



The attached document from the Association for Student Conduct Administration is our position regarding the practice of notations on official academic transcripts for student conduct violations. Institutions of Higher Education (IHEs) have the responsibility of educating and providing a safe environment for students. Once a student enters an IHE, there are numerous records created to maintain a record of the student's presence on, or interactions with the campus. One of these records is the official academic transcript. The academic transcript is generally the only document that a student is asked to present when transferring to another institution.

The Family Educational Rights and Privacy Act (FERPA) was created so that students could be assured of such protections and, if protections were violated, the institution could be penalized. However, under FERPA, there are conditions by which student records can be shared without the student's permission. One such condition exists when a student chooses to transfer to another institution. As past behavior can be considered a determinant for future behavior, it is possible that proper transcript notation, under the correct circumstances, can aid in creating a safe environment.

The Association of Student Conduct Administration's (ASCA) complete position statement including suggested practices, definitions, information on duration of notation, record retention, release of information as well as admissions implications for review and action can be found on the associations website www.theasca.org ASCA recognizes that each institution of higher education is unique but some guiding practices can enhance the communication between schools. It is the hope of ASCA that these insights and recommendations are seriously considered for the protections of all who may be impacted while creating a uniform process.



Student Conduct Administration & Transcript Notation: Issues and Practices

Context

In the United States, the student academic transcript is recognized as the official record of a student's academic progress from admission until separation from the institution. It is the document that allows students to demonstrate completion of pre-requisite courses, provide confirmation of credits earned in order to transfer to another institution, document progress towards earning a degree or certificate, and ultimately, officially verify academic achievement at a specific institution. In light of recent discussions surrounding sexual assault and other forms of violence that occur on college campuses, when a student has been found responsible for misconduct resulting in separation from the institution for a finite or indefinite period of time, transcript notations can serve as one way to provide notice to other institutions. Institutions may be well-served by employing practices to review and act on this information, as well as to solicit information through the admission (or transfer) application process. As FERPA permits the sharing of this information between institutions, ASCA also sees value in pursuing a more open exchange of information across institutions about the behavioral histories of students who may be coming to our campuses.

ASCA's Position & Suggested Practices

ASCA recommends that all institutions place an appropriate notation on an academic transcript to indicate when a student is ineligible to re-enroll at that institution as a consequence of disciplinary action. ASCA suggests that all institutions of higher education should:

- Ask key questions to solicit information about a potential student's conduct and/or criminal history prior to being admitted to the institution (The Common Application asks these questions),
- Have systemic ways to review and utilize this information in relevant admission decisions, as well as to promote individual student success and safer campus communities;
- Place notations on student transcripts when a student is **suspended or expelled** as a result of a student conduct (formerly disciplinary or judicial) as outlined in the institution's policies and procedures.
- Notate if a student is ineligible to enroll at the institution for academic reasons (such as cheating or multiple acts of plagiarism)
- Retain the right to define and implement the processes by which notations are made and removed,
- Develop and communicate procedures (based on commonly understood language in the field of student conduct as well as the culture of the institution) explaining the notation, duration of notation, and retention and release of records,
- Communicate these practices to students through their appropriate institutional FERPA or other record policies, including via website to current and prospective students.

A comprehensive approach to admissions, review of information, and appropriate action based on that review may be helpful to institutions as they seek to manage risks on their campuses to the best of their abilities. While there is no "one-size-fits-all" model that will work for all institutions, this report offers definitions of common terms, describes implications for practices related to transcript notations and recordkeeping, explains the role of admissions applications and review processes, and provides sample language for consideration.



Definitions

In order to provide consistency among institutions, the following definitions related to a student's standing at an institution are offered:

Suspension: The student is separated from enrolling in courses or otherwise participating as a student at the institution for a stated finite period of time after which the suspension notation may be removed, based on the institution's practices. This may or may not include other requirements that must be met prior to return. This should be notated on a transcript. *Variations: Separation, Judicial Suspension, Student is eligible to return after xxx date, disciplinary suspension*

Expelled/Dismissed: The institution has permanently separated the student from taking courses at the institution for an indefinite period of time. Some institutions permit a student to petition to be reinstated after a period of time. This should be notated on a transcript. *Variations: Social expulsion, judicial expulsion, judicial dismissal, disciplinary expulsion/dismissal*

Pending Conduct: If an institution is in the process of determining whether a student has violated the code, and a potential outcome is suspension or expulsion, a "pending" comment may be notated on the transcript to prevent the individual from transferring prior to the final outcome of the case.

