



Northwest Missouri State University
Division of Student Affairs
Office of Student Conduct

SANCTIONING PHILOSOPHY

Last reviewed: 2019-2020

INTRODUCTION

The Student Conduct Sanction Philosophy and the accompanying matrix of Sanctioning Guidelines serve the conduct officers of Northwest Missouri State University by offering general sanctioning recommendations for violations of the Code of Student. The primary aim is to ensure the highest practical level of consistency throughout the conduct process and in conduct outcomes for all Northwest students that experience a judicial incident during their experience. This consistency is extremely important to the educational aims of the Code of Conduct.

That being said, the University acknowledges that while it is sound and best practice for Conduct Boards and Conduct Officers to administer sanctions that fall within the provided parameters, these guidelines must not be inflexibly prescriptive. When weighing sanctioning decisions Conduct Officers must take into consideration all known information for each individual case as well as any recorded prior information, violations and outcomes pertaining to a student's conduct. Officers are enabled and empowered by the Code of Conduct and this Sanctioning Philosophy to discern any mitigating factors or other pertinent information in any given incident to determine and assign the most appropriate sanction(s) for the continuing education of the student and the protection and preservation of our greater Northwest community.

PURPOSE & TYPES OF SANCTIONS

Sanctions assigned in response to any violation are intended to fulfill the following purposes:

- To **rebuild** order following a violation of the Code and to **repair** any harm for those impacted by the action(s) of the student. Specifically, these types of sanctions may include:
 - Conduct Warning (written and/or verbal)
 - Loss of Privileges
 - Residence Hall Probation
 - Housing Reassignment
 - Residence Hall Suspension
 - Residence Hall Expulsion
 - Campus Conduct Probation
 - Strict Campus Conduct Probation
 - Suspension from the Institution
 - Expulsion from the Institution



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- To **restore** the student to good standing with the University and its community.
 - Fines and restitution may be used to restore the Student to good standing within the University community and/or compensate those impacted by the Student's behavior.
- To discover and address the root cause of the violation and allow the student to **reflect** on their actions and the effect(s) those actions have had both on themselves and the others within their community. Consistent with the purpose of the code of student conduct, 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 Student. Reflection and developmental sanctions will not be assigned in a "one-size fits all" manner since each Student possesses a unique set of characteristics that may contribute to their behavior. These sanctions are structured by the conduct officer or hearing board to allow each Student the best opportunity to reflect, gain new information, and consider more deeply how misconduct impacts themselves and the community. As a result these sanctions, including educational projects, may include but are not limited to:
 - Alcohol & Drug Education Programs
 - Apology Letters
 - Mentoring Programs
 - Educational & Research Papers
 - Reflection Papers
 - Referrals
 - Assigned Service Hours

CONSIDERATIONS FOR SANCTIONING

When determining sanctions for a given case, the following factors may be taken into consideration to determine the range and variation of the sanction for the violation:

- The Sanctioning Guidelines
- The nature and severity of the violation of the given policy(s)
- The student's prior record of conduct at the university
- The impact the student's misconduct has had on their peers and their community
- The degree to which the student has cooperated with all portions of the conduct process from the incident onward
- The level of personal responsibility and accountability the student has demonstrated since the policy violation
- The degree of risk and/or harm placed upon others because of the student's action(s)
- Any other aggravating, mitigating, or relevant factors



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AGGRAVATING FACTORS

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

- Nature and Severity of the Incident
 - Committing multiple violations of the Code during a 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 on an active sanction (Until any sanction is completed, it is considered “active.”)
- Bias-Related and Retaliatory Conduct
 - Committing a violation of the Code that also violates the University’s Non-Discrimination Policy including demonstrating 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
 - 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.



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BIAS-RELATED AND RETALIATORY CONDUCT

Bias-related Conduct refers to any conduct that violates or goes against the University's Non-Discrimination & Anti-Harassment Policy. This policy and related procedures can be found in full at: <https://www.nwmissouri.edu/policies/student/Title-VI-Non-Discrimination-and-Anti-Harassment.pdf>

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.