

Attachment A: Faculty Respondent Disciplinary Sanction Guidelines for Misconduct Related to Expressive Activity

Types of Faculty Disciplinary Sanctions under APM - 016

Letter of
Censure

Reduction
in Salary

Demotion

Suspension

Curtailment or Denial
of Emeritus Status

Dismissal

Less Severe Sanction

More Severe

Factors that Affect the Types of Disciplinary Sanctions for Faculty Respondents

Violations of APM - 015 and (where applicable) Campus Time, Place, and Manner (TPM) Policies (*see attached companion document*)

Tier 1

- Failing to comply with instructions of a UC or public official upon initial instruction
- Disturbing the peace
- Camping or unauthorized lodging on UC property
- Climbing or repelling activities on UC-managed property
- Using amplified sound without a permit

Tier 2

- Failing to comply with repeated instructions of a UC or public official
- Escalating misconduct activity contrary to de-escalating instructions of a UC or public official
- Engaging in disorderly conduct as defined by TPM policy
- Blocking entrances or interfering with the normal free flow of traffic on campus and the immediate environs
- Obstructing or disrupting teaching or other UC operations
- Threatening others with forcible detention or harm

Tier 3

- Inciting others to engage in misconduct
- Intimidating or coercing others to engage in misconduct
- Detaining unwilling parties by any means
- Possessing or using a firearm, explosive, or any device that can cause mass casualties

Evaluate Severity of Impact

Minor Impact

- Minor damage to UC property
- Minor impact on community members and their families
- Minor harm to others by physical or other means

Major Impact

- Major damage to UC property
- Major impact on community members and their families
- Major harm to others by physical or other means

Mitigating vs Aggravating Factors

Mitigating Factors

- No prior history of counseling or remedial intervention
- Engaging in activity tied to a reasonable teaching or research purpose/Engaging in activity inside the broadest interpretation of academic freedom
- Activity does not discriminate on UC policy-protected grounds
- One or rare occurrence(s)
- Accepting responsibility for misconduct without recurrent offense

Aggravating Factors

- Escalating misconduct in view of recent counseling or remedial intervention
- Discriminating on UC policy-protected grounds
- Violating policy in a repeated fashion
- Not accepting responsibility for misconduct

Less severe sanctions are typically recommended for cases where violations are relatively few and mostly in lower tiers

More severe sanctions are typically recommended when there are multiple violations in higher tiers

Mitigating and aggravating factors are considered in the final sanction determination