

Texas A&M Title IX/Sex-based Misconduct Student Sanction Matrix¹

← SANCTION RANGE →

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

Sexual Harassment Examples

<i>SEVERE, PERSISTENT AND OBJECTIVELY OFFENSIVE</i>	1	2	3	4
Sexual innuendos, jokes, remarks, questions	■	■	■	
Sexual gestures and/or gifts of a sexual nature	■	■	■	
Display of sexually explicit visual material	■	■	■	
Unwelcome kissing or non-fondling sexual touching	■	■	■	
Offering to trade an educational benefit for a date or sexual favor		■	■	■

Stalking Examples

<i>BEHAVIOR</i>	1	2	3	4
Repeated, unsolicited phone calls, emails, texts, and/or gifts to another person and/or their family/household	■	■	■	■
Repeatedly following another person or conducting surveillance of another person and/or their family/household	■	■	■	■
Repeated, unsolicited visits to another person's home, business, and/or class, and/or that of their family/household		■	■	■
Repeated, unsolicited contact or attempts to contact via social media		■	■	■
Assuming another's identity in order to make contact with complainant		■	■	■

Sex-based Misconduct

<i>SEVERE, PERSISTENT OR PERVASIVE</i>	1	2	3	4
Sexual innuendos, jokes, remarks, questions	■	■	■	
Sexual gestures and/or gifts of a sexual nature	■	■	■	
Display of sexually explicit visual material	■	■	■	
Unwelcome kissing or non-fondling sexual touching	■	■	■	
Allegations of sexual harassment, sexual assault, dating violence, domestic violence and/or stalking based on sex that are dismissed from the Title IX process under 08.01.01, Section 4.2.10 (d) and (e)	■	■	■	■
Offering to trade an educational benefit for a date or sexual favor		■	■	■

Retaliation Examples

<i>BEHAVIOR</i>	1	2	3	4
Threats in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking		■	■	■
Intimidation or physical abuse in retaliation for reporting sexual misconduct, dating/domestic violence, and/or stalking			■	

¹ Conduct identified in the matrix is not intended to represent an exhaustive listing of prohibited behaviors.

Stage 1: Reprimand/Restrictions/Review	Stage 2: Probation	Stage 3: Suspension	Stage 4: Expulsion
--	--------------------	---------------------	--------------------

Sexual Exploitation Examples

BEHAVIOR	1	2	3	4
Viewing of nudity or engaging in sexual behavior without attempts to shield others	■	■	■	
Allowing others to observe sexual activity without the other person's consent	■	■	■	■
Taking or transmitting images or videos of another person in a sexual, intimate, or private act without that person's consent		■	■	■
Distributing sexual or intimate images or recordings of another person without that person's consent		■	■	■
Engaging in sexual activity while knowingly infected with an STD without the other person's knowledge			■	■
Indecent Exposure			■	■
Collecting, creating, viewing and/or distributing child pornography/ sexual images of those under 18		■	■	■
Prostituting another person				■

Dating or Domestic Violence Examples

BEHAVIOR	1	2	3	4
Intimidation: Using actions, gestures, and tone of voice to indicate a threat of violence	■	■	■	■
Preventing complainant from calling for help or leaving premises		■	■	■
Destruction of property		■	■	■
Physical abuse: Pushing, shoving, hair-pulling, scratching, hitting		■	■	■
Displaying weapons, throwing objects at a person with potential to injure			■	■

Sexual Assault Examples

BEHAVIOR	1	2	3	4
Oral sex			■	■
Penetration (by sex organs)			■	■
Penetration (by means other than sex organs)			■	■
Fondling of breast, groin, genitals or buttocks above or below clothing		■	■	■
Incest			■	■
Statutory Rape			■	■

Violation: Sexual Harassment or Sex-based Misconduct

SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

DEFINITION FROM SYSTEM REGULATION 08.01.01

SEXUAL HARASSMENT: a form of sex discrimination. Unwelcome conduct on the basis of sex (of a sexual nature or otherwise): (1) by an employee of the member who conditions the provision of an aid, benefit, or service of the member on an individual’s participation in that unwelcome sexual conduct; (2) determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to the member’s education program or activity; or (3) sexual assault or dating violence, domestic violence, or stalking based on sex.

SEX-BASED MISCONDUCT: unwelcome conduct on the basis of sex that is severe, persistent, or pervasive enough to create a work, educational, or campus living environment that a reasonable person would consider intimidating, abusive, or offensive. May also include allegations of sexual harassment, sexual assault, dating violence, domestic violence and/or stalking based on sex that are dismissed from the Title IX processes.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- The behavior was committed in error, by mistake, or was unintentional.
- Prior instances where respondent’s similar advances were welcome.
- Complainant impact statement and reduced sanction request.

