

IR Proposed Amends and Sanctioning Overview

Supplemental information for Section III of the Informed Retraction (IR) Form

The goal of amends is for submitting students to begin repairing their relationships and regaining trust with affected parties, as these individual relationships serve as a basis for the Community of Trust and when restored, strengthen it. Although the reporter and student are working together to create an IR Proposed Amends document, **official sanctions for each case are determined solely by the Panel for Sanction** and guided principally by the facts and circumstances of the underlying conduct. Deviations from proposed amends are not a basis for appeal; for governing procedures, reference the Honor Committee Bylaws.

The reporter and student should work together to ensure proposed amends meet the following criteria:

- 3) Accountability – Sanctions should hold the student accountable for their offense and deter future violations of the Honor Code
- 3) Restoration – Sanctions work to restore the Community of Trust from the harm of the Honor Offense, in addition to any personal bonds that may have been harmed
- 3) Rehabilitation – Sanctions should support the student and address the underlying conditions that led to the Honor Offense *and* bring them back as a member of the Community of Trust

In addition, proposed amends should consider **aggravating and mitigating circumstances**, which are the constellation of factors that amplify or diminish the committing of an Honor Offense and merit consideration during the Panel for Sanction. Aggravating circumstances may include repeated/multiple offenses, pre-meditation/intentional wrongdoing, or substantial personal gain/advantage. Mitigating circumstances may include first-time offense or demonstrated personal growth/efforts to improve.

Since the student is taking the Informed Retraction, permanent sanctions, such as expulsion from the University and permanent transcript notations, may not be sanctioned. In order to administer any sanction, 4/5ths of the Panel for Sanction must decide that the sanction will hold the student accountable for the Honor Offense, restore the Community of Trust from the harm of the Guilty Offense(s), and support the student from committing similar offenses again in the future. While the student can elect to attend their Panel for Sanction with or without counsel, the **reporter will not be present at the Panel**.

Sanction Examples:

- Temporary Removal – Suspension from the University
- Temporary Transcript Notation
- Sanction in Abeyance – Recommended sanction if student is found guilty of another Honor Offense
- Restorative Ethics Seminar – 7-week course to reflect on the student’s role in the Community of Trust
- XYZ Case Study – Written reflection on the Honor Offense and case process experience
- Mentorship – Several meetings with an Honor-affiliated faculty member throughout the semester
- Amends Meeting with Reporter, Deans, Faculty, or Other Professionals
- Notification of Honor Offense to Various Parties
- Return of Stolen Item or Restitution
- Apology Letter

**Students may also propose a sanction not on this list with a logistical plan for the Panel for Sanction to consider*

Course instructors are empowered to determine course-related corrections as appropriate, including, but not limited to, assignment retakes, failing grade on the assignment, and failing grade in the course. While the **Panel for Sanction may not introduce course-related corrections**, they may endorse such sanctions.

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Guiding Philosophy of Sanctioning and Amends

Sanctioning allows the Honor Committee to uphold its purpose, as stated in the Bylaws: The Honor System at the University of Virginia exists to foster a cohesive bond of trust among all members of the University community and to instill in all students a mutual reverence for the ideal of honorable behavior. Honor is a complex and multidimensional principle—a moral aspiration that defies simple characterizations. At the University of Virginia, the Honor System rests on a particular conception of that ideal: students must refrain from Lying, Cheating, and Stealing.

At the heart of a restorative, multi-sanction Honor System lies the fundamental belief that sanctions are not merely punitive measures but powerful opportunities for cultivating a culture of honor and integrity in students who have broken their commitment to Honor and their community. The Committee recognizes that the imposition of sanctions serves not only as a deterrent against misconduct but also as a means of promoting self-reflection and growth.

By imposing appropriate sanctions, the Committee can address the immediate harm caused to adversely affected parties, fostering an environment of healing and support. However, the significance of these sanctions transcends the individual student, as they play a pivotal role in rebuilding and reinforcing the mutual commitments that bind our community together. By holding students accountable for their actions and guiding them towards future honorable conduct, they can take proactive steps towards ensuring and maintaining the ideals of honor and integrity within our University.

