

	<i>Responsible Office or Department:</i>	Academic Affairs
	<i>Effective Date:</i>	2/21/2025
<i>Transcript Notations for Academic and Student Conduct Violations</i>		

PURPOSE:

The purpose of this policy is to outline Niagara University’s transcript notation practices and to ensure compliance with New York Education Law Article 129-b.

SCOPE:

All undergraduate and graduate students, faculty and staff in the academic sector.

TERMS and DEFINITIONS:

1. Code of Conduct: The written policies adopted by the University governing student behavior, rights, and responsibilities while such student is matriculated in the University.¹
2. Accused: A person accused of a violation who has not yet entered the University’s judicial or conduct process.
3. Respondent: A person accused of a violation who has entered the University’s judicial or conduct process.
4. Crime of Violence: As used herein, one of the crimes listed in 20 U.S.C. § 1092(f)(1)(F)(i)(I)–(VIII), namely: murder; sex offenses, forcible and nonforcible; robbery; aggravated assault; burglary; motor vehicle theft; manslaughter; and arson.

Each of these is defined in accordance with the uniform crime reporting system of the Department of Justice, Federal Bureau of Investigation, and the modifications in such definitions as implemented pursuant to the Hate Crime Statistics Act. 20 U.S.C. § 1092(f)(7).²

5. Suspension: an enforced temporary separation from the University, as determined either by the Office of Academic Affairs or by the Office of Student Affairs.
6. Dismissal: an enforced permanent separation from the University, as determined either by the Office of Academic Affairs or by the Office of Student Affairs.
7. Withdrawal: a voluntary separation from the University, initiated by the student.

¹ The definitions for terms 1–3 are taken from N.Y. Educ. Law § 6439.

² See U.S. Dep’t of Just., National Incident-Based Reporting System: Data Collection Guidelines (2000).

MAIN PROVISIONS:

The University shall comply with the requirements set forth in N.Y. Educ. Law § 6444(6), which regards transcript notations of students who are found responsible for committing a “crime of violence,” as defined herein, and the process for appealing and/or removing such notations.

The text of N.Y. Educ. Law § 6444(6) is reproduced below:

For crimes 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), institutions shall make a notation on the transcript of students found responsible after a conduct process that they were “suspended after a finding of responsibility for a code of conduct violation” or “expelled after a finding of responsibility for a code of conduct violation.” For the respondent who withdraws from the institution while such conduct charges are pending, and declines to complete the disciplinary process, institutions shall make a notation on the transcript of such students that they “withdrew with conduct charges pending.” Each institution shall publish a policy on transcript notations and appeals seeking removal of a transcript notation for a suspension, provided that such notation shall not be removed prior to one year after conclusion of the suspension, while notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.

Special Notations indicating either a decided and enforced temporary or permanent separation from Niagara are indicated on the transcript. They are either academic in nature where the decision is made by either a faculty/senate committee or policy under the auspices of Academic Affairs, or a student-conduct related issue where a violation has been adjudicated and a verdict imposed through the Office of Student Affairs.

The results of either can lead to Suspension or Dismissal/Expulsion. Transcript notations are by form and function brief and will appear on the last line of the semester in which they are imposed. They will note the Sector (Conduct or Academic), the level (Suspension, or Dismissal) a broad Sub category if appropriate (Academic Integrity, Student Conduct, and a term for suspensions. This notation coupled with a Registration hold will be in place until further action is taken, or until the imposed sanction has completed.

PROCEDURES:

Academics Related Dismissal (Satisfactory Academic Progress Committee (SAP))

The SAP committee evaluates all student performance at the conclusion of each semester. They calculate each undergraduate student’s GPA in relation to their progress toward degree completion. In accordance with their policies, after their deliberations and appeal processes are over, they will report to the Records Office a list of students for dismissal based on the student’s failure to maintain proper pacing and academic performance standards toward degree completion. The notation will be the last line of the last semester at that level and be

indicated in all capital letters offset by dual asterisks. As this sanction is ongoing, no further notation is noted.