Aggravating Factors: *

- The harm caused by the deprivation of access/benefits/ opportunities was lengthy, extensive or irreparable.
- The totality of the behavior was exceptionally severe, persistent, and objectively offensive.
- The harassment was threatening, intimidating, or aggressive.
- The behavior continued despite a mutual no-contact restriction between the parties.
- A request for enhanced sanctions from the complainant.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of University policy through formal process).
- Cumulative violations.

* Sources: Adapted from The ATIXA Guide to Sanctioning Student Sexual Misconduct Violations (Feb 2018); Texas A&M University Internal Review Committee (July 2018)

** ATIXA’s Compounding Factors are designed to determine if the sanction range needs to be bumped upward as a result of the compounding factors.

Violation: Stalking

SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

DEFINITION FROM SYSTEM REGULATION 08.01.01

STALKING: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (a) fear for the person's safety or the safety of others; or (b) suffer substantial emotional distress. For the purposes of this definition: (a) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. [34 CFR 668.46(a)] Stalking is explicitly prohibited under this regulation. Aiding another in the commission of stalking is also prohibited under this regulation. Stalking based on sex is a form of sexual harassment or sex-based misconduct.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- The Respondent exhibited signs of a documented disability or demonstrated below-average social skills and/or an inability to perceive and understand normal social cues or conventions.
- Evidence that respondent may not have reasonably known that their conduct was regarded as unwelcome.
- Complainant's impact statement and/or reduced sanction request.

Aggravating Factors: *

- A request for enhanced sanctions from the complainant.
- The responding party's refusal to stop the conduct after being told that their behavior was unwelcome.
- The responding party's behavior was excessive, pervasive, aggressive, and/or violent.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of policy through formal process).
- Cumulative violations.

* Sources: Adapted from The ATIXA Guide to Sanctioning Student Sexual Misconduct Violations (Feb 2018); Texas A&M University Internal Review Committee (July 2018)

** ATIXA's Compounding Factors are designed to determine if the sanction range needs to be bumped upward as a result of the compounding factors

Violation: Dating or Domestic Violence

SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

DEFINITION FROM SYSTEM REGULATION 08.01.01

DATING VIOLENCE: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (a) The existence of such a relationship will be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (b) For the purposes of this definition: (1) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (2) Dating violence does not include acts covered under the definition of domestic violence. [34 U.S.C. 12291(a)(10)] Dating violence is explicitly prohibited under this regulation. Aiding another in the commission of dating violence is also prohibited under this regulation. Dating violence is a form of sexual harassment or sex-based misconduct.

DOMESTIC VIOLENCE: a felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (e) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. [34 U.S.C. 12291(a)(8)] Domestic violence is explicitly prohibited under this regulation. Aiding another in the commission of domestic violence is also prohibited under this regulation. Domestic violence is a form of sexual harassment or sex-based misconduct.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- Defending one's self (in cross-claims, if self-defense doesn't fully excuse the conduct).
- The harm caused by the violence or abuse was minimal.
- Low potential that behavior will occur again.
- Complainant's impact statement and reduced sanction request.

Aggravating Factors: *

- The violence or abuse was long-lasting, occurred multiple times, and/or involved several types of abuse.
- The harm caused by the violence or abuse was extensive or irreparable.
- The violence or abuse resulted in the complainant needing medical attention.
- The violence or abuse was particularly egregious.
- High potential for the behavior to occur again (the relationship may be ongoing).
- A request for enhanced sanctions from the complainant.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of policy through formal process).
- The student's history of misconduct
- Cumulative violations

* Sources: Adapted from The ATIXA Guide to Sanctioning Student Sexual Misconduct Violations (Feb 2018); Texas A&M University Internal Review Committee (July 2018)

** ATIXA's Compounding Factors are designed to determine if the sanction range needs to be bumped upward as a result of the compounding factors.

Conduct Violation: Sexual Exploitation

SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

DEFINITION FROM SYSTEM REGULATION 08.01.01

SEXUAL EXPLOITATION: a situation in which an individual(s) takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. For example, sexual exploitation could include such actions as secretly videotaping sexual activity, voyeurism, sexually-based stalking, invasion of sexual privacy, exposing one’s genitals or causing another to expose one’s genitals, and knowingly exposing another person to a sexually transmitted infection or disease. Sexual exploitation is a form of sex -based misconduct.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- Prior instances where the photography or recording was consensual between the parties thereby creating ambiguity of consent in the current instance.
- The transmittal was accidental.
- Complainant’s impact statement and/or reduced sanction request.

