INTRODUCTION

The Office of Student Conduct Sanctioning Guide has been developed to offer general sanctioning recommendations for violations of the Student Conduct Code ("Code") and to ensure a level of consistency among conduct officers and hearing boards when issuing sanctions. While it is sound practice for conduct officers and hearing boards to sanction within the established guidelines, the following recommendations are not prescriptive. Conduct officers and hearing boards are empowered by the Code to utilize their professional judgement when weighing the aggravating and mitigating factors that may exist in each incident to determine the most appropriate sanctioning for the development of the individual student and the common good of University community.

GOALS

Sanctions are designed to achieve the following goals:

- To reestablish order while considering the common good, which sometimes necessitates the temporary or permanent removal of the Respondent from the University community;
- To repair the harm for those impacted by the Respondent;
- To restore the Respondent to good standing within the University community, provided the safety of the community is not jeopardized by the individual's presence;
- To address the cause of the violation and to allow Respondents to reflect upon their actions and their impact on themselves, others, and the University community.

SANCTIONING CONSIDERATIONS

The following factors may be considered to guide the range and variation of sanctions.

- The Office of Student Conduct’s Sanctioning Guidelines;
- The nature and severity of the incident;
- The development needs of the Respondent;
- Any prior conduct history of the Respondent;
- The need to remedy the effects of the incident on others;
- The level of accountability and cooperation taken by the Respondent;
- The level of risk and/or harm of the Respondent to the University community;
- Any other aggravating, mitigating, or relevant factors.
AGGRAVATING FACTORS

An aggravating factor is a circumstance, or a set of circumstances, that may result in more significant sanctions for a violation of the Code. Example of an aggravating factor may include, by are not limited to;

- Nature and Severity of the Incident
  - Committing multiple violations of the Code during single incident;
  - Committing a violation of the Code that results in significant injury, trauma, and/or harm to another person, property, and/or the University community.
- Alcohol and Other Drugs
  - Committing a violation of the Code while under the influence of alcohol and/or other drugs;
  - Committing a violation of the code in connection with participating in a high-risk drinking activity, such as binge drinking, drinking games, and/or using alcohol-related paraphernalia (e.g. beer funnels/bongs, alcohol luges, paint sticks, shot skis).
- Prior Student Conduct History
  - Committing multiple violations of the Code throughout the student’s tenure at the University;
  - Committing a violation of the Code while an active sanction (Until any sanction is completed, it is still considered “active”.)
- Bias-Related and Retaliatory Conduct
  - Committing a violation of the Code with demonstrates bias against another individual;
  - Committing a violation of the Code against another individual that is motivated by that individual’s involvement in the filing or investigation of a student conduct complaint.

MITIGATING FACTORS

A mitigating factor is a circumstance, or set of circumstances, that may merit consideration of a lesser sanction. Examples of a mitigating factor may include, but are not limited to:

- Nature and Severity of the Incident
  - Committing a violation of the Code that was in self-defense and/or defense of others.
- Risk and Harm
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- Committing a violation of the Code that did not pose any direct risk and/or harm to an individual, property, the University, or the broader community in which we live.

- Accountability & Responsibility
  - Committing a violation of the Code, but exhibiting a significant amount of cooperation with University and public officials responding to the incident.

BIAS-RELATED AND RETALITORY CONDUCT

Bias-Related Conduct

Bias-related conduct refers to language and/or behaviors which demonstrate bias against an individual (or group of individuals) because of, but not limited to, an individual’s actual or perceived:

- Color
- Disability
- Ethnicity
- Gender
- Nation Origin
- Race
- Religion
- Sexual Orientation

Bias-related conduct is especially intolerable in view of the University's commitment to respect for all members of the community and may be considered an aggravating factor for any violation of the Code, regardless of the seriousness of the violation.

Retaliatory Conduct

Retaliatory conduct refers to conduct that adversely and unjustifiably affects another’s terms and conditions of employment, educational experience, or quality of life and that is motivated by an intent to cause harm because of the targeted individual’s involvement in the filing or investigation of a student conduct complaint.

It is contrary to University policy for any individual to engage, whether directly or indirectly, in retaliatory conduct directed against a person who files a complaint or participates during an investigation of such a complaint. Retaliatory conduct may be considered an aggravating factor.
Types of Sanctions

**Reestablish & Repair**

Student may receive sanctions focused on **reestablishing** order within the community and **repairing** the harm caused by a Respondent. These sanctions follow different tracts related to a student’s enrollment status at the University and a student’s housing status at the University.

Specifically, these types of sanctions may include:

- Written Warning
- Loss of Visitation
- Housing Probation
- Housing Relocation
- Housing Suspension
- Housing Expulsion
- Behavioral Agreement
- Disciplinary Probation
- Disciplinary Suspension
- Disciplinary Expulsion

**Restore**

Fines and restitution may be used to **restore** the Respondent to good standing within the University community and/or compensate those impacted by the Respondent's behavior.

**Reflect**

Consistent with the Office of Student Conduct’s mission to promote the well-being of the community and individual student, **reflection** and developmental sanctions are used in conjunction with other sanctions to balance individual accountability with educational opportunities for the Respondent.

Reflection and developmental sanctions cannot be assigned via a “one size fits all” standards since each Respondent possesses a unique set of characteristics that may contribute to his/her behavior. These sanctions are structured by the conduct officer or hearing board to allow each Respondent the best opportunity to reflect, gain new information, and consider more deeply how his/her behavior impacts him/herself and the community. As a result, these sanctions, include educational projects, may include, but are not limited to:

- Alcohol & Drug Education Programs
- Apology Letters
- Personal Journal
- Education & Research Paper
- Reflection Papers
- Referral
- Educational Service