DISCIPLINARY NOTATIONS & THE ACADEMIC TRANSCRIPT

RMACRAO 2016
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HISTORICAL PERSPECTIVE

• Historical - Permanent Record Cards
  – Student records and transcripts one in same; No databases to maintain separate records

• 1970s - Record systems allowed for separation

• 1996 - AACRAO recommends against recording disciplinary actions on transcripts, requiring in databases

• 2000s - Increasing pressure for transcript to reflect unabridged history of student academic and other experiences

• 2016 – AACRAO’s stance on ‘Disciplinary Suspension or Ineligibility to Re-Enroll’ notations:
  – Essential in database
  – Optional on transcript
  – Essential on transcript if mandated by state law
TERMS & TYPES OF NOTATIONS

• **Expulsion**
  – Commonly understood to indicate serious misconduct and inability to return to an institution (permanent)
  – Typically harm to another

• **Suspension**
  – Usually means a student MAY return after meeting terms/conditions of imposed sanctions, xxx amount of time, etc.
  – CU-Boulder – Suspensions range from one semester-four years

• **Dismissal**
  – Also used by some institutions (permanent or not?)

• **Withdrawal while investigation is pending**
  – If student is allowed to withdraw, is pending action noted?
  – If cleared, is notation removed and receiving institution notified?
  – Holds often used to prevent release of transcripts
TYPES OF OFFENSES

• **Academic Misconduct**
  – Cheating, plagiarism, data integrity violations
  – May result in Suspension or Expulsion

• **Behavioral Misconduct**
  – Minor: alcohol/drug violations, disruptive behavior > Suspension
  – Major: sexual offense, violent crimes/assault, theft > Expulsion

*Do you note these differently and/or have separate processes, or are they treated similarly?*
Policies & Procedures

- Student conduct/honors codes should:
  - Define types of violations, sanctions and record impacts
  - Identify if academic misconduct is a violation of academic/honors code or student code (or both)
  - Define when disciplinary suspension notations are permanent v. temporary (when removal occurs)
  - Address record release rules related to misconduct

- Consider how statements may be perceived by outside readers of the record (i.e., employers)
FEDERAL & STATE REGULATIONS

• Balance between public safety and student privacy
• State Laws (NY and Virginia)
  – VA specifically addresses sexual violence
• Federal/FERPA:
  – Disciplinary records are part of education records
  – May share info with institutions where student seeks/intends to enroll
  – Must inform students of such actions, either in annual notice as standard practice or on individual basis
• University Systems
  – Holds to prevent intercampus transfers
SAMPLE NOTATIONS

- AACRAO 2016 Academic Record & Transcript Guide (examples provided)
- CU-Boulder:
  - Expulsion: ‘By action of Student Conduct student is permanently excluded starting xx/xx/xxxx.’
  - Behavioral Suspension: ‘By action of Student Conduct student is suspended and excluded xx/xx/xxxx – x/xx/xxxx.’
  - Lists of students who complete suspensions are sent to Office of the Registrar each term to remove notations
NOTIFICATIONS TO RECEIVERS

• Transcripts are most common way to notify other institutions of students who have major offenses/sanctions (risk)

• If notations are not recorded, what other means may be used to notify institutions (i.e., letter to Admissions from Student Affairs/Life)

• Should other institutions be notified if misconduct violation occurred or was resolved after the student transferred?

• Can transcript ordering systems identify where transcripts have been sent if needed?

• Who is responsible for responding to inquiries from transfer institutions? What is released and to whom?
ADMISSIONS CONSIDERATIONS

• Large institutions process high volumes of applications with varying degrees of automated business processes
  – Inconsistent format, verbiage, definitions of notations
• Electronic transcript/data exchange implications
• Admission review practices when transcripts are received with disciplinary notations
• What is legal liability if notation is overlooked during admission process and subsequent crime is committed?
ADMISSIONS: BEYOND THE BOX

• Show of Hands:
  – Who asks Safety/Security questions on app?
• Are questions institution specific or mandated by state/system?
• Is there a committee (comprised of admission, student life, campus safety, etc.) that reviews and decisions applications?
• How are admission decisions made?
• Beyond the Box movement:
  – Information for colleges and universities to help remove barriers that can prevent the estimated 70 million citizens with criminal records from pursuing higher education.
  – Encourages alternatives to inquiring about criminal histories during college admissions and recommends a holistic review of applicants.
CU-BOULDER APP QUESTIONS

• Have you ever been adjudicated guilty or convicted of a misdemeanor, felony or other crime?
  – Not required to answer ‘yes’ if adjudication/conviction has been expunged, sealed, annulled, pardoned, etc.
  – Otherwise, ‘Criminal History Supplement’ is required.

• Do you have a pending criminal charge? (Misdemeanor traffic offenses are exempt)

• Have you ever been placed on probation, suspended, expelled or been subject to official disciplinary action from any high school or postsecondary institution for any academic misconduct or behavioral misconduct?
  – Explanation is required
COMMON APPLICATION

• COMMON APP: Discipline & School Interruption
  – Have you ever been found responsible for a disciplinary violation at any educational institution from the 9th grade forward, whether related to academic or behavioral misconduct, that resulted in a disciplinary action?
  – Did you receive an Other Than Honorable Discharge, Bad Conduct Discharge or Dishonorable Discharge?
  – Have you ever been adjudicated guilty or convicted of a misdemeanor, felony or other crime?

• Discipline Information:
  – Have you ever been placed on probation, suspended, removed, dismissed or expelled from any school or academic program since 9th grade?
  – Other than traffic offenses, have you ever been convicted of any misdemeanor, felony or other crime?
  – If you answered yes to either question, please provide an explanation and the approximate dates of each incident.

• Specific questions for Graduate and Professional Schools
GUIDELINES / CONSIDERATIONS

• Specific language in institutional policies and procedures
  – Different types of infractions/sanctions
  – Student Code, Academic Code, etc.
• Guidelines and mechanism to remove suspension notations
• Guidelines for reenrollment or readmission
• Guidelines on how long offenses are reportable (CU-Boulder = 5 years)
• Campus Exclusion during suspension periods or expulsion
• Online enrollment and activities
• Does suspension apply to all campuses in a multi-campus system?
GUIDELINES / CONSIDERATIONS

• Disciplinary Probation and Good Standing
  – Impacts on participation in events, completion of club sports, etc.

• Effects on posting of degree and/or issuance of diploma
  – Revocation of earned degree?

• Treatment of student during investigation/adjudication period
  – May student attend classes?
  – May a student withdraw?
  – If not, what if they are found not guilty or due process takes longer?
  – Holds to prevent registration or transcript release?
  – What notification is sent to instructors?
  – If found in violation, how are they withdrawn? Are they subject to a refund?

• Title IX v. Student Conduct v. Academic Violations
  – Same or different processes?
AACRAO WORK GROUP

• Develop guidance on the use of disciplinary notations on transcripts for institutions considering the practice or required to do so by legislation, including:
  – Types of disciplinary infractions that may be notated;
  – Options for the wording of disciplinary notations;
  – Development of institutional policies and practices (student appeals, time restrictions, responding to inquiries, etc.)
  – Providing notifications of disciplinary suspensions or other safety concerns to transfer institutions without the use of notations.
  – Identify what disclosures are permissible under FERPA.

• Work Group consists of approximately 10 AACRAO members from diverse institution types and member expertise and backgrounds.

• AACRAO Board of Directors will review guidance for future adoption and publication.

• Timeline: Summer 2016-Spring 2017
QUESTIONS?

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