



University of Dallas Policy CRI-S

CIVIL RIGHTS PROCEDURE – SANCTIONING RANGES

1. **Purpose** – This Procedure provides the range of primary sanctions for those found responsible for certain violations of the University Civil Rights Policy, including, but not limited to, Sexual Harassment, Sexual Assault, Dating Violence and Stalking. Sanctions, and other remedies, are designed to restore or preserve equal access to the University’s programs and activities.
2. **Definitions** – Relevant terms for implementation of this Procedure are set forth in University Policy CRT – Civil Rights Policy – Relevant Terms.
3. **Scope** – This Procedure applies to all Students and Employees found responsible for violations of the University Civil Rights Policy. Those violations include, but are not limited to, Harassment, Retaliation, Sexual Assault: Rape, Sexual Assault: Fondling, Dating Violence, Domestic Violence, Stalking, and Sexual Exploitation.
4. **Types of Sanctions** – Sanctions are divided into two categories: (1) primary sanctions, and (2) secondary sanctions. If a Student or Employee is found responsible for a violation within the scope of this Procedure,
 - 4.1. the Hearing Panel **must** impose a primary sanction as specified under this Procedure. With the approval of the President of the University, the Civil Rights Coordinator may adopt Hearing Panel guidance manuals that specify a more precise sanctioning range for specific types of violations.
 - 4.1.1. The sanctioning range provides the appropriate range of primary sanction options for the specific type of violation.
 - 4.1.2. The presence of Mitigating Factors tends to indicate that the lower range of the sanctioning range is appropriate. Mitigating Factors include facts such as genuine contrition, a request for leniency by the Complainant, and other evidence that the Respondent did not act with a malicious intent.
 - 4.1.3. The presence of Aggravating Factors tends to indicate that the upper range of the sanctioning range is appropriate. Aggravating Factors include facts such as the use of force or physical violence, a request for enhanced sanctions by the Complainant, and other evidence that the Respondent acted with a malicious intent.

- 4.1.4. The presence of Compounding Factors tends to indicate that the sanction should be higher than the specified sanctioning range. Compounding Factors are facts such as a prior history of misconduct.
- 4.2. the Hearing Panel **may**, but is not required to, impose a secondary sanction.
 - 4.2.1. Secondary sanctions can include, but are not limited to, training, meetings, and restrictions on the activities of the Student or Employee.
- 5. **Primary Sanctions for Students** – The range of primary sanctions for Students includes the following, in order from least severe to most severe:
 - 5.1. “Reprimand,” which means a written warning that the Student’s behavior was in violation of the Civil Rights Policy and should not be repeated.
 - 5.2. “Probation” is a period of observation and evaluation of a Student’s conduct. The Student receives written notice of the seriousness of the misconduct, which includes the probability of a more severe sanction, including expulsion, if the Student commits a similar or related violation during the probationary period.
 - 5.2.1. During the probationary period and subject to appeal, a Student is ineligible to participate in an international study abroad program, hold an officer position in a student organization, or be hired by the Office of Student Affairs, including as a Resident Assistant.
 - 5.2.2. A Student on Probation will typically have Secondary Sanctions, which may include requirements or restrictions including, but not limited to, community service, educational classes, and/or prohibition from participation in co-curricular activities.
 - 5.2.3. “Level I Probation,” which means that the Student found responsible is placed on probation for a specified period of time (e.g., a specified number of semesters, or until a specific date).
 - 5.2.4. “Level II Probation,” which means that the Student found responsible is placed on probation for the remainder of their time at the University.
 - 5.3. “Suspension,” which means that the Student is suspended from enrolling in courses at the University for a specified period of time (e.g., a specified number of semesters, or until a specific date).
 - 5.4. “Expulsion,” which means that the Student is permanently barred from enrolling in courses at the University.

6. **Primary Sanctions for Employees** – The range of primary sanctions for Employees, including faculty, staff, and administrators, includes the following, in order from least severe to most severe:
 - 6.1. “Written Warning,” which means a written warning that Employee’s behavior was in violation of the Civil Rights Policy and should not be repeated.
 - 6.2. “Leave Without Pay,” which means that the Employee is placed on leave from work for a specified period of time and will not be paid during that time.
 - 6.3. “Termination,” which means that the Employee’s employment with the University is ended. Termination for a tenured faculty member involves revocation of tenure.