Policy Review Committee Meeting

July 27, 2017
Consequences

Related Requirements

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

• To what extent should university policies explicitly state consequences for not following policies, standards, and procedures?
Two Schools of Thought – 1

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

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

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

• “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

**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](https://www.ucla.edu)
- [University of Maryland-College Park](https://www.umd.edu)
- [University of Minnesota-Twin Cities](https://www.umn.edu)
- [University of Wisconsin-Madison](https://www.wisc.edu)
For Discussion

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?