



THE UNIVERSITY  
*of* NORTH CAROLINA  
*at* CHAPEL HILL

# Policy Review Committee Meeting

July 27, 2017

# Consequences

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## Related Requirements

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*In this section, provide references to related regulations. This may include related Policies, internal or external Standards, supporting Procedures, governing statute or applicable regulation.*

### **EXTERNAL REGULATIONS AND CONSEQUENCES** *(if applicable)*

*External driver for the Policy (e.g., University, Federal, GA, accreditation, regulation) with link to regulation if available)*



# Framing the Conversation

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- To what extent should university policies explicitly state consequences for not following policies, standards, and procedures?



# Two Schools of Thought – 1

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1. Policies should not explicitly state consequences for violations:
  - a) Consistency – potential sanctions and enforcement
  - b) Enforcement – Who enforces sanctions?
  - c) Liability – What if we have a sanction and don't enforce/implement?



## Two Schools of Thought – 2

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2. Policies should explicitly state consequences for violations:
  - a) Policies with no teeth (penalties/accountability mechanisms) are useless.
  - b) No consequences invites abuse of intent and letter of policy. (People/units will follow policies until it is inconvenient to do so.)



# Current UNC Policy Enforcement Mechanisms

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- a) Students – [Office of Student Conduct/Honor Court](#)
  
- b) Staff – [SHRA/EHRA Non-Faculty](#) Policies
  
- c) Faculty – “[Section 3: Suspension, Demotion, and Discharge of Faculty Members](#)” [Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill](#) (pgs. 11-12)



# United States Sentencing Guidelines

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- “Seven (7) core elements ... minimally necessary to ... promote an organizational culture that encourages ethical conduct and a commitment to compliance with the law.”
- Two of those core elements involve consequences:
  - Enforcement for violations; and
  - Corrective action.
- Appropriate disciplinary action must be “case specific” and “should be proportional to the conduct.”



# Examining Our Peers

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**UNC Charlotte:** Policy on Policy Violation

**Duke:** Office of Audit, Risk & Compliance, Human Resources, Office of Institutional Equity, and Office of University Counsel

**Public Peers:**

- [UCLA](#)
- [University of Maryland-College Park](#)
- [University of Minnesota-Twin Cities](#)
- [University of Wisconsin-Madison](#)





## For Discussion

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1. Do you currently address enforcement/sanctions in your university or unit-specific policies?
2. Do you rely on policies external to your policies to address violations?
3. Do you view the inclusion of consequences in policies going forward as a benefit or detriment?

