OFFICE OF THE JUDICIAL ADMINISTRATOR
DISCIPLINARY RECORD POLICY

The purpose of this policy is to establish guidelines for the Office of the Judicial Administrator (JA’s Office) regarding disciplinary records.

A “disciplinary record” (DR) is a summary of the facts, the result, sanction, follow-up and other relevant information of a particular case. This is different from, although similar to, “educational record” as used by FERPA and other sources. A DR may also be thought of as a “reportable disciplinary record,” in that this is the information provided to other institutions or potential employees, if the appropriate permissions have been provided to the JA’s Office.

Under the Campus Code of Conduct (Code), the JA’s Office generally has discretion regarding disciplinary records. The Office, however, shall consider the following guidelines when making such determinations. All guidelines assume timely completion of any sanctions and that there are no further violations of the Code of Conduct.

1. When a sanction includes an “oral warning,” whether issued through a summary decision with the JA’s Office or by the University Hearing Board (UHB), no disciplinary record shall be maintained.

2. When a sanction includes a “written reprimand,” whether issued through a summary decision with the JA’s Office or by the UHB, generally disciplinary records shall be maintained as follows:

   a. If the sanction also includes suspension or dismissal, the disciplinary record shall be maintained permanently.

   b. If the sanction also includes probation, the disciplinary record shall be maintained

      - for a 1-year probation, 1 year past graduation or the date the record would otherwise expire if there were no probation;

      - for a 2-year probation, 2 years past graduation or the date the record would otherwise expire if there were no probation;

      - for a probation of 3 years or designated “until graduation,” permanently.

   c. For violations of the Code by students, when sanctions include a written reprimand, but not probation, suspension or dismissal, a disciplinary record will be maintained only until the student's date of graduation.
d. For violations of the Code by faculty or non-faculty employees, when sanctions include a written reprimand, but not probation, suspension or dismissal, a disciplinary record will be maintained for a period of five (5) years after the date of the agreement.

e. The JA retains discretion to maintain a disciplinary record for longer or shorter periods if the facts of a particular matter warrant such deviations.

3. The JA’s Office shall instruct the registrar to place a notation on a student’s transcript when the student is separated from the university, e.g., suspended or dismissed. These notations shall be permanent.

4. Efforts will be made by the JA’s Office to provide to the accused person written information about the nature and length of his/her disciplinary record.

5. In cases referred to the University Hearing Board or the University Review Board, the JA’s Office shall have administrative oversight of the length of the disciplinary record in keeping with the guidelines set by this policy.

6. Release of information about disciplinary matters shall be in accordance with applicable laws and regulations, including but not limited to, the Code, Cornell's Policy on Access to and Release of Student Education Records and the Family Education Rights and Privacy Act (FERPA). Information may be shared, therefore, with other Cornell University officials on a need-to-know basis, even if no disciplinary record has been maintained.

*Implemented November 7, 1995; interim policy adopted January 15, 2003; revised October 13, 2003; revised August 31, 2009.*
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