

STATE OF NEW YORK

9683

IN ASSEMBLY

February 4, 2020

Introduced by M. of A. FRONTUS -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to extending the transcript notation period for sexual violence crimes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 6 of section 6444 of the education law, as
2 added by chapter 76 of the laws of 2015, is amended to read as follows:
3 6. For crimes of violence, including, but not limited to sexual
4 violence, defined as crimes that meet the reporting requirements pursuant
5 to the federal Clery Act established in 20 U.S.C.
6 1092(f)(1)(F)(i)(I)-(VIII), institutions shall make a notation on the
7 transcript of students found responsible after a conduct process that
8 they were "suspended after a finding of responsibility for a code of
9 conduct violation" or "expelled after a finding of responsibility for a
10 code of conduct violation." For the respondent who withdraws from the
11 institution while such conduct charges are pending, and declines to
12 complete the disciplinary process, institutions shall make a notation on
13 the transcript of such students that they "withdrew with conduct charges
14 pending." Each institution shall publish a policy on transcript
15 notations and appeals seeking removal of a transcript notation for a
16 suspension, provided that such notation shall not be removed prior to
17 ~~[one year]~~ two years after conclusion of the suspension, while notations
18 for expulsion shall not be removed. If a finding of responsibility is
19 vacated for any reason, any such transcript notation shall be removed.
20 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[~~-~~] is old law to be omitted.

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