Other types of notations that may be found on transcripts, at the discretion of the institution:

Withdrawn: The institution or the student has initiated a separation from the college, or course(s), or program(s). There may or may not be requirements to return to the institution. Many institutions may use this term instead of suspension or expulsion. *Variations: Administrative Withdrawal, Voluntary withdrawal, In-voluntary withdrawal*

Not in Good Standing/Under Restriction: The student is eligible to enroll but may not be permitted full participation in university activities due to an academic and/or discipline issue. For example, a student may only be permitted to take courses online, or may be permitted to attend classes but not participate in athletics, student organization trips or study abroad. *Variation: Social suspension*

Academic misconduct: Institutions may indicate that a student has been involved in a matter related to academic integrity such as cheating, plagiarism or falsification of research data. There may be a correlating 'F' in a particular course, a designation such as 'XF' (indicating a failed course due to academic misconduct), or just a notation. *Variations: Academic disciplinary action*

Holds/Blocks: At some institutions colleges will place a 'hold' on a current or former student's record preventing the student from registering for classes, receiving or sending copies of academic transcripts or completing other types of necessary transactions. Holds may be placed on a student's record if a student conduct case is pending and/or if a student withdraws, or if a student fails to complete sanctions. Some institutions will note that the student is 'blocked' from doing certain types of transactions until a specific matter is resolved. *Variations: Student Affairs Hold, Disciplinary Hold, Registration Hold, Registration Block, Judicial Matter pending*



Duration of Notation and Record Retention/Release

Removal of Transcript Notations

Some schools have written policies regarding the removal of a transcript notation. This process may vary but often requires a student to provide a request in writing, including the rationale for the request. An individual or campus committee will review the request and take into consideration factors such as:

- The nature of the violation
- Any harm or injury that resulted because of the violation
- Time passed since the violation's occurrence
- The behavior of the student since the violation.

Some institutions may only allow a student to petition to have a suspension sanction removed from the transcript but may not allow a sanction of expulsion to be removed. Others may allow for removal of an expulsion. For example, a student suspended in the 1970's for protesting during the Vietnam War is permitted to request the expulsion notation be removed.

Record Retention

All schools need to have written student conduct record retention policies for its student conduct records, subject to federal and state law. Student conduct records are educational records which may be disclosed to outside agencies upon written request from agencies with permission by the student. As outlined in FERPA, these records are also permitted to be shared with another institution of higher education that a student attends or seeks to attend. The timeframe for retaining records varies depending on the institution, its culture, and relevant state laws, and may include:

- Retention for seven years following the incident (congruent with Clery compliance)
- Retention for seven years after the student graduates or completes the sanction
- Retention until graduation of the student
- Retention of some records (such as those resulting in sanctions up through disciplinary probation) for seven years after the incident, but indefinite retention of records relating to the suspension and/or expulsion of a student.

Release of Information

Students who transfer to other colleges are generally asked to submit copies of their previous academic transcript from the transferring out institution, if they seek to transfer any credits. It is important to note that students may not always disclose or transfer credits, so any notations would not be made available to the new institution. Some schools require a Dean's Certification, which is a letter or other completed form which verifies the student's conduct record and behavioral standing at the institution from which they are transferring. The use of Dean's Certifications for students transferring is not wide spread across higher education, and is rare at community colleges or other two-year institutions. Dean's Certifications have been used for years by many professional schools (law, medical, business, etc.) as well as other graduate schools, licensing agencies and the government. These take the shape of a form or a letter sent by the institution describing the applicant's discipline, judicial, and/or academic misconduct history at that institution. The student is aware that the information is being released because a consent form must be provided as part of the application. An important distinction is that these Dean's Certifications MAY include information about *all* prior conduct history, not just incidents that warrant separation from the institution.



Admissions Applications & Implications for Review and Action

Transcript notations may be helpful in admissions processes (depending on the requirements) but essentially can serve an important role in the threat assessment and behavioral intervention functions in which many institutions now engage. Given the diversity of students applying to institutions, including first time college enrollees, transfer students, graduate students, non-degree seeking students, high-school dual enrollment students, and reverse transfer students, institutions must determine appropriate procedures that fit their mission and culture. Institutions must be able to retain the right to determine whether behavioral history would preclude or otherwise affect admission, or whether the information is simply reviewed as part of a risk assessment process. For example, a residential college might not allow admission to one individual, but a community college might have no reason to restrict enrollment.

The Common Application & Receipt of Transcripts

Many first time students (and more recently transfer students) apply for college using *The Common Application*, known as “the Common App”. The Common App currently asks applicants, “Have you ever been or are you currently on probation, suspension, dismissed or expelled for any reason from an institution?” Institutions that use the Common App and receive this information have a responsibility to review and utilize the information as appropriate. In addition, institutions should ensure that the institution’s registrar or admissions staff understands what information should be provided to review committee, Dean of Students’ Office, behavioral intervention team, or other appropriate campus entity for review and potential action.

Review & Use of Information

Many institutions use the admissions review committees, threat assessment/behavioral intervention team or Dean of Students’ Office to review the information on transcripts and impose action on behalf the institution. Once an institution becomes aware that a student has a history that may involve an incident of violence, the institution should seek appropriate information for its review process. For example, if a student has a criminal or student conduct history, the institution will often ask the student to provide an explanation and may require additional relevant information, such as arrest records, letters from parole officers, or conduct records from a prior institution. The institution will then make a determination if the information should affect admission and/or if any limitations/ restrictions should be placed on their enrollment (e.g. may not living in housing, or may not participate in activities in which minors are involved). Some institutions utilize this review process as a way to holistically support these students by ensuring they are aware not only of limitations, but also campus resources that can assist in their academic endeavors.

