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For Police Emergencies Call: 256.782.5050 OR 911

For Non-Emergencies Call: 256.782.8888

**JSU Mission Statement**

Jacksonville State University, a learning-centered community, provides distinctive educational, cultural, and social experiences to prepare students to be competent, ethical professionals and engaged, responsible, global citizens.

**JSU Vision Statement**

Jacksonville State University will be recognized nationally for excellence in providing a transformational learning environment that supports student success and engagement, regional stewardship, and innovation.

**JSU Strategic Plan Commitments**

**Discover**

As educators, we do not provide the answers. We provide the experiences, environments, and expectations that allow learners to discover the answers.

**Engage**

As a university, we ensure the vibrancy of our campus, community, and region through the benefit of belonging, mutual relationships, and power of place.

**Reach**

As a thriving learning community, we depend on a strong foundation based on diverse student enrollment, a spirit of generosity, and a culture of accountability.

## Course Scheduling & Registration

### Course Listings

Each course found in the Class Schedule is identified by a course number, a reference number, a departmental abbreviation, and a section number. Courses listed in the catalog may not be offered every term, therefore, students should check the Class Schedule to determine which courses are offered during a particular term. These courses will be identified as follows:

<i>Sections Found</i>						
<b>First Year Experience – 13883 – SSC 101 - 001</b>						
<b>Associated Term:</b> Fall 2023						
<b>Registration Dates:</b> Mar 10, 2023, to Aug 23, 2023						
<b>Levels:</b> Undergraduate						
Jacksonville State University Campus						
In-Person Instruction Schedule Type						
On-Campus Instructional Method						
0.000 Credits						
<a href="#">View Catalog Entry</a>						
<i>Scheduled Meeting Times</i>						
Type	Time	Days	Where	Date Range	Schedule Type	Instructors
Class	11:15 am –12:15 pm	W	Houston Cole Library B4	Aug 17, 2023- Dec 08, 2023	In-Person Instruction	Romona Lynn Hollingswoth (P)

**Course Reference Number (CRN):** Refers to a five-digit number appearing after the name of the course. Check the CRN carefully as each section is assigned a different number. Registration, available through your

**MyJSU** account allows for registration by CRN or by course search.

**Departmental Abbreviation and Course Number:** Refers to two to three letters that represent a department and the three-digit number associated with a specific course name.

**Associated Term:** Refers to the term selected for viewing the course schedule.

**Registration Dates:** Refers to the dates the registration system is available for a particular term. Priority pre-registration and open registration dates and times are available on the Registrar’s Office webpage.

**Levels:** Levels are undergraduate, graduate, or doctoral.

**Instructor:** Instructors for each section will be listed on the schedule. STAFF or TBA indicates the instructor for the course had not been assigned at the time the schedule was created.

**Schedule Type:** Schedule Type refers to the way the class is taught; for example, in-person instruction, lab, asynchronous online, activity, etc.

**Instructional Method:** Instructional Method refers to the way the class is taught; for example, on-campus, online, field based, etc.

**Credits:** Credits refer to the number of credit hours earned upon the successful completion of the course. Semester hours are based on the number of contact hours required for the course. For example, a three-hour course will usually meet three hours per week for a semester. To complete degree requirements for graduation a student must earn a minimum of 120 semester hours. Check the catalog for specific requirements for your major.

**View Catalog Entry:** To view the entire catalog entry for any class, click “View Catalog Entry”. Catalog entries provide course descriptions, a list of any prerequisites and other information.

**Time:** Time refers to the hours the class meets. If TBA is listed, then the location, days, and/or time had not been assigned at the time the schedule was created or the course is online.

**Days of the Week (Days):** The days a course will meet are indicated by the first letter of each day, M for Monday, etc. The only exception is Thursday which is indicated by the letter “R.” If TBA is listed, the location, days, and/or time had not been assigned at the time the schedule was created or the course is online.

**Location:** The classroom and building where a class meets will be listed with building abbreviation and room number. A map of campus can be found on the Office of Admissions’ webpage.

