

Findings, Sanctions and Remedial Actions

Findings of the Hearing Panel under 600.030 and 600.040

f Hearing panel will deliberate with no others present, except legal advisor.

f Majority decision required.

f Keep in mind standard of proof.

f Within 5 days of the end of deliberations the Hearing Officer or Panel Chair will prepare a
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Possible Findings

*f*There is sufficient evidence to find Respondent responsible for the policy violation based on the preponderance of the evidence.

It is more likely than not that Respondent violated the policy.

*f*There is insufficient evidence to find Respondent responsible for the policy violation based on the preponderance of the evidence.

It is not more likely than not that Respondent violated the policy.

Sanctions and Remedial Actions

fFactors to consider when finding sanctions or remedial actions include:

- The nature, severity of, and circumstances surrounding the violation;

- The disciplinary history of the Respondent;

- The need for sanctions/ remedial actions to bring an end to the conduct;

- The need for sanctions/ remedial actions to prevent the future recurrence of the conduct; and

- The need to remedy the effects of the conduct on the Complainant and the University community.

fFindings and sanctions are subject to appeal

Types of Sanctions for Student Respondents

fWarning

fProbation

fLoss of Privileges

fRestitution

fDiscretionary Sanctions such as work assignments, services to the University or other related discretionary assignments

fResidence Hall Suspension

fResident Hall Expulsion

fCampus Suspension

fUniversity System Suspension

fUniversity System Expulsion (not eligible for online courses)

Sanctions for Employees who are Respondents

*f*Warning

*f*Performance improvement Plan

*f*Required counseling

*f*Required training or education

*f*Loss of annual pay increase

*f*Loss of supervisory responsibility

*f*Recommendation of discipline in a training program

*f*For Non-Regular Faculty, immediate termination of term contract and employment;

*f*For Regular, Untenured Faculty, immediate termination of term contract and employment;

*f*Suspension without pay;

*f*Non-renewal of appointment;

*f*For Regular, Tenured faculty, suspension without pay, removal from campus and referral to the Chancellor to initiate dismissal for cause;

*f*For staff, demotion;

*f*For staff, termination.

Remedial Actions

flf Complainant is a student:

- Permitting the student to retake courses;
- Providing tuition reimbursement;
- Providing additional academic support;
- Removal of a disciplinary action; and
- Providing educational and/or on-campus housing accommodations.

flf Complainant is an employee:

- Removal of a disciplinary action;
- Modification of a performance review;
- Adjustment in pay;
- Changes to the employee's reporting relationships; and
- Workplace accommodations.

