

# SANCTIONING



# DETERMINING SANCTIONS

- CLOSING STATEMENTS
- IMPACT OF SANCTIONS
- PROPORTIONALITY
- CONSISTENCY
- PRIOR DISCIPLINARY HISTORY
- EDUCATIONAL MISSION



# IMPACT STATEMENTS

## BOTH PARTIES CAN SUBMIT IMPACT STATEMENTS

In these statements a party can:

- Provide context for their behavior
- Suggest possible options for the board to consider
- Describe the impact the process has had on them, the other party, or their community
- Suggest sanctioning or request leniency



# IMPACT OF SANCTIONS

*SANCTIONS SHOULD ADDRESS ANY AGGRAVATING AND/OR MITIGATING FACTORS OF A CASE*

Aggravating factors **INCREASE** severity of a violation

- EX: Lack of remorse or understanding, presence of weapons, premeditation

Mitigating factors **DECREASE** severity of a violation

- EX: Non-violent offense, demonstrated capacity or willingness to change behavior

Restorative measures rather than purely punitive sanctions

Disproportionate effect on student unrelated to the circumstances

# PROPORTIONALITY



## *PROPORTIONAL TO OFFENSE*

- Is sanctioning consistent with the kind of violation considered before the hearing panel?
- Mitigating/Aggravating Factors
- Rationale needed when deviating

<b>Open Container of Alcohol</b>	<b>Violent Offense Under the Influence of Alcohol</b>
Warning	??

# CONSISTENCY

## *DEVIATION FROM INTERNAL CONSISTENCY CAN BE ARBITRARY & CAPRICIOUS*

- Individual treatment of cases an imperative
- Many cases may have similar circumstances & outcomes
- Colleges must have record keeping protocol
- History & guidance can assist in sanction development
- Disregarding consistent sanctioning response must be rationalized

Student 1	Student 2
Responsible for Stalking	Responsible for Stalking
Removal from Housing	Warning & Reprimand
Rationale	???

# PRIOR DISCIPLINARY HISTORY

## *NOT EVIDENCE OF RESPONSIBILITY FOR NEW MISCONDUCT*

- Hearing panels can use prior findings of responsibility to assist in determining sanctions for new responsible findings
- Prior similar violations with similar circumstances may indicate a need for more impactful sanctioning
- Frequency of violation, also
- More punitive motivation than other considerations

Student	
<b>Responsible for Stalking</b>	<b>Responsible for Stalking</b>
January 2025	December 2025
Probation, Counseling, Educational Sanctioning	???

# INSTITUTIONAL MISSION



*WHAT DOES YOUR INSTITUTIONAL MISSION HAVE TO SAY ABOUT STUDENT MISCONDUCT?*

- Institutional philosophy may influence your office & practice
- Scheduling systems for sanction, predetermined outcomes for responsible findings
- Collaborative approaches with other offices, or with responsible students
- Performance plans or behavioral agreements

# COMMON SANCTIONS

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## **WARNINGS OR REPRIMANDS**

**Both written and/or verbal**

## CREATIVE OR EDUCATIONAL

Reflection papers, presentations, letters to future-selves, pre-made programs designed for specific circumstances

## PUNITIVE MEASURES

Probation, suspension, or permanent separation from the institution

## RESTORATIVE MEASURES

Intentional dialogues with community members, service dedicated to repairing harm or restoring relationships

## ENGAGEMENT WITH RESOURCES OR SERVICE

Counseling, or wellness-related services, partnerships with on-campus offices to engage students with community & campus

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