

INTRODUCTION

The focus of this survey is to assess students' views on the judicial code sanctioning process. Included in the survey are questions concerning students' familiarity with the code and sanctioning process, their views on the level of importance the University should place on a number of variables when determining a sanction, and their opinions on the appropriateness of various sanctions for a series of violations. This survey, conducted by Student Affairs Research and Assessment, was administered by phone and by Web¹ at the request of the Office of Judicial Affairs as part of a comprehensive review process.

In total, 1,086 undergraduate students responded to the survey. By phone, 408 students responded for a 14.5% response rate and, of those contacted, 56.9% participated. By Web, 678 responded for a 22.5% response rate. The confidence interval for the total sample is +/-2.93%.

The methodology included a sample of students who had been adjudicated for violations of the Student Code of Conduct earlier in their college career, 171 of whom responded to the survey for a 14.3% response rate. Among students who had not been adjudicated, there was an 18.2% response rate.

Of all respondents, 76.6% are 21 years old or younger, 55.5% are male, 82.3% are White/Caucasian, 72.9% live off campus, and 15.7% had been adjudicated. For additional information on the Pulse methodology, please visit <http://www.sa.psu.edu/sara/qa.shtml>.

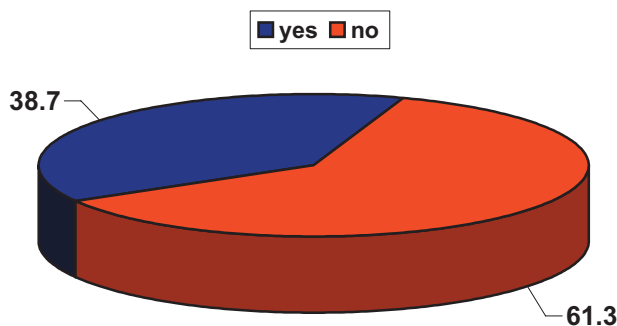
FINDINGS

Familiarity With the Student Code of Conduct

Students were asked if they had read the Student Code of Conduct and how familiar they were with various aspects of the judicial process.

- Approximately 39% (38.7%) indicated they had read the Student Code of Conduct (see Chart 1).

Chart 1. Percent of Students who had Read the Student Code of Conduct



Students' views on the judicial code sanctioning process

For more information please visit Student Affairs Research and Assessment at <http://www.sa.psu.edu/sara>

¹The Web survey administration is utilized in order to account for students for whom phone information was unavailable.

- Close to half of the respondents indicated they were at least somewhat familiar with the various violations of the code of conduct and the penalties for violating campus regulations (see Table 1).
- However, only 26.2% were familiar with the campus penalties for violations occurring off campus (see Table 1).

Table 1. Familiarity with the Student Code of Conduct

Aspects of the Judicial Process	Percent ²
Various violations of the code of conduct	51.2
Penalties for violating campus regulations	48.7
Judicial process followed when a violation is reported	31.9
Campus penalties for violations occurring off campus	26.2

Considerations when Determining Sanctions

Students were asked to rate how important it is for the University to consider a variety of factors when determining a sanction.

- Over 90% believed it was at least somewhat important for the University to consider the impact on the victim(s) and to consider the seriousness of the offense when determining a sanction (see Table 2).
- Students were least likely to rate the level of remorse expressed by the student and the student's contribution to the campus community as being important when determining a response to misconduct (see Table 2).
- Generally, female students reported greater importance in considering all of the various factors when the University is determining a sanction for a code violation when compared to their male counterparts (data not shown).
- When compared to adjudicated students, students who had not been adjudicated during their college career were significantly more likely to believe that it is important for the University to consider the following: the seriousness of the offense, the impact on the community, previous violations, if the offense was premeditated, if the violation broke state/federal law, and what sanctions had been assigned to other students for similar misconduct (data not shown).

