

### **Transcript Notation Policy for Violent Crimes:**

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"), the Vice President for Student Affairs 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 College conduct charges are pending for allegation(s) related to Clery crimes of violence and the student declines to complete the student conduct process, the Vice President of Student Affairs will direct that the following notation be placed on the student's transcript: "WITHDREW WITH CONDUCT CHARGES PENDING."

- Those students who withdraw from the College and decline to complete the student conduct process forfeit any right to resume the conduct proceedings at any point in the future.

- 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:**

If definitive proof a student respondent's non-responsibility can be determined, any such transcript notification shall be removed. Only definitive proof can vacate a finding a responsibility. A not-guilty verdict in a criminal court is not, in itself, definitive proof of non-responsibility, nor is a failure to prosecute. If there is a student complainant in the conduct process, the College will notify the student complainant and the student complainant will have an opportunity to be heard if a respondent provides definitive proof resulting in vacating a responsibility determination.

### **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 Vice President of Student Affairs 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 Vice President of Student Affairs has determined that the student is once again "in good standing" with all applicable College and academic and non-academic standards.

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 Molloy College, absent any vacating of a finding of responsibility.