



WEBB INSTITUTE

POLICY AND PROCEDURE FOR TRANSCRIPT NOTATION PER NEW YORK EDUCATION LAW 129-B

POLICY STATEMENT

Effective October 5, 2015, Webb Institute shall abide by the requirements of Article 129-B with regard to transcript notation.

DEFINITIONS

“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), are:

- Murder
- Sex offenses, forcible or non-forcible (Forcible: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling. Non-forcible: incest, statutory rape per New York State Law)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Manslaughter
- Arson

TRANSCRIPT NOTATION: LAW

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.

PROCEDURE

The Title IX Coordinator 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 Webb Institute, while such Institute conduct charges are pending for allegation(s) related to Clery crimes of violence and the student declines to complete the student conduct process, the Title IX Coordinator will direct that the following notation be placed on the student's transcript: "Withdrew with conduct charges pending."

- Those students who withdraw from Webb Institute 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 Webb Institute's conduct code.

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 underlying conduct process, Webb Institute 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 Title IX Coordinator to have the notification removed. Appeals may be granted provided that:

- One year has passed since the conclusion of the suspension;
- The term of suspension has been completed and any conditions thereof; and
- The Title IX Coordinator has determined that the student is once again "in good standing" with all applicable institute 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 such notifications on their transcripts will leave Webb Institute with the status “not in good standing” and will be ineligible for readmission to Webb Institute, absent any vacating of a finding of responsibility.