

SENATE No. 747

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to disciplinary notations on college transcripts.

PETITION OF:

NAME:

Adam G. Hinds

DISTRICT/ADDRESS:

Berkshire, Hampshire, Franklin and Hampden

SENATE No. 747

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 747) of Adam G. Hinds for legislation relative to disciplinary notations on college transcripts. Higher Education.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to disciplinary notations on college transcripts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 6 of the General Laws, as appearing in the 2016 Official Edition, is
2 hereby amended by adding the following section:-

3 Section 168D. (a) As used in this section, the following words shall have the following
4 meanings unless the context clearly requires otherwise:

5 “Clery Act”, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime
6 93 Statistics Act, 20 U.S.C. § 1092(f).

7 “Crimes of violence”, as defined by the Clery Act, 20 U.S.C. § 1092(f)(1)(F)(i)(I)-(VIII)

8 “Institution of higher education” or “institution”, any public or private, profit or
9 nonprofit, degree-granting educational institution, which is authorized by law to provide a
10 program of education beyond the secondary school level in the Commonwealth.

11 “Title IX Coordinator”, or a designee, who is responsible for administering and
12 maintaining an institution’s compliance with Title IX, relative to complaints of sex
13 discrimination, sexual harassment or sexual violence.

14 “Transcript”, official and unofficial student academic transcripts.

15 (b) Each institution of higher education shall adopt policies on academic transcript
16 notations and appeals relating to crimes of violence, including, but not limited to, sexual
17 violence, that shall be made publicly available by publishing the policy on an institution’s
18 website and by annually providing a copy of said policies to students, faculty and staff. Said
19 policies shall be developed in coordination with the Title IX Coordinator of the institution and
20 annually updated by the institution.

21 (c) Upon commencement of any disciplinary proceedings conducted by the institution
22 against a student alleged to have committed a crime of violence, and until a resolution is reached
23 at the close of disciplinary proceedings, the office responsible for maintaining student academic
24 records of the institution shall include a prominent and temporary notation on the academic
25 transcript of the student.

26 (1)The notation shall state the specific violation in the institution’s code, rules or set of
27 standards governing crimes of violence that the student was alleged to have committed and

28 (2) that final resolution of the specified violation is pending subject to disciplinary
29 proceedings of the institution.

30 (d) Upon final resolution of any disciplinary proceedings conducted by the institution
31 against a student alleged to have committed a crime of violence, the office responsible for

32 maintaining student academic records of the institution shall include a prominent and permanent
33 notation on the student's academic transcript.

34 (1) The notation shall state the specific violation in the institution's code, rules or set of
35 standards governing crimes of violence or, if the student withdrew from the institution while
36 under investigation, was alleged to have committed, and

37 (2) whether such student was suspended, expelled or permanently dismissed for such
38 violation or whether such student withdrew from the institution while under investigation for
39 such violation.

40 (3) Should a student be subsequently found not to have violated the institution's code,
41 rules, or set of standards governing crimes of violence, notations relating to the allegations shall
42 be removed from the student's transcript.

43 (f) Each institution shall:

44 (1) reasonably notify each student that any such suspension, expulsion, dismissal or
45 withdrawal relating to a crime of violence will be documented on the student's academic
46 transcript and

47 (2) adopt a procedure for removing such notation from the academic transcript of any
48 student who is subsequently found not to have violated the institution's code, rules, or set of
49 standards governing crimes of violence.

50 (g) The provisions of this section shall apply to crimes of violence allegedly committed
51 on campus, off campus, or while studying abroad.