

Office of Student Affairs Compliance & Title IX: Student Sanctioning Guideline

When a student is found responsible for violating University Policy [60.1.33: Title IX Policy and Grievance Procedures](#) and/or University Policy [10.2.11: Code of Student Conduct](#), the following guidelines are used in determining sanctions.

How Sanctions Are Determined

The Decision-maker will impose sanctions that are:

1. Fair and appropriate given the facts of the particular case;
2. Consistent with the University's handling of similar cases;
3. Adequate to protect the safety of the campus community; and
4. Reflective of the seriousness of the violation(s).

The Decision-maker will consider relevant factors, including, if applicable:

1. Facts and circumstances surrounding the event at issue;
2. The nature of the prohibited conduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.);
3. Circumstances concerning the issue of consent (such as force, threat, coercion, intentional incapacitation, etc.);
4. State of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.);
5. The impact of the offense on the Complainant;
6. The Respondent's prior disciplinary history;
7. The safety of the University community; and
8. Precedent established by previous sanctions.

Sanctions for Student Respondents

Sanctions will be comprised of an “inactive sanction” and, where appropriate, “active sanctions,” as defined in University Policies [60.1.33: Title IX Policy and Grievance Procedures](#) and [10.2.11: Code of Student Conduct](#).

Examples of “active sanctions” include:

- Impact Statement Discussion
- Six- Part Behavioral Integrity Program
- Neurobiology of Sexual Assault Webinar
- Alcohol Education Session
- Alcohol and Other Drug Assistance Program (ADAP)
- Counseling
- Various Workshop series:
 - Building Healthy Relationships Workshop Series
 - Rolling with Rejection Workshop Series
 - Consent Workshop Series
 - Identity and Oppression Workshop Series
 - Relationships in the Digital Age Workshop Series
 - Let’s Talk About Masculinity Workshop Series
- No Contact Order
- Restorative Justice Conference

Examples of “inactive sanctions” include:

- **Reprimand:** A reprimand formally indicates to a student that their behavior is unacceptable and that continuing that behavior shall warrant additional, more serious consequences.
- **Probation:** Probation is a notice to a student that their actions are of such a serious nature that they may jeopardize their status as a student. The University shall refrain from suspending the student at this time, as long as the student meets all sanction requirements. Any additional incidents in which the student is found in violation of the Code of Student Conduct may result in Disciplinary Suspension with the possibility of additional sanctions.
- **Suspension:** Suspension is the temporary loss of student status. While on suspension, a student may not take classes, participate in University-sponsored activities, or be present on University premises. A notation will remain on the student’s official University transcript through the duration of the suspension.
- **Expulsion:** Expulsion is a permanent loss of student status. A student is precluded from registration, participation in any class, activity, or program of the University, and presence on University premises. The sanction of expulsion is permanently noted on a student’s official University transcript unless the student has successfully petitioned for clemency, and has completed their degree.

Typical Inactive Sanctions

The majority of incidents will fall into the ranges indicated; however, various mitigating or aggravating factors may warrant a sanction outside of these ranges.

Category	Actions (include the following but are not limited to):	Reprimand	Probation	Suspension (less than 2 years)	Suspension (2-4 years)	Expulsion
Non-consensual Sexual Contact	Intentionally touching another person in a sexual manner, either over or under their clothes	X	X	X		
	Intentionally touching another person with one's own breasts, buttocks, groin, or genitals		X	X	X	
	Any act that includes bodily penetration by a penis, tongue, finger, or any other body part or object			X	X	X
	Intentionally removing, damaging, or lying about use of a prophylactic or contraceptive device (e.g., condom, internal condom, other forms of birth control) when consent has only been given for protected sexual activity			X	X	X
	Perpetration of any of the above acts through the use of coercion, force, violence, weapon, or inducement of incapacitation			X	X	X

Category	Actions (include the following but are not limited to):	Reprimand	Probation	Suspension (less than 2 years)	Suspension (2-4 years)	Expulsion
Sexual Harassment	Unwelcome sexual advances, including physical touching or sexual comments	X	X	X		
	Implicit or explicit requests for sexual favors in exchange for employment, academic, or other benefits		X	X	X	
	Distributing or soliciting ratings of individuals' attractiveness or sexual activity or performance	X	X	X		
	A pattern of sexually suggestive comments, jokes or gestures		X	X		
Sexual Exploitation	Exposing one's genitals to another person		X	X	X	
	Distributing sexual information, images, or recordings	X	X	X	X	X
	Observing or recording sexual activity or nudity without the consent of all parties			X	X	X
	Knowingly transmitting sexual infections without the other person's knowledge				X	X
Stalking	Course of conduct directed at a specific individual that is unwelcome and that would cause a reasonable person to feel fear for their safety or the safety of others or experience substantial emotional distress		X	X	X	X
Relationship Violence	Actual, attempted or threatened violence by someone who is, or has been, in a spousal, sexual or romantic relationship with the victim		X	X	X	X
Retaliation	Taking an adverse action against someone because of their good faith participation in reporting, expressing opposition to suspected or alleged prohibited conduct, participating in an investigation related to a prohibited conduct allegation or accessing the Office of Student Affairs Compliance & Title IX	X	X	X	X	X