Aggravating Factors: *

- The Respondent was in a position of power or authority over the complainant.
- The Respondent used manipulation or misrepresentation to exploit the Complainant.
- The private/intimate/sexual acts photographed or recorded were highly explicit.
- The non-consensual dissemination of the private/intimate/sexual acts was premeditated, extensive, pervasive, and/or exposed the complainant to a large number of people.
- The complainant’s identity was clear or easily discernible to viewers.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of policy through formal process).
- Cumulative violations.

- The complainant experienced a substantial amount of harm, embarrassment, or humiliation.
- The Respondent disclosure of private/intimate/sexual material was vengeful, malicious, or retaliatory.
- The behavior (e.g., voyeurism, non-consensual dissemination, etc.) occurred multiple times.
- A request for enhanced sanctions from the complainant.
- The behavior continued despite a mutual no contact restriction between the parties
- The Respondent knew they had an STD at the time of the sexual contact and did not disclose it.

Conduct Violation: Sexual Assault: Fondling

SANCTION RANGE



DEFINITION FROM SYSTEM REGULATION 08.01.01

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- Prior instances where the responding party’s sexual contact was welcome thereby creating ambiguity of consent in the current instance.
- The sexual contact was (relatively) minimally invasive, such as a grazing touch rather than a prolonged squeeze, or the contact was over the clothes rather than under.
- The sexual contact was relatively brief.
- Complainant impact statement and reduced sanction request.

Aggravating Factors: *

- A request for enhanced sanctions from the complainant.
- The fondling was comparatively more invasive, such as a responding party reaching under the complainant’s clothes or engaging in more vigorous or aggressive fondling rather than merely touching.
- The fondling was extensive.
- The fondling was aggressive or violent.
- The responding party continued the fondling after the Complainant communicated, verbally and/or nonverbally, that it was unwelcome.
- The Respondent was in a position of power over the Complainant.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of policy through formal process).
- Cumulative violations.

* Sources: Adapted from The ATIXA Guide to Sanctioning Student Sexual Misconduct Violations (Feb 2018); Texas A&M University Internal Review Committee (July 2018)

** ATIXA’s Compounding Factors are designed to determine if the sanction range needs to be bumped upward as a result of the compounding factors.

Conduct Violation: Sexual Assault: Rape, Incest, Statutory Rape

SANCTION RANGE

Stage 3: Suspension

Stage 4: Expulsion

DEFINITIONS FROM SYSTEM REGULATION 08.01.01

RAPE: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

INCEST: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

STATUTORY RAPE: Sexual intercourse with a person who is under the statutory age of consent.

FACTORS TO CONSIDER WHEN DETERMINING SANCTION

Mitigating Factors: *

- Consent was ambiguous.
- The responding party’s behavior, though non-consensual, did not exhibit a deliberate disregard for the dignity and autonomy of the complainant, but instead appeared to be an error in judgment, possibly affected by drug or alcohol use.
- The responding party’s behavior was not malicious.
- Complainant impact statement and reduced sanction request.

• Aggravating Factors: *

- A request for enhanced sanctions by the complainant.
- The Respondent’s use of force or physical violence in the perpetration of the non-consensual sexual intercourse.
- The Respondent’s use of a weapon or restraints.
- The Respondent threatened bodily injury or intimidated the Complainant.
- The use of drugs or alcohol to intentionally incapacitate the complainant.
- The Respondent’s brazen refusal to desist the conduct after consent had been clearly revoked.
- The Respondent’s behavior was predatory.
- The Respondent was in a position of power or authority over the Complainant.

Compounding Factors: **

- Prior history of misconduct (i.e., found in violation of policy through formal process).
- Cumulative violations.

* Sources: Adapted from The ATIXA Guide to Sanctioning Student Sexual Misconduct Violations (Feb 2018); Texas A&M University Internal Review Committee (July 2018)

** ATIXA’s Compounding Factors are designed to determine if the sanction range needs to be bumped upward as a result of the compounding factors.

Title IX Cumulative Sanctions Defined

SANCTION RANGE

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

Restrictions: The withdrawal of specified privileges for a definite period of time, but without the additional stipulation contained in the imposition of a sanction which results in a student being not in good standing. The restrictions involved will be clearly defined.

Restitution: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.