**Date Range:** The dates listed are the start and end dates of the part of term in which the course is offered.

## Course Scheduling

During the first three semesters, students should be fulfilling the General Studies requirements and/or College requirements. Choose courses from the full range of these requirements. Think about taking a balance of reading, writing, and quantitative courses. Please note a recommended sequence of courses for each major, for each semester, is provided in the catalog. By following this plan, it will increase the likelihood of graduating in approximately four years. Try to schedule courses to ensure there is a balance of **MWF** classes and **TR** classes. Remember to give yourself a break for lunch! Below you will find two sample schedules:

Communication	3	MWF	8:45 – 9:45
History	3	MWF	10:00 – 11:00
English	3	MWF	1:45 – 2:45
Psychology	3	TR	7:30 – 9:00
Math	3	TR	9:15 – 10:45
SSC 101	0	T	11:00 – 12:00
<b>Total</b>	<b>15</b>		
History	3	MWF	8:45 – 9:45
Biology	3	MWF	10:00 – 11:00
Physical Education	3	MWF	11:15 – 12:15
English	3	TR	9:15 – 10:45
Math	3	TR	11:00 – 12:30
Biology Lab	1	R	1:45 – 3:45
<b>Total</b>	<b>16</b>		

## Quality Point Average

Quality point average or QPA is a figure indicating a student's academic achievement. QPA is based on a 4.0 scale.

A=4 Quality points for each hour passed  
B=3 Quality points for each hour passed  
C=2 Quality points for each hour passed  
D=1 Quality points for each hour passed  
F=0 Quality points for each hour passed

To calculate GPA:

Divide the total number of quality points earned by the total number of GPA Hours at JSU.

	HOURS CREDIT	GRADE	QUALITY POINTS PER HR	=	QP
EH 141	3	A	4	=	12
HY 101	3	B	3	=	9
MS 112	3	A	4	=	12
BY 101	3	D	1	=	3
BY 103	1	C	2	=	2
	<b>13</b>				<b>38</b>

38 Quality Points Earned = 2.92  
13 Hours Attempted

## Four Steps to Registration

**1**

Around midterm each semester, check your *MyJSU* account to view your degree evaluation. Your evaluation lists courses you have taken, courses for which you are currently enrolled, and courses needed to complete your degree requirements.

**2**

Contact your academic advisor for an appointment to discuss your schedule for the upcoming semester. Students must be cleared each semester by their academic advisor prior to registration.

**3**

Prior to meeting with your academic advisor, review the Class Schedule online and the Schedule Planner through your *MyJSU* account. Refer to the JSU Catalog online for information on the general studies curriculum, coursework in your major, and course scheduling.

**4**

With your completed schedule, approved by your academic advisor, you may register via the Internet. For specific instructions on when and how to register, go to <http://www.jsu.edu/registrar/refistration/html>.

**It is the responsibility of the student to pay all tuition and fees by the published due date. Not doing so will result in the student's registration being canceled.**

For more payment information, please visit: <http://www.jsu.edu/bursar/index.html>



## Academic Advisor

You have been assigned an academic advisor in your area of study to assist you in exploring a wide range of academic and professional opportunities and in making appropriate decisions about your area of study. Remember, your academic advisor is here to help you find answers to your academic questions.

### WHO IS MY ADVISOR?

- Go to <http://www.jsu.edu>
- Select *MyJSU*
- Enter your Username and Password
- Select JSU Navigate
- In the “Your Success Team” box, bottom right of screen, your primary advisor is listed as ACAD
- If you cannot find your advisor, email [advising@jsu.edu](mailto:advising@jsu.edu) for assistance.