Table 2. Importance of Factors when Determining Sanctions

Factor	Percent ³	Mean
Impact on the victim(s)	91.2	4.45
Seriousness of the offense	90.5	4.43
If the offense was premeditated	84.7	4.30
If the violation also broke a state/federal law	82.7	4.25
Whether or not there are extenuating circumstances	84.4	4.21
Previous violations/prior record of the student found in violation	81.1	4.07
Impact on the community	79.5	4.01
Sanctions/penalties assigned to other students for similar misconduct	76.5	3.99
Level of remorse expressed by the accused student	55.8	3.46
Accused student's contributions to the campus community	50.1	3.25

Scale: 1=very unimportant to 5=very important

Deferred Expulsion

Within the code of conduct is the sanction of deferred expulsion. Deferred expulsion is an administrative sanction assigned for a specific period of time to a student who, based on his/her offense, is eligible for being removed from school but is allowed to continue to take classes with a loss of privileges. The loss of privileges involves not being able to represent the University through leadership/participation in cocurricular activities. Such activities include, but are not limited to: Blue Band, Lion Ambassadors, varsity athletics, serving as a resident assistant, serving on university-wide committees and holding office in any student group or organization. While on Deferred Expulsion any further violation could result in removal from school.

- As depicted in Chart 2, 89.1% of students perceived deferred expulsion to be somewhat fair or very fair.
- When comparing student groups by gender, race, adjudicated status, age, and fraternity/sorority membership, students responded similarly. However, athletes perceived the sanction as being less fair when compared to non-athletes (data not shown).

Assigning Sanctions: Case Scenarios

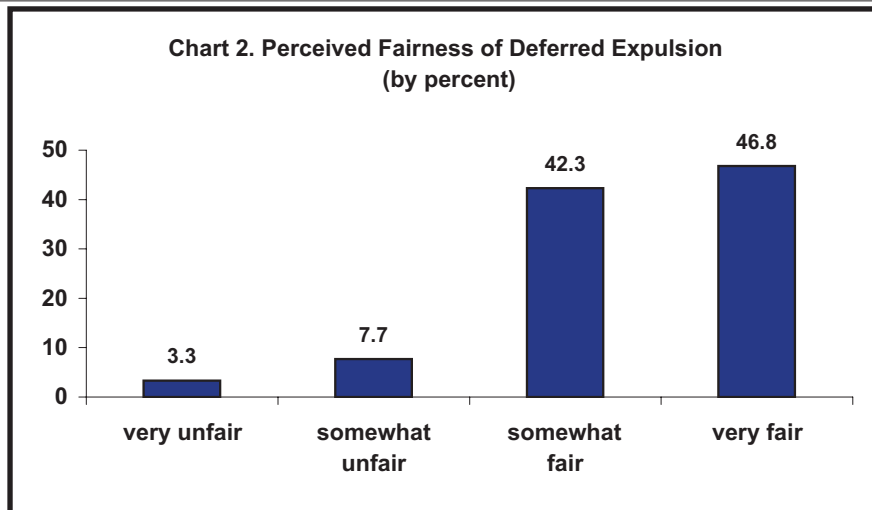
Students were presented with 12 brief case studies and asked to select the most appropriate/fair sanction. The scenarios varied by charge code and level of severity. (Note: imposing fines was included in the sanctioning options but is not currently used by the University.)

Copyright Violations

- The data suggest that students view illegal downloading of movies as a minor violation with 91.6% recommending either a disciplinary warning (63.1%), a fine (20.2%), or an educational program (8.3%) as the appropriate sanction (data not provided).

²Percent who indicated they were at least "somewhat familiar."

³Percent who indicated the factor was at least "somewhat important" for consideration in assigning a sanction.