Honor's aim is to help students understand the significance of their choices and the potential further consequences of deviating from honorable conduct. Ultimately, The Honor Committee strives to protect our Community of Trust. As a result, sanctions should be:

- ▶ **Educational.** If possible, present an opportunity for personal growth and reflection.
- ▶ **Restorative.** Focus on repairing the harm caused on an individual basis and rebuilding trust within the community.
- ▶ **Forward-looking.** If possible, enable the student to embrace honorable behavior beyond the immediate consequences.
- ▶ **Proportional.** Tailor the consequences to the severity of the offense, ensuring fairness and equity.

Required Panelist Considerations

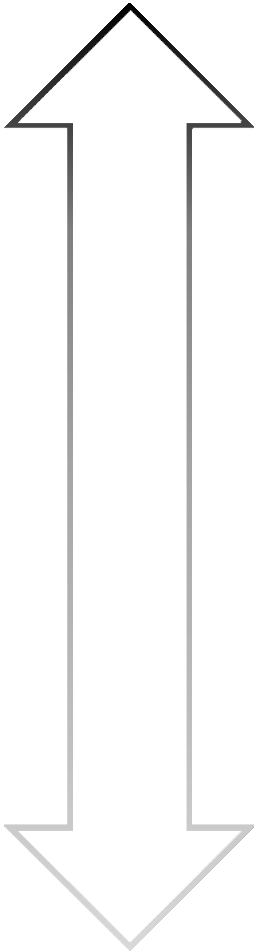
The Honor Committee Constitution mandates the following factors be considered when determining the appropriate amends to administer in any given case. Each factor is considered when determining the appropriate sanctions and no one factor outweighs another.

- ▶ **Significance of the case to the Community of Trust**
 - The severity of the offense.
- ▶ **Arguments for reasonable sanctions from the student and their counsel**
 - The student and their counsel (but no additional witnesses on the student's behalf) will be provided a total of ten minutes to present their arguments for reasonable sanctions, including the assertion and description of any alleged mitigating circumstances; the principal responsibility for making arguments lies with the student. Alternatively, the student can request the Honor Committee appoint one Counsel from the trained support officer pool to assist them in writing a statement for the Panel.
 - Guidelines are on page 9.
- ▶ **Aggravating and mitigating circumstances**
 - As defined in the Bylaws, "the constellation of factors that amplify or diminish the committing of an Honor Offense and merit consideration during the Panel for Sanction."
 - As further defined below.
- ▶ **Evidence**
 - Generally, the Report Intake Form or Streamlined IR Form and submitted evidence from the Reporter. The student is also encouraged to submit additional evidence for the Panel to consider.
 - In the event that the Student and the Reporter cannot agree on amends, the Panel for Sanction may consider the Reporter's written proposal for appropriate sanctions.
- ▶ **Precedent**
 - Previous sanctions imposed in similarly situated cases from anonymized summaries of past cases may be utilized to inform sanctioning deliberations. Precedent cannot be the sole basis for imposing sanctions, as each case is unique and should be regarded as such.

Panelists may weigh the above considerations as they deem reasonable when determining the appropriate sanctions, understanding that each case is unique. Panelists are prohibited to base deliberations or sanctions on Guilty Student's protected status(es). Protected statuses including age, color, disability, family, medical or genetic information, gender identity or expression, marital status, military status, national or ethnic origin, political affiliation, pregnancy, race, religion, sex, sexual orientation, and veteran status shall not be considered for any purpose in any case.

Aggravating and Mitigating Circumstances

"Aggravating and mitigating circumstances" are factors that either worsen (aggravate) or lessen (mitigate) the severity of a student's offense and can influence the decision on the appropriate sanction(s).



