

The University of Scranton - Office of Student Conduct - Sanctioning Guidelines (2019-2020)

Office of Student Conduct Mission Statement

The Office of Student Conduct seeks to educate students regarding their behavioral responsibilities as members of the University community and to ensure the process used to adjudicate matters of misconduct is consistent and fair-minded. Recognizing the uniqueness of each student, the conduct process is grounded in the Ignatian ideal of promoting the development of the whole person. The discipline process is educational and formative in nature.

Sanctioning Philosophy

Students who accept responsibility or are found responsible for violating the Student Code of Conduct are generally assigned an administrative sanction and one or more developmental sanctions. Sanctions are designed to educate, foster development, encourage thoughtful decision making, and protect the University community. In determining appropriate sanctions, the University considers the nature of the violation including the impact on the community and its members, the institutional sanctioning guidelines, the student's prior disciplinary history, and the individual student's needs. This method of determining appropriate sanctions balances consistency with the Ignatian ideal of cura personalis, or care of the whole person as a unique individual.

How to Use the Sanctioning Guidelines

The Sanctioning Guidelines exist to ensure a level of consistency with sanctioning. The University reserves the right to deviate from the guidelines if the circumstances warrant. Administrative sanctions are usually paired with one or more developmental sanctions to achieve the educational and developmental outcomes that the discipline process is designed to achieve. **The guidelines provide a range of sanctions assuming a student has no prior disciplinary history.** If a student has a prior disciplinary history, the nature of the prior violation(s) and the prior sanction(s) must be considered by the Conduct Officer in determining appropriate sanctions for the most recent violation. The Director of Student Conduct is always available to consult with Conduct Officers and Conduct Bodies to ensure the application of appropriate sanction(s). If a sanction is marked with an *, then the University has identified a preference for a required administrative sanction.

Multiple Charges

It is not necessary to list all charges that relates to an incident. Conduct Officers should choose the most appropriate charge(s) to respond to the incident keeping in mind the educational and developmental objectives of the conduct process.

Escalation of Sanctions

These guidelines provide a range of sanctions for each offense assuming that a student has no prior conduct history. In instances where mandatory minimum sanctions exist, they are noted within the guidelines. If a student has a prior conduct history, the nature of that history must be examined by the Conduct Officer or Conduct Body. If the nature of the offense(s) that comprise a student's prior disciplinary history is/are similar to the nature of the current offense (i.e., both involve alcohol/drugs, both involve violence, both involve disorderly behavior), the administrative sanction *will* generally escalate from one incident to the next. For example, a student who received a Disciplinary Censure for an incident involving alcohol will generally receive a minimum of Disciplinary Probation for a second incident involving alcohol. If the nature of the offense(s) that comprise a student's prior conduct history is not similar in nature to the current offense (i.e., prior involved alcohol, now violence with no alcohol), the administrative sanction *may* escalate from one incident to the next. Students who engage in violations of the Student Code of Conduct that are motivated by considerations of race, ethnic origin, ability, gender, and/or sexual orientation will receive escalated sanctions.

	STUDENT CODE OF CONDUCT VIOLATION	Minimum Admin. Sanction	Maximum Admin. Sanction	Common Dev. Sanctions Assigned for Violation
1	Academic cheating, plagiarism and other violations of the University Academic Code of Honesty.	Academic misconduct will be reviewed within the procedures listed in the Academic Code of Honesty in the Student Handbook.		
2	Sexual harassment and sexual misconduct including, but not limited to, sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and other forms of sexual harassment as set forth in the University's Sexual Harassment and Sexual Misconduct Policy. (Such misconduct is reviewed using the procedures listed in the Sexual Harassment and Sexual Misconduct Policy .)			
	Sexual Assault as defined in the Sexual Harassment and Sexual Misconduct Policy <i>*It is the preference of the University that a student who is found responsible for engaging in sexual assault is expelled. Such a student, at a minimum, shall be suspended from the University.</i>	Suspension*	Expulsion	1. Evaluation & Counseling 2. No Contact Directive 3. Reflection Paper 4. Apology
	Sexual Exploitation as defined in the Sexual Harassment and Sexual Misconduct Policy	Disciplinary Probation	Expulsion	1. Evaluation & Counseling 2. No Contact Directive 3. Reflection Paper 4. Apology
	Domestic and Dating Violence as defined in the Sexual Harassment and Sexual Misconduct Policy <i>*It is the preference of the University, that a student who is found responsible for engaging in acts of physical violence will, at a minimum, be suspended from the University.</i>	Deferred Suspension	Expulsion	1. Evaluation & Counseling 2. No Contact Directive 3. Reflection Paper 4. Apology
	Stalking as defined in the Sexual Harassment and Sexual Misconduct Policy	Deferred Suspension	Expulsion	1. Evaluation & Counseling 2. No Contact Directive 3. Reflection Paper 4. Apology
	Retaliation as defined in the Sexual Harassment and Sexual Misconduct Policy	Deferred Suspension	Expulsion	1. Evaluation & Counseling 2. No Contact Directive 3. Reflection Paper 4. Apology
3	Physical violence or threats of physical violence, including, but not limited to, assaulting, striking, shoving, slapping, kicking, fighting (regardless of who started the fight) or in any way threatening or causing physical harm to another (See Anti-Violence Policy) <i>*It is the preference of the University, that a student who is found responsible for engaging in acts of physical violence will, at a minimum, be suspended from the University.</i>	Suspension*	Expulsion	1. Counseling Referral 2. Reflection or Research Paper 3. No Contact Directive 4. Restitution
4	Harassment by any means of communication verbal and/or non-verbal including, but not limited to, in person and via text message, e-mail or any form of social media (Any actions, threats, gestures, and/or words directed toward another person that incite a breach of the peace, create a hostile environment, or cause emotional distress because of the humiliating, degrading, intimidating, insulting, and/or alarming nature of the conduct. It may involve a pattern of conduct.) (See Anti-Violence Policy)	Disciplinary Probation	Expulsion	1. Counseling Referral 2. Reflection or Research Paper 3. No Contact Directive 4. Apology

