



Policy Name:	Policy and Procedure for Transcript Notations		
Associated Form(s):	N/A	Policy Number:	2024-11
Reviewed:	Non-Academic Policy Committee	Approved:	June 10, 2024
Approval Authority:	President <i>Susan Parish</i>	Adopted:	June 14, 2024
Responsible Executive(s):	Provost	Revised:	N/A
Responsible Office(s):	Registrar's Office	Contact(s):	Registrar

I. Scope and Purpose

On July 7, 2015 Governor Cuomo signed into law Article 129-B of the New York State Education Law which is commonly known as “Enough is Enough.” The law mandates how institutions must respond to and resolve reports of sexual assault, domestic violence, dating violence, and stalking. Listed below is an explanation of how Mercy complies with article 129-B with regard to transcript notations.

Conduct charges are considered “pending” when the University informs the student in writing that the student is facing an inquiry into alleged violation(s) of the Student Code of Conduct. Once a student is found responsible (or admits responsibility) for violations of the Student Code of Conduct involving sexual assault, domestic violence, dating violence, stalking or Clery crimes of violence, sanctions will include the transcript notations.

II. 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 University’s conduct process for a crime 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”)¹, the Provost will direct that notation be placed in the student’s transcript.

- Where a 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.”

¹ “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:

- Aggravated Assault
- Arson
- Burglary
- Manslaughter
- Motor vehicle theft
- Murder
- Robbery
- 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)

If a student withdraws from Mercy while such institutional conduct charges are pending for allegation(s) related to Clery crimes of violence, including sexual assault, domestic violence, dating violence and stalking, and the student declines to complete the student conduct process. The provost will direct that the following notation be placed on the student's transcript: "WITHDREW WITH CONDUCT CHARGED PENDING."

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

III. Appeals

A student whose transcript states "Suspended after a finding of responsibility for a code of conduct violation" may appeal in writing to the Provost to have the notification removed. The student may appeal for the removal of the transcript notation one year after the conclusion of the suspension.

Before submitting the appeal, students must make sure that:

- One year has passed since the conclusion of the suspension;
- The term of suspension has been completed and any conditions thereof have been met; and
- The Title IX Coordinator has determined that the student is once again in "good standing" with all applicable standards.

The written appeal should be addressed to:

Office of the Provost
Mercy University
555 Broadway
Dobbs Ferry, NY 10522
Email: Provost@mercy.edu

A student whose transcript states "EXPULLED AFTER A FINDING OF RESPONSIBILITY FOR A CODE OF CONDUCT VIOLATION" may not appeal the notation. *Appeals will not be granted for expulsions.*