Examples of aggravating circumstances can include:

- ▶ Repeated offenses: If the student has a history of previous Honor Offenses or other relevant misconduct, it could indicate a pattern of behavior that requires stronger intervention.
- ▶ Pre-meditation or intentional wrongdoing: Cases where the student pre-planned or deliberately engaged in an offense could be viewed as more severe than impulsive or “unintentional” violations (i.e., violations committed with “Knowledge,” as defined in the Bylaws (and a required element of an Honor Offense) but not necessarily with “intent.”)
- ▶ Substantial gain or advantage: If the offense provided the student with significant or permanent benefits, the severity of the violation may increase.
- ▶ Disregard for academic integrity policies: If the conduct in question was *expressly* prohibited (e.g., in the course syllabus, in course instructions issued by the professor or a teaching assistant, in communications with the student, or otherwise), this may be considered a more serious breach of trust and responsibility.

Examples of mitigating circumstances can include:

- ▶ First-time offense: A student with no previous history of academic or other relevant misconduct may be seen as less likely to repeat the behavior and could be offered more educational and rehabilitative interventions.
- ▶ Cooperation with the Honor case process: A student who fully cooperates with the investigation and hearing process may display a sincere recommitment to Honor.
- ▶ Demonstrated personal growth and efforts to improve: If the student has taken steps to address the underlying issues that contributed to the offense and has shown progress, it can be considered as a positive factor in determining the appropriate sanction.

Other circumstances could include:

- ▶ Student- or Reporter-provided context
- ▶ Steps already taken to repair trust
- ▶ Extracurricular status/eligibility
- ▶ Financial aid status

Sanction Examples

Since the student is taking the Informed Retraction, permanent sanctions, such as expulsion from the University and permanent transcript notations, may not be sanctioned. In order to administer any sanction, 4/5ths of the Panel for Sanction must decide that the sanction will hold the student accountable for the Honor Offense, restore the Community of Trust from the harm of the Guilty Offense(s), and support the student from committing similar offenses again in the future.

The following table includes examples of sanctions that fall within each category of sanctions. This is an inexhaustive compilation; sanctions reflect the unique circumstances of each case and tailor the examples as needed. In addition, the student can propose a sanction not on this list with a logistical plan for the Panel for Sanction to consider.

Examples of Sanctions			
Sanction Category	Sanction And Description	Potential Timeframe	Potential Requirements
Temporary Removal	<p><u>Suspension.</u> The student is immediately disenrolled from future course enrollments and barred from reenrollment for multiple semesters.</p> <p><i>Suspension may be appropriate when the student would benefit from time and space away from the University. If one believes that the student needs this temporary separation in order to fully recommit to the Community of Trust, this sanction may be suitable.</i></p>	1 to 4 semesters	Completion of the temporary leave of absence
Education	<p><u>Educational Course.</u> The student will be enrolled in Honor's Restorative Ethics Seminar, where they will learn about value systems and their evolving role in the Community of Trust.</p> <p><i>The educational course may be appropriate when the Act involved a clash of value systems or the student may need assistance determining their role in the Community of Trust from this open, supportive learning environment.</i></p>	7 weeks	Completion of course requirements on time and with a good faith effort, attendance and participation at weekly meetings, completion of weekly readings and reflection papers, XYZ Case Summary final project

	<p><u>Honor Module.</u> The student will recomplete the Honor Module that is assigned to all incoming students.</p> <p><i>In circumstances where the Panel for Sanction believes that a lack of knowledge about the Honor system at UVA contributed to the commission of the Act, asking the student to recomplete the Honor module may be appropriate.</i></p>	1 week	Image/screenshot reflecting completion of the module and the day and time it was completed
Amends	<p><u>Apology Letter.</u> The student is asked to write a letter apologizing for their actions and taking accountability for the Act.</p> <p><i>In circumstances where the student and the affected parties may benefit from this explicit admission of responsibility and expression of remorse, the apology letter may be appropriate.</i></p>	2 to 6 weeks	Submission of letter to the VCS and proof of receipt by designated recipients.
	<p><u>Written Reflection.</u> The student is asked to write an XYZ Case Study, which is a reflective essay about the assigned topic.</p> <p><i>In circumstances where the student may benefit from substantially reflecting on the offense, a written reflection may be most appropriate. The Panel for Sanction may believe that the student may need extra reinforcement to have this in-depth reflection.</i></p>	2 weeks	Meets the required word count, pertains to the topic assigned, shows a good faith effort, written in sufficient detail
	<p><u>Return of Stolen Item or Restitution.</u> The student is asked to personally return the item(s) that were stolen to the affected parties or, in other cases, ordered to make the reporter (or other victim) whole for damage caused.</p> <p><i>In circumstances where the student and the reported parties may benefit from the physical return of the stolen item or financial restitution, this sanction may be appropriate.</i></p>	1 week	Proof of physical return of items, financial reimbursement, etc.

