § 1092(f)(1)(F)(i)(I)-(VIII) ("Clery Crimes of Violence")¹, the **Dean of Students** will direct that a notation be placed on the student's transcript.

- Where the sanction is a suspension, the following notation will be listed: "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."
- Where the sanction is expulsion, the following notation will be listed: "EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION."

If a student respondent withdraws from the College, while such conduct charges are pending for allegation(s) related to Clery Crimes of Violence and the student declines to complete the disciplinary process, the Dean of Students will direct that the following notation be placed on the student's transcript: "WITHDREW WITH CONDUCT CHARGES PENDING." Conduct charges are considered "pending" once a student is informed in writing that there are allegations that the student may have violated the College's Code of Conduct.

Vacating a Finding of Responsibility: The College is statutorily required to place notations on transcripts of students when two factors are met: (1) the student is found responsible, after a process (or takes responsibility) for a code of conduct violation that is equivalent to the Crimes of Violence; and (2) the student is expelled, suspended, and/or withdraws with conduct charges pending. However, if a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Further Appeals: A student whose transcript states "SUSPENDED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" may appeal, in writing, to the Dean of Students to have the notation removed. Appeals may be granted provided that: (i) one year has passed since the conclusion of the suspension; (ii) the term of suspension has been completed and any conditions thereof; and (iii) The Dean of Students has determined that the student is once again "in good standing" with all applicable College and academic and non-academic standards. This request must be in writing and include the rationale for the request. The Dean of Students, or his or her designee, will review the request and provide a written response within 30 days from the date the request was received.

¹ 1 Violations equivalent to crimes of violence, as defined in the Clery Act (as updated by the Violence Against Women Act Final Regulations) include: murder; manslaughter; rape, fondling, incest and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson. The College retains the right to determine additional serious violations that will result in a permanent transcript notation.

A student whose transcript states “EXPELLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION” or “WITHDREW WITH CONDUCT CHARGES PENDING” is ineligible to appeal to have the notation removed. Those students who were expelled or withdrew with such notifications on their transcripts will leave the College with the status “not in good standing” and will be ineligible for readmission to the College, absent any vacating of a finding of responsibility.