Conduct Related Dismissals or Suspensions

When the infraction is a conduct related issue, whether that be Student Conduct or Academic Integrity, the additional line is noted below the broad sanction line indicating the sub category. A third line is added for term if there is a suspension and effective date if a dismissal (the effective date is usually the date of the judgment) thus resulting in one of the following possibilities.

Transcript Notation

If a student commits a crime of violence, and is found responsible after an Administrative Conduct Hearing or Conduct Council Hearing, pursuant to the University’s Student Conduct System, the University will make the applicable notation on that student’s transcript:

- (a) “Suspension – adjudicated conduct violation”; or
- (b) “Dismissal – adjudicated conduct violation”.

If a respondent withdraws from the University while such conduct charges are pending, and declines to complete the disciplinary process, the University shall make the following notation on the respondent’s transcript:

- (c) “Withdrawal, conduct charges pending”.

If a finding of responsibility for a crime of violence is vacated for any reason, any such transcript notation shall be removed.

ACADEMIC SECTOR SANCTIONS	STUDENT AFFAIRS SANCTIONS
ACADEMIC DISMISSAL Academic Integrity Violation Effective MMDDYY	**DISMISSAL** Adjudicated Conduct Violation Effective MMDDYY
ACADEMIC SUSPENSION Academic Integrity Violation MMDDYY to MMDDYY	**SUSPENSION** Adjudicated Conduct Violation MMDDYY to MMDDYY
	“Withdrawal, conduct charges pending” Effective MMDDYY

Appeal to Remove Transcript Notations

Academic Dismissal/Suspension: If a student is readmitted to the university after an academic dismissal or suspension, the student may request that the notation be removed from their transcript. These appeals should be made to the Provost.

Student Conduct Dismissal/Suspension: A student who has received a transcript notation for a **suspension** due to a student conduct violation may appeal seeking removal of said notation.

However, such transcript notation shall not be removed prior to one year after conclusion of the suspension. Notations of dismissal due to a student conduct violation **shall not** be removed.

A student may request the removal of a transcript notation under specific circumstances as outlined below:

1. Eligibility for Appeal

A student is eligible to request the removal of a transcript notation if:

- The notation pertains to a disciplinary action that has been fully resolved, and all conditions or sanctions imposed by the university have been successfully completed.
- The notation pertains to an academic probation or warning that no longer applies due to sustained improvement in academic performance.
- The student can demonstrate evidence of rehabilitation or other good cause for the transcript notation removal.

2. Submission Process

- To file an appeal to have a transcript notation removed, a student must submit a formal written request to the Provost or their designee.
- The appeal must include:
 - The student's full name, student ID, and contact information.
 - A clear explanation of the reason for the appeal and how it meets the eligibility criteria.
 - Evidence of rehabilitation or other good cause for the transcript notation removal.
 - Supporting documentation, such as proof of completed sanctions, updated academic standing, or relevant records.

3. Additional Requirements

- Students who withdrew from the university prior to the resolution of the conduct process must fulfill any sanctions imposed in absentia before being permitted to appeal.

4. Review and Decision

- The appeal will be reviewed by the Provost or designee.
- Appeal decisions will be provided in writing within thirty campus business days of submission.

5. Limitations

- Transcript notations related to academic dishonesty, permanent dismissals, or other serious violations may not be eligible for removal, as determined by university policy.
- Decisions regarding appeals are final and not subject to further review.

6. Contact Information

For questions or to submit an appeal, students should contact the Office of the Provost.

POLICY HISTORY:

- Originated: 10/5/2015
- Current Effective Date: 2/21/2025
- Next Review Date: 2/21/2028
- Revision/Renewal Log:
 - 02/21/2025 – revised for compliance with N.Y. Educ. Law § 6444(6)
 - Replaces “Registrar’s Policy and Procedure for Transcript Notation per New York Education Law 129-B”