### WHEN TO SEE YOUR ACADEMIC ADVISOR

- To address any problems that affect your academic performance
- To select courses for the upcoming semester
- To discuss academic performance
- To explore academic and professional opportunities
- To discuss career development, cooperative education and/or internships
- To discuss departmental requirements and course sequences
- To discuss elective coursework in the major or other departments

### HOW TO SEE YOUR ACADEMIC ADVISOR

- Know the location of your advisor’s office
- Schedule an appointment with your advisor through JSU Navigate
- If it is necessary to drop in without an appointment, be prepared and patient
- The first and last weeks of the semester, as well as the early registration period, are usually the busiest for your advisor. If possible, avoid these times if a longer conference is needed
- Prepare course list and generate schedules in Registration before meeting with your advisor

## *MyJSU*

Students can register for classes, drop, or add classes, check their balance, make credit card payments on their account, and receive midterm and final grades from any device with Internet capabilities.

### To Register for Classes

- ✓ Check the Academic Calendar for registration dates. Priority Registration times can be found on the Registrar’s Office website.
- ✓ Meet with your academic advisor and request authorization for registration.
- ✓ Tuition may be paid with credit card, cash or check, or payment plan.

Refer to <http://www.jsu.edu/registrar/registration.html> for additional registration information.

## GEM Electronic Mail (Office 365)

All JSU students are assigned a JSU email address when they are accepted for admission. You may access your email account at <http://gem.stu.jsu.edu> or by logging into your *MyJSU* account at <http://my.jsu.edu>. It is important to check your JSU email to receive important information from various university departments.

## CHECKLIST TO ENSURE CONFIRMATION OF CLASSES/HOUSING

- ❖ Know your exact charges. Go online to <http://my.jsu.edu>
- ❖ Know the confirmation due dates. Go online to <http://www.jsu.edu/bursar/PaymentGuidelines.html>
- ❖ Pay online or at the Office of Student Accounts window to ensure confirmation of your classes, university housing, and other charges. Always be sure to include your student number when paying by check or money order. Visa, Master Card, and Discover are accepted.
- ❖ If you need to use your financial aid for the payment deadline, review your charges minus your scheduled financial aid. Pay the difference between your total charges and scheduled aid if applicable.
- ❖ Make sure you have done everything necessary to apply for and accept financial aid. APPLY EARLY. The deadline to apply for JSU competitive scholarships is February 1.
- ❖ Submit your housing application and the \$200.00 non-refundable application fee online by the April 1st priority deadline. Students must be accepted to JSU before applying. Your assignment will be sent to your *MyJSU* email account. All fees must be paid prior to check in. For more housing information, please go to [www.jsu.edu/housing](http://www.jsu.edu/housing).

### **Please Note:**

*Students scheduled to receive financial aid who do not plan to attend a semester for which they have registered must notify both the Financial Aid Office and the Registrar's Office in writing prior to the first day of classes to cancel their registration and financial aid. STUDENTS WHO FAIL TO DO THIS WILL BE ENROLLED IN CLASSES AND SUBJECT TO ACADEMIC AND FINANCIAL PENALTY.*

## **Pay Registration/Housing Confirmation Costs**

### **1. Office of Student Accounts**

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- a) Cash (in person only)
- b) Check or money order
- c) Credit Card, Visa, Mastercard, Discover (American Express accepted online only)
- d) Payment Plan

*Payments that are mailed must be received (not postmarked) in the Office of Student Accounts by the published due date.*

### **2. Financial Aid Office**

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- a) Federal Pell Grants
- b) Federal Supplemental Grants
- c) State Grants
- d) Institutional Scholarships
- e) Federal Stafford Loans
- f) Federal PLUS Loans
- g) Entitlement Assistance
  - Vocational Rehabilitation
  - Tuition Assistance (JSU employees only)

*Note: Students must have web accepted their financial aid award by the published due date. Campus employment cannot be used for confirmation.*

### **3. Loans/Outside Scholarships**

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- 1. Private/Alternative Loans
- 2. Outside Scholarships (state agency, corporate, civic, etc.)

**In order for an outside scholarship to confirm tuition, fees, and housing charges, the Financial Aid Office must receive the funds from the donor or agency prior to the published payment due date.** All outside scholarships are posted to the student's account upon receipt.