Community/University Service: A student may be offered an opportunity to complete a specified number of hours of Community/University Service. The type of Community/University Service must be approved by the Student Conduct Administrator.

Educational Requirements: A provision to complete a specific educational requirement. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, an Ethics and Decision-making workshop, essays, reports, reflective writing assignments, etc.

Letter of Reprimand: A letter that makes a matter of record any incident that reflects unfavorably on the student or the University.

Conduct Review: An official warning that the student's conduct is in violation of Texas A&M University Student Rules, but is not sufficiently serious to warrant expulsion, suspension, or conduct probation. A student on conduct review shall have their conduct under review for a specified period of time. This sanction may require regular meetings with an appropriate official to ascertain and evaluate compliance with student rules. Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct. Students placed on this sanction remain in good standing with the University. If there is a finding of responsibility for subsequent violations of the Student Rules during this period of time, more severe sanctions may be administered.

Conduct Probation: An official warning that the student's conduct is in violation of Texas A&M University Student Rules, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation is deemed "not in good standing" with the University. If there is a finding of responsibility for subsequent violations of the student rules during this period of time, more severe sanctions may be administered.

Letter of Enrollment Block: A letter stating that the student may not reenter Texas A&M University without prior approval through the Offices of the Dean of Student Life or the Vice President for Student Affairs if enrollment has been blocked for a previous student conduct problem or for medical reasons.

Suspension: Separation of the student from the University for a definite period of time. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission. The suspension takes effect when the appeal for the offense is exhausted, waived or time limit has passed. Suspensions may be implemented in one of two ways: immediate implementation of suspension or deferred implementation of suspension. The sanction of suspension may be placed in deferred status. If the student is found in violation of any University rule during the time of deferred suspension, the suspension takes effect immediately without further review. Additional student conduct sanctions appropriate to the new violation also may be applied. A student who has been issued a deferred suspension sanction is deemed "not in good standing" with the University.

Expulsion: Separation of the student from the University whereby the student is not eligible for readmission to this University.

Sanctioning Considerations

← SANCTION RANGE →

Stage 1: Reprimand/Restrictions/Review

Stage 2: Probation

Stage 3: Suspension

Stage 4: Expulsion

Sanctioning Considerations

When a Hearing Officer or Designated Administrator is determining the most appropriate sanction or combination of sanctions for a student, these factors are considered:

- The nature of the violation – How serious is the violation? Who was harmed? What were the outcomes?
- Prior violations/previous disciplinary history – Does the student have other violations and sanctions on record? Please remember this is used only in the sanctioning phase, not in finding of responsibility.
- Mitigating/Aggravating circumstances surrounding the incident – What were the special circumstances surrounding the situation? Mitigating circumstances may result in lesser sanctions. Aggravating circumstances may result in more severe sanctions.
- Motivation for the behavior – Why did the student engage in the behavior? Was there evidence of malicious intent?
- Developmental and educational impact for individual and community – What message does this sanction send to the community and the student? What can the sanction teach a student? How can the sanction help a student develop as a community member and individual? What do the parties think is an appropriate sanction?
- Eligible to be in Good Standing - Should the student be allowed to represent the University in an official capacity (good standing requirement)?

Specific factors surrounding each case are unique and the facts/ findings may yield different results. These factors, if present, may increase the severity of the sanctions. Additional sanctioning factors may include:

- Use of force
- Use of weapons
- Incapacitation
- Threats to the community
- Coercion
- Manipulation
- Persistent violations
- Penetration

Mandatory Suspension

Students found responsible for committing acts of domestic/dating violence or non-consensual sexual penetration of another person will be subject to a minimum sanction of a one-year suspension, in the absence of significant mitigating factors. Students found responsible for these acts who have demonstrated predatory behaviors for the purpose of carrying out these acts shall be subject to a minimum sanction of permanent expulsion.

Students found responsible for committing acts of domestic violence and/or non-consensual sexual penetration of another person who are allowed to return to a member university after a suspension of one year or more will be ineligible to hold an office in any student organization (including student government), ineligible to represent the university in any way (including intercollegiate athletics or other competitions, both on and off campus), and ineligible to receive a university-administered scholarship.

Title IX Interim Suspension/Restrictions: Representation and/or Participation

Student Rules

27.4. Interim Suspension

A student may not be expelled or suspended prior to a student conduct proceeding or proceeding under Texas A&M University SAP 08.01.01.M1.01 except when the Dean of Student Life believes that an interim suspension should be imposed.

