

## AN OVERVIEW OF SANCTIONS

In all cases where a student pleads or is found guilty, the Honor Court will determine an appropriate sanction. **Thus, regardless of whether you plan to plead guilty or not, it is important that you be prepared for the sanctioning phase of your hearing.** Although you will be assisted by your student counsel in preparing and presenting your information to the Honor Court, it is **your responsibility** to gather information that you would like the Court to consider when determining an appropriate sanction.

### SANCTIONS

Section III of the *Instrument of Student Judicial Governance* (“*Instrument*”) establishes a range of sanctions that may be imposed alone or in combination in order to provide necessary flexibility to deal appropriately with specific cases. In addition, the Court may impose other sanctions it deems appropriate in a given case after review of all relevant factors.

The Court will take into consideration the gravity of the offense in question, including its implications on other members of the campus community and any relevant recurring patterns of misconduct; the value of learning through experience so as to develop a greater sense of responsibility for one’s actions and their consequences to others; the importance of equitable treatment for similar offenses; and other compelling circumstances, so as to reach a just and appropriate resolution in each case.

The *Instrument* is accessible online at <http://instrument.unc.edu>.

### USUAL OR MINIMUM SANCTIONS

In determining the appropriate sanction to be imposed in individual cases, consideration shall be given to usual and minimum sanctions specified in Section III of the *Instrument*. **Usual sanctions** are those that are to be applied in individual cases except when relevant factors provide a compelling basis for imposition of a lesser or greater sanction in order to do justice in a particular case. **Minimum sanctions** are the least serious sanction possible in light of the gravity of the conduct in question, although a more substantial sanction may be imposed in order to do justice in a particular case.

### ACADEMIC VIOLATIONS

As specified in Section III.D.2., for an initial instance of academic dishonesty,

- The minimum sanction shall be a failing grade in the course, component or aspect of the course, or on the assignment as recommended by the instructor; an additional educational assignment or other requirements as appropriate; and a written warning that further academic misconduct will lead to more serious sanctions.
- For a second or subsequent instance of academic dishonesty, the minimum sanction shall be suspension for at least one full academic semester.
- Sanctioning Guidelines for academic dishonesty cases are set forth below in the sanctioning chart; the sanctioning chart’s purpose is to provide a starting point in determining the appropriate sanctions.

Category	Description	Usual Sanction
Minimal	The student committed academic dishonesty that did not have the potential to (a) allow academic work to be subverted and/or (b) give an undue advantage over other students.	Instructor’s recommended grade sanction, a written letter of warning, and an educational assignment or written apology.
Moderate	The student committed academic dishonesty that (a) allowed academic work to be subverted and/or (b) gave or had the potential to give an undue advantage over other students.	Instructor’s recommended grade sanction and at least one semester of disciplinary probation.
Major	The student committed academic dishonesty that (a) allowed a substantial amount of academic work to be subverted and/or (b) gave or had the potential to give a substantial undue advantage over other students.	Instructor’s recommended grade sanction and one semester of disciplinary suspension.

## CONDUCT VIOLATIONS

As specified in Section III.D.3., the following minimum sanctions shall be applied:

- For **operating a motor vehicle while impaired by alcohol, drugs, or other substances**
  - The **usual sanction** shall be drug or alcohol suspension for at least one full academic semester.
  - The **minimum sanction** shall be probation for at least one full academic semester.
- For illegally possessing, manufacturing, selling, or delivering a controlled substance as defined by state or federal law, sanctions established by relevant policies of the Board of Trustees, including as specified, drug probation, suspension, or expulsion, depending upon the gravity of the offense and prior history of misconduct. The UNC policy on Illegal Drugs is accessible online at [http://www.unc.edu/campus/policies/illegal\\_drugs.html](http://www.unc.edu/campus/policies/illegal_drugs.html).

For similar or identical conduct offenses for which a student has previously received at least probation, the minimum sanction is one semester suspension.

## PREPARING FOR YOUR HEARING

It is essential that you arrive at your hearing prepared to present whatever evidence you may wish the Honor Court to consider related to sanctioning. Evidence that is not presented at your original hearing cannot be presented at a later time on appeal.

In collecting materials for use in the sanctioning phase of your hearing, you should gather anything that is relevant for the Court members to consider so the members can determine an appropriate sanction for your particular case. Such materials may include, but are not limited to:

- Written statements from character witnesses
- Testimony or written statements regarding academic or extracurricular involvement
- Documents showing the financial consequences of particular sanctions, such as the potential loss of financial aid or scholarship
- Documents from health care providers relating to medical treatment or the impact of particular sanctions on access to certain medical care
- Documents showing penalties received in related proceedings (e.g. criminal court, housing) and status of those penalties
- Other evidence of compelling circumstances that is relevant to what sanction is appropriate in your particular case

Remember that it often takes time to gather the necessary documents, so do not wait until the last minute to collect your evidence. **It is also important to recognize that none of this evidence requires the Honor Court to impose a particular sanction.** The Honor Court is still charged with weighing all of the relevant factors and determining a sanction, “so as to reach a just and appropriate resolution in each case.” (*Instrument*, III.A.2.)

**If you have further questions about preparing for the sanctioning phase of your hearing, talk with your student counsel or the Managing Associate assigned to your case.**