

NaBITA Position Statement on Notation of Expulsion and Suspension on College and University Transcripts

The National Behavioral Intervention Team Association (NaBITA) is a membership association for those who staff campus behavioral intervention and threat assessment teams. Every day, these teams are tasked with managing students and employees who may pose a direct threat of harm to themselves and/or others, all while balancing the mandate for campus safety with the protection of individual rights.

Colleges and universities experiencing student behavioral issues have a variety of mechanisms to address these behaviors. The most common include: behavioral intervention; defined conduct proceedings which result in sanctions ranging from warning to expulsion; and allowing the student to take a leave of absence from the school to address health and wellness concerns. The course of action chosen by the institution or student often results in differing statuses for the student moving forward, with respect to readmission, return, or transfer to another institution.

Too often, current practices result in the easy transfer from one institution to another by a student whose behaviors are dangerous or threatening, or whose instability renders them unfit to be presently enrolled on a college campus. NaBITA, on behalf of its 1,200 members, has resolved that consistent transcript notations related to expulsion and suspension are a best practice for higher education. Each campus should have the latitude to determine when notation is applied, and it should not be automatic. NaBITA favors notation for acts designated as reportable under the Clery Act *and* that are considered acts of violence or non-forcible sex offenses. This practice would have the institution of the perpetrating student place a notation on the student's transcript indicating that the student had been expelled or suspended due to disciplinary and/or behavioral issues. The institution to which the student is attempting to transfer could, at its discretion, then request specific details from the original institution.

A transcript notation policy has already been adopted at some schools in the US. For example, one major university's policy indicates that both expulsion and suspension would be entered into the student's record with suspension having the ability to be removed from the record at the time of the student's successful graduation. Within one state university system, it is recommended that each campus implement a policy of utilizing a permanent transcript notation that would address any serious violation of the student conduct code, especially conduct leading to the death or serious physical injury to another person.

Transcript notation is allowable under the Family Educational Rights Privacy Act (FERPA) in section § 99.31: Prior consent is not required to disclose information under clause (14)(i): The disclosure, subject to the requirements in § 99.39, is in connection with a disciplinary proceeding at an institution of postsecondary education. The institution must not disclose the final results of the disciplinary proceeding unless it determines that (A) The student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and (B) With respect to the allegation made against him or her, the student has committed a violation of the institution's rules or policies. In keeping with the spirit of the Clery Act, this

notation is also appropriate. If an institution is held responsible for the timely notification of its own campus for crimes that pose a threat to its students and employees, how can it not want to protect the students and employees of another?

There may be some resistance to this change from internal and external constituencies, especially campus registrars, as academic transcript notations are not always seen as a best practice and at times, in fact, designated as a practice to avoid. However, institutions now find themselves in a new era, one that expects a new level of communication about the behavior of students of concern, one that expects colleges and universities to warn the community of possible dangers, and one where mandatory reporting laws require institutions to report these same incidents in statistical reports and to post a public crime log.

Transcript notation represents the best practice available to colleges and universities at this time in communicating information about transferring students that is critical to the receiving institution's ability to ascertain threats to the educational environment in a timely fashion. At this point, it is the only document or single piece of information exchanged that can pass from institution to institution without the student impeding or editing the information, if appropriate protocols are followed. Implementation of transcript notation practices will move higher education institutions toward the end goal of more openly sharing information with other institutions regarding students that may have a bearing on the safety and well-being of students and employees at the receiving institution.

Gregory Elliott, MA, LPC,
Director, Counseling and Career Services
Adams State University

Peggy S. Scott, Ed.D., LPC-S, Director
Office of Student Rights and Responsibilities
Stephen F. Austin State University

On behalf of the NaBITA Advisory Board

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