Alcohol Violations

- With regard to responding to underage drinking, 71.9% of students responded that either educational programs or a disciplinary warning was the appropriate institutional response for a student's first violation (see Table 3).
- When a student had a prior alcohol violation, students did, in general, increase the sanction and were more likely to assign fines, disciplinary probation, or some form of expulsion than they were for a student without a prior violation (see Table 3).
- When the charge is public drunkenness with no priors, students responded within the same range as they did to underage drinking with the exception that they were more likely to impose fines and less likely to assign a disciplinary warning (see Table 3).
- For a student charged with public drunkenness with a prior violation, students generally increased the sanction with a higher percentage assigning fines, probation, and deferred expulsion than they did for a student without a prior violation (see Table 3).
- Also noteworthy is that the percentage of students who would assign educational programs for alcohol violations was approximately 27%, except for when a student, with a prior, was charged with public drunkenness when it dropped to 18% (see Table 3).

Table 3. Case Scenario Sanctions: Underage Drinking and Public Drunkenness (by percent)

Sanction	Student, not drunk, found responsible for underage drinking on campus	Same student (underage drinking) with a prior alcohol violation	Student, no priors, found responsible for public drunkenness	Same student (public drunkenness) with a prior violation
Educational programs	27.5	26.2	27.2	17.8
Fines	14.1	30.6	28.1	35.5
Warning	44.4	8.9	32.6	5.9
Probation	5.7	17.9	8.6	20.7
Deferred expulsion	2.1	6.7	2.2	14.5
Separation/expulsion from the university for a set period of time	5.9	3.4	0.9	4.1
Indefinite separation/expulsion from the university	0.2	5.9	0.2	1.1
Permanent expulsion	0.2	0.5	0.2	0.4

Drug Violations

- In general, students responded more severely to drug violations than they did to alcohol violations being much less likely to assign educational programs and minor disciplinary sanctions (see Tables 3 and 4).
- As with the alcohol violations, the addition of a prior violation, increased the sanction levels assigned by students. For example, 40.0% assigned some level of separation from the University for a student with a prior violation charged with possession of illegal drugs compared to 16.4% when there was not a prior violation (see Table 4).
- Moreover, respondents dramatically increased the sanction for a student found responsible for selling drugs with 26.8% recommending permanent expulsion (see Table 4).

Physical Harm and Sexual Assault

- For a student found responsible for physical assault resulting in minor/no injuries, students most frequently recommended probation (23.5%) or fines (22.2%) and generally assigned moderate sanctions (see Table 5).

Table 4. Case Scenario Sanctions: Drug Violations (by percent)

Sanction	Student, no priors, found responsible for possession of illegal drugs	Same student (drug possession) with a prior violation	Student found responsible for selling drugs
Educational programs	14.2	5.9	2.5
Fines	24.9	13.1	6.3
Warning	9.4	2.6	2.7
Probation	19.3	17.5	11.3
Deferred expulsion	15.8	20.7	21.2
Separation/expulsion from the University for a set period of time	7.1	15.8	15.9
Indefinite separation/expulsion from the university	2.9	10.3	13.2
Permanent expulsion	6.4	13.9	26.8

- For a student found responsible for physical assault resulting in serious injuries, 64.3% recommended some level of separation from the University (see Table 5).
- Close to 80% recommended separation from the University for a student found responsible for forcing someone to have sex with them; 46.6% of whom recommended permanent expulsion (See Table 5).

Table 5. Case Scenario Sanctions: Physical Harm and Sexual Assault (by percent)

Sanction	Student found responsible for physical assault resulting in no injuries	Same student – physical assault resulting in serious injuries	Student found responsible for forcing someone to have sex with them
Educational programs	8.5	0.4	1.0
Fines	22.2	6.5	0.9
Warning	11.1	1.2	0.9
Probation	23.5	8.7	3.4
Deferred expulsion	15.8	18.9	13.9
Separation/expulsion from the University for a set period of time	10.8	20.9	15.5
Indefinite separation/expulsion from the university	6.0	22.3	17.7
Permanent expulsion	2.3	21.1	46.6