

Sanctions

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the sexual Harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of sexual harassment and/or retaliation
- The need to remedy the effects of the sexual harassment and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

a. Student Sanctions [Example]

The following are the usual sanctions¹ that may be imposed upon students or organizations singly or in combination²:

- *Warning*: A formal statement that the conduct was unacceptable and a warning that further violation of any West Virginia Northern Community College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Required Counseling*: A mandate to meet with and engage in either West Virginia Northern Community College-sponsored or external counseling to better comprehend the misconduct and its effects.
- *Probation*: A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- *Suspension*: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at West Virginia Northern Community College.
- *Expulsion*: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend West Virginia Northern Community College-sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript,

¹ West Virginia Northern Community College policies on transcript notation will apply to these proceedings.

² Subject to West Virginia Northern Community College's Organizational Code of Conduct.

[subject to any applicable expungement policies.]

- *Withholding Diploma:* West Virginia Northern Community College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.
- *Revocation of Degree:* West Virginia Northern Community College reserves the right to revoke a degree previously awarded from West Virginia Northern Community College for fraud, misrepresentation, and/or other violation of West Virginia Northern Community College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Organizational Sanctions:* Deactivation, loss of recognition, loss of some or all privileges (including West Virginia Northern Community College registration) for a specified period of time.
- *Other Actions:* In addition to or in place of the above sanctions, West Virginia Northern Community College may assign any other sanctions as deemed appropriate.

b. Employee Sanctions/Responsive Actions

When an employee does not maintain the appropriate standards of performance or conduct, disciplinary action including, but not limited to, counseling, progressive discipline, demotion, suspension, or termination may be taken. Dependent upon the actual and potential consequences of the offense, employee misconduct may be considered minor misconduct or gross misconduct. The Disciplinary Action Rule (NC-2031) outlines the process and application of the disciplinary actions.