



Baylor College of Medicine Office of the Provost

General Information and Procedures for House Bill 449

The procedures outlined below should be followed when considering House Bill 449. This bill was passed by the Texas state legislature in fall 2019 for immediate implementation.

General Information

House Bill 449: HB 449 adds a section to the Texas Education Code that requires public and private institutions to include a “notation” on a student’s transcript when “the student is ineligible to reenroll in the institution for a reason other than an academic or financial reason.” If a student withdraws from the school “pending disciplinary charges that may result in the student becoming ineligible to reenroll for a reason other than an academic or financial reason,” the school must continue the disciplinary process until it “makes a final determination of responsibility.”

Pending: A charge is pending only following notice to the accused student of the initiation of the disciplinary process. For any charge (including pending) that may potentially result in permanent dismissal, BCM must complete the disciplinary process even when the accused student withdraws from the institution during the process.

Ineligible to reenroll: Student is not permitted to return to BCM in any school/program.

Conduct/Sanctions triggering “ineligible to reenroll” status: The following conduct and sanctions may fall within the “ineligible to reenroll” status: conduct-related or disciplinary offenses, ethical and professionalism offenses, and any situation resulting in the former student being unable to meet admission requirements.

Good cause: HB 449 gives BCM the authority to determine on a case by case basis whether there is an adequate or substantial reason not to include a notation on a student’s transcript, even when the student has been dismissed from BCM and is ineligible to reenroll. Whether good cause exists shall be determined by the process described below.

Transcript Notation: Text included on official transcript to document a violation related to HB449. Text on transcript will read: Dismissed [or Withdrawal], effective [insert date]. Student ineligible to reenroll for a reason other than an academic or financial reason.

Handbook statement: Ineligibility to reenroll for reasons other than financial and academic will result in a transcript notation. If a student withdraws during a pending disciplinary process that may result in the student’s ineligibility to reenroll at BCM, BCM shall continue the disciplinary process until there is a final determination of responsibility. The student’s transcript may be updated accordingly once a final determination of responsibility has been made.

Procedures

Releasing information about the transcript notation to other schools: Before any records are released about details of the notation, student must complete an authorization to release the information as required by FERPA.

Admissions procedures for dealing with an applicant's transcript with the HB449 notation

If a transcript is received with the HB449 transcript notation, the admissions committee will request that the applicant provide a written statement to the school dean (or designee) by a specified date explaining the circumstances that lead to the transcript notation. The statement will be provided to the school dean (or designee) who will determine if the statement provides sufficient information to allow the applicant to continue with the admissions process. If no statement arrives by the specified date, the application will be withdrawn from consideration.

Procedures for determining if good cause exists not to include a notation

Once a student has been dismissed or withdraws and is ineligible to reenroll, the dean of the student's school may request that the Provost's Cabinet review the cause for dismissal/withdrawal and deliberate whether good cause exists not to include a notation. The Provost has the ultimate authority to decide whether good cause exists.

If the decision is made to remove the transcript notation for good cause, the Office of the Registrar will be notified by the Provost (or designee) to remove the transcript notation.

Procedures for determining if good cause exists to remove the transcript notation

Upon request by the dismissed student, schools have the flexibility to remove a required notation if the student becomes "eligible to reenroll" or "the institution determines that good cause exists to remove the notation."

Dismissed students wishing to pursue the removal of the notation should submit a written request to their former school dean within 7 days seeking removal of the notation, and providing justification for the removal. There will be no consideration for the removal of a notation when permanent dismissal is due to a Title IX offense.

If the decision is made to remove the transcript notation, the Associate Provost of Student Services (or designee) will notify the Office of the Registrar to remove the transcript notation.