5	On-campus or illegal possession of weapons (or replicas), implements used as weapons, or other dangerous items including, but not limited to, firearms, ammunition, explosives, fireworks, martial arts paraphernalia, knives (except for kitchen knives possessed and used in their intended manner), pistols, rifles, shotguns, handguns, air guns, pellet or BB guns, paint guns, stun guns, potato guns, slingshots, balloon launchers, or dangerous chemicals (See Firearms & Weapons Policy). <i>It is the preference of the University that a student who is found responsible for on-campus or illegal possession of weapons (or replicas) or other dangerous items resulting in stress, alarm, threat, or harm to the community shall be suspended from the University.</i>	Disciplinary Probation	Expulsion	1. Fine 2. Counseling 3. Research or Reflection Paper
6	Attempted or actual theft, mutilation, destruction, defacement and/or damage to property	Disciplinary Probation	Suspension	1. Apology Letter 2. Restitution 3. Reflection Paper 4. Counseling
7	Violation of the University's Alcohol Policy including, but not limited to, underage possession or consumption of alcohol; alcohol impairment; social hosting; or furnishing alcohol to persons under the age of twenty-one;			
	Use/possession of alcohol while under the age of twenty-one (21)	Disciplinary Censure	Disciplinary Probation (6 months)	1. Alcohol Ed Program (Viewpoints) 2. \$100 Fine 3. Reflection Paper
	Excessive consumption of alcohol, intoxication, alcohol impairment or alcohol abuse as evidenced by factors including, but not limited to, public drunkenness, disorderly or erratic behavior, slurring of speech, physical coordination difficulties, vomiting or a preliminary breath test reading/blood alcohol content of .08% or greater	Disciplinary Probation (12 months)	Deferred Suspension (12 months)	1. Alcohol Ed Program or Individual Counseling Referral 2. \$200 Fine 3. Reflection Paper
	Social hosting, which is the act of providing the site for a gathering where underage alcohol possession or use is documented	Disciplinary Probation (12 months)	Suspension	1. Alcohol Ed Program (Social Host) 2. Research Paper 3. Dean of Students Meeting 4. \$200-300 Fine 5. Reflection Paper
	Providing or serving alcohol to individuals who are under the age of twenty-one (21)	Disciplinary Probation (12 months)	Suspension	1. Alcohol Ed Program 2. Research Paper 3. Dean of Students Meeting 4. \$200-400 Fine 5. Reflection Paper
	Unauthorized possession of a keg, beer ball, or large container of alcohol on campus	Deferred Suspension (12 months)	Suspension	1. Counseling Referral 2. \$200-300 Fine 3. Dean of Students Meeting 4. Reflection Paper
	Possession or consumption of alcoholic beverages in public areas in University residences (i.e., kitchens, lounges, hallways, bathrooms, balconies) or in a public location	Disciplinary Censure	Disciplinary Probation	1. Alcohol Ed Program 2. Reflection Paper 3. \$75 Fine
	Possession of beer funnels, beer pong tables, or other paraphernalia used for fast, abusive consumption of alcohol in on-campus housing	Disciplinary Censure	Disciplinary Probation (12 months)	1. Alcohol Ed Program 2. Reflection Paper 3. \$75 Fine
	Operating a motor vehicle while under the influence of alcohol	Deferred Suspension (12 months)	Expulsion	1. Counseling Referral 2. \$300 Fine 3. Reflection Paper
	Other Alcohol Policy Violation	Disciplinary Censure	Deferred Suspension (12 months)	1. Alcohol Ed Program 2. Counseling Referral 3. Fine 4. Reflection Paper 5. Dean of Students Meeting
8	Violation of the University's Drug Policy including, but not limited to, possession or use of illegal drugs, controlled substances, or other mind altering substances; possession of paraphernalia; manufacture, transfer, sale, distribution or intent to distribute any amount of illegal drugs, controlled substances, or other mind altering substances; or misuse of over-the-counter or prescription drugs			
	Use or possession of drug paraphernalia or items that have been or can be used to smoke or ingest illegal drugs, controlled substances, or other substances that significantly alter one's physical and/or mental state (i.e., pipes, hookahs, bowls, bongs)	Disciplinary Probation (12 months)	Deferred Suspension (12 months)	1. Drug Ed Program 2. Counseling Referral 3. \$100 Fine 4. Reflection Paper
	Use or possession of illegal drugs, controlled substances, or other substances that significantly alter one's physical and/or mental state	Disciplinary Probation (12 months)	Suspension	1. Drug Ed Program 2. Counseling Referral 3. \$200 Fine 4. Reflection Paper 5. Dean of Students Meeting