	<p><u>Amends Meeting with Reporter, Deans, Faculty, Other Professionals; Mentorship.</u> The student meets with a third party to reestablish their trust and reflect on the offense.</p> <p><i>If too much time has elapsed since the report, a meeting with the Reporter may not be appropriate. However, the Panel for Sanction may believe that there will be value in the student receiving guidance, an outlet for conversation, external support, or professional assistance.</i></p>	2 weeks to 4 months	Submission of meeting summary to the VCS and proof of receipt by designated recipients
Other	<p><u>Transcript Notation.</u> A notation affixed to a student’s transcript for a period of time.</p> <p><i>A transcript notation accompanies suspension or expulsion, but is not exclusive to those circumstances. A transcript notation may be appropriate when the Panel for Sanction determines that the seriousness of the offense warrants such designation.</i></p>	Duration of any other sanction[s] associated with the length of the notation or any other period determined by the Panel for Sanction	<p>Completion of any other sanction[s] associated with the length of the notation, if applicable</p> <p>Completion of Honor Leave of Absence, if applicable</p>
	<p><u>Sanction in Abeyance.</u> A recommended sanction to any future Panel for Sanction that convenes regarding any new Honor convictions. Examples include suspension in abeyance or expulsion in abeyance.</p> <p><i>This sanction may be most appropriate when the Panel for Sanction feels that the student’s current offense(s) does not warrant such sanction, but such sanction may be warranted for a future Honor Offense committed.</i></p>	Varied	N/A

Course instructors are empowered to determine corrections they deem appropriate, including, but not limited to, assignment retakes, failing grade on the assignment and failing grade in the course. While the Panel for Sanction may not introduce course-related corrections, they may endorse such sanctions.

Panel for Sanction Arguments

If the student elects to attend their Panel for Sanction or write an argument for the Panel to consider, it is suggested they meet the criteria below:

- The exact act(s) they have been reported for and any additional acts committed
- The set of circumstances that contributed to their Honor Offense (including any aggravating, mitigating, and other circumstances)
- Any course-related corrections that have occurred since committing the Honor Offense
- Clearly proposed sanctions and justification for why they should be sanctioned to each one
- Concrete ways in which the student is planning on (or already started the process of) recommitting themselves to the Community of Trust

The student and their counsel will have 10 minutes to make arguments for panelist deliberations and then answer any questions the panelists may have. The attire to a Panel for Sanction is business casual.

Outcome Letter

The Vice-Chair for Sanctions will draft and first share the written Outcome Letter with panelists for their approval; panelists review the letter to ensure that sanction requirements and timelines accurately and precisely reflect what was discussed during deliberations. After approval from all panelists, the Outcome Letter is shared with the student and their Honor Advisor. The Outcome Letter is delivered to student within 7 days of sanctioning.

The Outcome Letter will include:

1. A summary of the Honor proceeding
2. A list of sanctions administered and an explanation for each sanction administered
3. The requirements and timeframes for completion of each sanction administered
4. The consequence for non-compliance, which is permanent removal from the University

Following receipt of the Outcome Letter and prior to completion of a particular sanction, a student, in rare and extraordinary circumstances, may request modifications to the requirement and/or timeframe of a sanction. The request may be granted or denied by the Vice Chair for Sanctions, in their reasonable discretion, in consultation with the Chair and, if possible, the Panel for Sanction members for the respective case. Modifications will aim to maintain the original restorative intent of the sanction. Requesting a sanction modification is different from filing an appeal, as an appeal alleges issues of fundamental fairness, timeliness, or other good cause.