Open-Enrollment Institutions

For community colleges or other open-enrollment institutions, a student’s conduct or criminal history may not be relevant to whether or not a student is admitted, but it may have bearing for any restrictions placed on a student. For example, a convicted and registered sex-offender may not be prohibited from taking courses and earning a degree. However, the institution may place limitations on the locations and access to the campus, such as limiting courses to online, preventing attendance at study abroad programs or other overnight activities, or prohibiting access to the building in which the childcare center is housed. The goal of these review processes are not to eliminate all persons with incidents of misconduct from pursuing or obtaining higher education, nor is it to push all individuals who have engaged in violence in their past out of the campus environments. Instead, campuses should pursue appropriate action to promote individual student success as well as the safety of the campus.

Challenges

The challenge of attempting to make this a uniform process across the country is analogous to saying that all first-year English classes are the same and should be taught in the exact same way. There are some basic commonalities but many interpret and deliver the course differently. With transcript notation:

- a) Some colleges note on a student's transcript that the student is "Withdrawn" regardless of whether the withdrawal was voluntary (i.e. the student decided to leave) or involuntary (i.e. the college separates the student).
- b) Some schools suspend a student for an act of sexual misconduct; some schools will dismiss/expel a student. Both schools are right to do this.
- c) Some students who are suspended will wait out the time of the suspension, petition to get the notation removed, and thus become eligible to re-enroll and then transfer to another institution.
- d) Some schools block a student's enrollment when the student is ineligible to re-enroll but make NO notation on the transcript.
- e) There are many times when students do not disclose that they attended a prior institution, for example when there is no need to transfer any credits to the new institution; the student just needs to take a class; the student is not applying for financial aid; or may have forgotten a course taken at an institution if it was a long time ago.
- f) Institutions have different standards for what conduct can lead to suspension or dismissal. Some institutions have 'zero tolerance policies' which may result in a suspension and other institutions may feel the incident is a minor violation.
- g) Open enrollment institutions may still be required to admit students regardless of criminal or conduct history, and requiring a review process for all conduct history may not be the best use of the institution's personnel or resources. At many colleges, students pursue continuing education classes that are not for academic credit, and may also access the campus as a member of the community without enrolling in any courses.

Conclusion

ASCA recommends transcript notation when a student is not permitted to enroll in courses due to misconduct. While a 'one-size-fits-all' mandate is discouraged, there are some guiding practices that can help institutions across the country communicate in a mutually understood fashion in order to identify and mitigate some potential risks of violence. Transcript notations alone will not be effective at reducing the risk of violence to a campus, but the comprehensive approach to admissions, review of information, and appropriate action based on that review may be helpful to institutions as they seek to manage risks on their campuses to the best of their abilities.



Appendix: Sample Language¹

Institutions are encouraged to select language that fits their institutional culture and mission.

Sample Language: Admission Questions

Example A:

- 1) Have you ever been subject to disciplinary action or do you currently have a disciplinary charges pending by any educational institution due to academic (such as cheating or plagiarism, not poor grades) or behavioral (such as fighting or drug use) misconduct?
- 2) Have you ever been convicted of, or charged with, a criminal offense or are you currently the subject of any criminal proceeding?

Example B:

- 1) Have you ever been dismissed for disciplinary reasons from an academic institution?
- 2) Have you ever been convicted of a felony?

Example C:

- 1) Have you ever been convicted, pled guilty or pled no contest to any felony crime in any state or country?
- 2) Have you ever been convicted, pled guilty or pled no contest to any misdemeanor crime involving violence, harm to others, or weapons in any state or country?

Note: If your criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, or impounded, or ordered by a court to be kept confidential, you are not required to answer yes to the above questions.

Sample Language: Transcript Notation

Depending on the institution's transcript generation practices, suspension and expulsion can be noted with the academic courses for a specific semester, or in a general comment area. Such a designation can read simply, "Suspension" or "Expulsion" or "Disciplinary Suspension" along with the dates that the sanction is in effect. To minimize the occurrence of a student will transfer between the date of an incident and the resolution of the conduct process, institutions may want to use language like: "This transcript reflects the academic progress of this student. For more information about the student's records pertaining to behavior or policy violations, please contact the Dean of Students' Office." This sends a message to the receiving institution without imposing a finding on a student.

Sample Language: Record Statement

The College may place a Student Conduct hold on the records and registration of any student who has a pending Student Conduct matter, including any outstanding sanctions or unresolved cases. Charged students may not be allowed to graduate, receive grades or have transcripts released until pending matter(s), including any outstanding sanctions, are resolved. Designations of "suspension" are recorded on the academic transcript during the period of suspension. If a student has been expelled, the designation remains on the transcript indefinitely. This does not prohibit the student from transferring credits to another institution.

¹ Thank you to the University of Florida, Wright State University, and Columbus State Community College for providing examples which served as the basis for this sample language.