	Manufacture, transfer, sale, distribution, or intent to distribute any amount of illegal drugs, controlled substances, or other substances that significantly alter one's physical and/or mental state. <i>*Students who engage in manufacture, transfer, sale, distribution, or intent to distribute any amount of illegal drugs, controlled substances, or other substances that significantly alter one's physical and/or mental state will, at a minimum, be suspended from the University as noted in the University's <u>Drug Policy</u>.</i>	Suspension*	Expulsion	1. Evaluation & Counseling 2. Fine 3. Reflection Paper 4. Conditions for Re-Matriculation
	Use or possession of a controlled substance without a valid prescription; Use of a controlled substance in a manner other than as prescribed; Abuse of prescription or over-the-counter products	Disciplinary Probation (12 months)	Suspension	1. Drug Ed Program 2. Counseling Referral 3. \$200 Fine 4. Reflection Paper 5. Dean of Students Meeting
	Other Drug Policy Violation	Disciplinary Probation	Expulsion	1. Drug Ed Program 2. Counseling Referral 3. Fine 4. Reflection Paper 5. Dean of Students Meeting
9	Violation of the University's Hazing Prohibition Policy	Disciplinary Probation	Expulsion	1. Fine 2. Apology Letter 3. Conversation with Staff Member 4. Counseling 5. Research or Reflection Paper 6. Restriction
10	Acts of dishonesty, including but not limited to the following: furnishing false or misleading information to a University official or law enforcement officer; forgery, alteration, or misuse of a document, record or form of identification; tampering with the election of officers of any University student organization; or possessing false identification	Disciplinary Probation	Suspension	1. Fine 2. Apology Letter 3. Conversation with Staff Member 4. Counseling 5. Reflection Paper
11	Failure to comply with the directives of University employees, conduct bodies/officers or law enforcement officials acting in performance of their duties and/or failure to identify oneself to or report to these persons when requested to do so	Disciplinary Censure	Suspension	1. Fine 2. Apology Letter 3. Conversation with Staff Member 4. Counseling 5. Research or Reflection Paper 6. Restriction
12	Participation as an individual or a member of a group in behavior that disrupts or obstructs the normal operations of the University (e.g. teaching, research, housing, administration, public service functions) and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction that unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus or at sponsored or supervised functions of the University; taking over buildings	Disciplinary Probation	Expulsion	1. Fine 2. Apology Letter 3. Counseling 4. Research or Reflection Paper 5. Restriction
13	Conduct that is disorderly, lewd, or indecent; reckless behavior that places oneself or others at risk; breach of the peace; or aiding, abetting or procuring another person to breach the peace	Disciplinary Censure	Suspension	1. Fine 2. Apology Letter 3. Counseling 4. Research or Reflection Paper
14	Unauthorized possession, duplication, or use of keys to any premises of the University; unauthorized entry to or use of a premises	Disciplinary Probation	Suspension	1. Apology Letter 2. Reflection Paper 3. Counseling 4. Conversation with Staff Member
15	Dispersing litter in any form onto the grounds or facilities of the campus	Disciplinary Censure	Disciplinary Probation	1. Bulletin Board 2. Supervised Work/Service 3. Fine
16	Reckless use of a vehicle	Disciplinary Probation	Deferred Suspension (12 months)	1. Letter of Apology 2. Fine 3. Reflection or Research Paper
17	Falsely reporting the presence of an unlawful explosive or incendiary device in a way that misleads, deceives, or disrupts the operation of the University or a scheduled event sponsored by the University	Suspension	Expulsion	1. Letter of Apology 2. Fine 3. Reflection or Research Paper 4. Counseling