Interim suspension may be imposed only to ensure the safety and well-being of members of the University community or guest, or preservation of University property; to ensure the student's own physical or emotional safety and well-being; and/or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the University. A student conduct proceeding will be scheduled as soon thereafter as practicable.

27.4.1. During the interim suspension, a student may be denied access to campus housing and/or the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible.

27.4.2. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a student conduct conference, if required. However, the student should be notified in writing of this action and the reasons for the interim suspension. The notice should include the time, date, and place of a subsequent conference at which the student may show cause as to why his/her continued presence on the campus does not constitute a threat and at which the student may contest whether the facts of the initial report are accurate.

27.5 Interim Restrictions

Interim restrictions include, but are not limited to, contact restrictions; representation of the university; and/or participation in university affiliated organization meetings, events, and/or activities.

Interim restrictions may be imposed (1) when a student has been interim suspended; (2) when a determination is made to implement a transcript hold under TAMUS Policy 11.99.02; and/or (3) in instances when the student's participation or representation would threaten or negatively impact other students who are participating and/or representing an organization or the university. When interim restrictions are imposed, a student will be notified in writing of the specifics of the restrictions and why the restrictions are being implemented. Restrictions will remain in place through a designated time period and/or, if not indicated, until the student is notified that the restriction has ended.

27.1.3. **Conduct Probation:** An official warning that the student's conduct is in violation of Texas A&M University Student Rules, but is not sufficiently serious to warrant expulsion or suspension. A student on conduct probation is deemed "not in good standing" with the University. If there is a finding of responsibility for subsequent violations of the student rules during this period of time, more severe sanctions may be administered.

27.3. In addition to any of the sanctions listed in this section, members of the Corps of Cadets are subject to disciplinary action in accordance with *The Standard*.

Not in good standing: A student who is not in good standing is subject to the following restrictions:

- Ineligibility to hold an office in any student organization recognized by the University or to hold any elected or appointed office of the University.
- Ineligibility to represent the University in any way, including representing the University at any official function, intercollegiate athletics or any forms of intercollegiate competition or representation. This includes events taking place both on and off of the University campus.
- Ineligibility to receive a University administered scholarship when the length of the period of not in good standing is greater than one semester. Some scholarships adhere to more strict guidelines, and, therefore, ineligibility may result from a lesser length of not in good standing. This sanction implies a serious offense and must be uniformly applied by the office administering the scholarship upon notification by the University Conduct Administrator.
- Additional restrictions or conditions also may be imposed, depending on the nature and seriousness of the misconduct.

Participation: Engagement in any activity associated with the student organization, campus activity, and/or university sponsored organization (Corps, college, athletics, club sports, etc.).

Representation: Assuming an elected/appointed leadership, performing, and/or competitive role in a student organization, campus activity, and/or university sponsored organization (Corps, college, athletics, club sports, etc.).

Title IX Transcript Notation: During Investigation/Final Disposition

11.99.02 Conduct Requirements for Admissions Applications and Transcripts

1. RESPONSIBILITIES OF MEMBER ACADEMIC INSTITUTIONS

1.1 Applications for Admission

1.1.1 Each chief executive officer (CEO) of a system academic institution will require that applicants for admission disclose, at a minimum, criminal conviction histories – excluding juvenile adjudications – involving acts of violence or sexual misconduct and past substantiated or pending conduct charges involving acts of violence or sexual misconduct, and expulsions or suspensions from postsecondary institutions consistent with this regulation.

1.1.2 Applicants who report one or more convictions or pending conduct charges as required in Section 1.1.1 in the application process must be evaluated by a committee of the academic institution.

1.1.3 Each academic institution must adopt a standard process for the evaluation and decision on admission.

1.2 Transcript Notations Each CEO of the academic institution will adopt a standard transcript notation process for students who are suspended, dismissed or expelled.

1.2.1 The notation must include:

- (a) The nature of the separation (e.g., suspension, dismissal or ineligibility to reenroll, i.e., expulsion);
- (b) The type of infraction (e.g., academic or conduct);
- (c) The department responsible for issuing the student separation from the institution (e.g., Office of Student Conduct); and
- (d) The effective dates of separation from the academic institution, if applicable.

1.2.2 Transcripts of students with pending conduct investigations that could result in expulsion, dismissal, or suspension of one semester or greater will be held until the conduct process is complete.

1.2.3 Notations for expulsion, dismissal, and suspension of one semester or greater will remain on student transcripts and may only be removed upon request by the student, if:

- (a) The student is eligible to reenroll in the institution (i.e., suspensions and dismissals only); or
- (b) The institution determines that good cause exists to remove the notation.