18	Failure to evacuate University facilities when ordered to do so, disregarding any emergency or fire alarm signal, inappropriate use of emergency exit doors	Disciplinary Censure	Deferred Suspension (12 months)	1. Bulletin Board 2. Research Paper 3. Fine 4. Meeting with Staff Member
19	Any act of arson, falsely reporting a fire or other emergency, falsely setting off a fire alarm, tampering with or removing from their proper location fire extinguishers, hoses, or any other fire emergency equipment except when done with real need for such equipment	Disciplinary Probation	Expulsion	1. Letter of Apology 2. Fine 3. Reflection or Research Paper 4. Meeting with Staff Member 5. Counseling
20	Illegal gambling including, but not limited to, contests of chance, illegal lottery, bookmaking, and selling pools on athletic events, promoting or advancing gambling; gambling using University computing/network facilities; possession of gambling devices or gambling records	Disciplinary Probation	Deferred Suspension (12 months)	1. Reflection or Research Paper 2. Meeting with Staff Member 3. Fine
21	Unauthorized use or misuse of the University's computing facilities including, but not limited to, logging on an account without the knowledge and permission of the owner; changing, deleting or adding to the programs, files and/or data without authorization of the owner; theft of program data or machine resources; attempts to thwart security of the computer system; attempts to disrupt the normal operations of the computer system, including hardware and software	Disciplinary Censure	Suspension	1. Reflection or Research Paper 2. Meeting with Staff Member 3. Fine 4. Letter of Apology
22	Conduct against the student discipline process, including, but not limited to, misrepresentation of information before a conduct officer/body; disruption of or interference with a conduct hearing; initiation of a conduct proceeding knowingly without cause; discouraging another person's participation in, or use of, the conduct process; attempting to influence the impartiality of a conduct body; harassment and/or intimidation of a conduct body; influencing or attempting to influence another person to commit an abuse of the conduct system; willful non-participation in the conduct process or a related investigation; impeding an official University investigation; retaliation against a person due to his/her good faith submission of a complaint and/or participation in an investigation	Disciplinary Probation	Suspension	1. Letter of Apology 2. Fine 3. Reflection Paper 4. Meeting with Staff
23	Failure to act when present to another's person's violation of the Student Code of Conduct by failing to intervene, notify University staff or law enforcement, and/or or remove oneself from reasonable proximity of the violation as appropriate			
	Alcohol Policy - Failure to act when present to another's person's violation of the Student Code of Conduct by failing to intervene, notify University staff or law enforcement, and/or or remove oneself from reasonable proximity of the violation as appropriate	Disciplinary Censure	Disciplinary Censure	1. Fine 2. Reflection Paper 3. Meeting with Staff 4. Educational Workshop
	Drug Policy - Failure to act when present to another's person's violation of the Student Code of Conduct by failing to intervene, notify University staff or law enforcement, and/or or remove oneself from reasonable proximity of the violation as appropriate	Disciplinary Censure	Disciplinary Censure	1. Fine 2. Reflection Paper 3. Meeting with Staff 4. Educational Workshop
	Other Policy - Failure to act when present to another's person's violation of the Student Code of Conduct by failing to intervene, notify University staff or law enforcement, and/or or remove oneself from reasonable proximity of the violation as appropriate	Disciplinary Censure	Deferred Suspension	1. Fine 2. Reflection Paper 3. Meeting with Staff 4. Educational Workshop
24	Violation of written policies and regulations as stipulated in the Student Handbook (i.e., Off-Campus Behavior Policy, Parking Policy, Acceptable Use of Information Technology Policy) or as promulgated and announced by authorized University employees	Disciplinary Warning	Suspension	1. Fine 2. Reflection Paper 3. Meeting with Staff 4. Educational Workshop or Activity
25	Violation of Residence Life and Housing Regulations (i.e., Prohibited Items, Noise, Guest & Visitation Policy) as stipulated in the Housing Contract, the Student Handbook, or as promulgated and announced by authorized University employees	Disciplinary Warning	Disciplinary Censure	1. \$25 Fine 2. Educational Activity (i.e., Paper, Bulletin Board, Apology)
26	Violations of federal, state or local laws regardless of where they occur	Disciplinary Censure	Expulsion	Appropriate provisions depend on the nature of the violation of law