While the Financial Aid Office awards most scholarships offered by the university, some departments administer specific scholarships and assistantships. Athletes receiving scholarships should contact the compliance director of the Athletic Department for questions relating to their scholarships. Students receiving music, art, or drama scholarships should contact that department for questions relating to these scholarships. Resident Assistants (RAs) should contact the Office of Housing Operations and Residence Life with any questions.

## Campus Services

### Office of Admissions

Lauren Findley, Director

304 Theron Montgomery Building  
Telephone: 256.782.5268  
Email: [admissions@jsu.edu](mailto:admissions@jsu.edu)

The Office of Admissions is responsible for all undergraduate admission processing and recruitment. This includes collection of applications and fees, high school and college transcripts, and standardized tests for admission.

The Office of Admissions is responsible for all undergraduate student recruiting including participation in high school college day programs. The office is responsible for processing all outgoing correspondence and literature to prospective students. The office coordinates event/tour for prospective students. Admissions Counselors are available to meet with prospective students and their families.

### Bookstore

Annaleigh Harris, Manager

Theron Montgomery Building  
2<sup>nd</sup> Floor  
Telephone: 256.782.5283  
Email: [sm278@bncollege.com](mailto:sm278@bncollege.com)

The Campus Bookstore is operated by Barnes & Noble Education. Students may rent or purchase new and used textbooks at the bookstore or through online ordering at <http://jsu.bncollege.com>. School supplies and JSU gifts/clothing are also available.

Students may use excess financial aid in the store or online to purchase books and other supplies. Please refer to the bookstore or Office of Student Accounts website for exact dates regarding when students may use financial aid. Scholarship students may order online at <http://jsu.bncollege.com>. Please be aware that the student is personally responsible for all shipping charges and may be required to submit a credit card online.

FirstDay™ is the JSU Bookstore's inclusive access model where every student has access to digital course materials on or before the first day of class within the Canvas Learning Management System. This affordable solution provides significant savings for related course materials as noted directly on the student account. While not suggested, students can opt-out of the program if desired. For more information, please visit <http://www.jsu.edu/bookstore>

The bookstore also operates up to three locations during the home football and basketball games. Please visit <http://www.facebook.com/JSU.Campus.Bookstore> for special event hours. The bookstore offers sport specific apparel/gifts online at <http://shopjsugamecocks.com> often with free shipping.

Hours of operation for fall/spring terms:	Monday – Tuesday	7:15 AM – 6:00 PM
	Wednesday – Thursday	7:15 AM – 5:00 PM
	Friday	7:15 AM – 4:30 PM
Hours of operation for summer term:	Monday – Thursday	8:00 AM – 4:30 PM
	Friday	8:00 AM – 12:00 PM

*\*Summer Orientation schedules may affect store hours.*

### **Community Standards & Title IX**

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Jasmin A. Nunez, Director

301 Angle Hall  
Telephone: 256.782.8080  
Email: [communitystandards@jsu.edu](mailto:communitystandards@jsu.edu)

The Department of Community Standards & Title IX manages the Student Code of Conduct and is responsible for supporting students through alleged misconduct both on and off campus. The office supports students who want to make a report of a policy violation or concerning behavior for a student. The disciplinary process is educational in nature and advocates for students who are found responsible of violations, to be given an educational sanction and opportunity to learn and transform through the process.

### **Counseling Services**

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Julie Nix, Director

147 Trustee Circle  
Telephone: 256.782.5475  
Email: [ccs@jsu.edu](mailto:ccs@jsu.edu)

Counseling Services offers personal counseling for JSU students at no charge. Counseling is available through individual and group settings and counselors are available for crisis response after hours and on weekends through the Department of Public Safety. Counseling Services coordinates and advises Active Minds and the Collegiate Recovery Community.

### **Dean of Students Office**

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Josh Robinson, Dean of Students

402 Theron Montgomery Building  
Telephone: 256.782.5491  
Email: [studentlife@jsu.edu](mailto:studentlife@jsu.edu)

The Dean of Students Office advises the Student Government Association, Miss Jacksonville State Competition, fraternity and sorority life, clubs, and organizations as well as opportunities for involvement to enhance the educational experience of students intellectual and governmental activities. The office enhances the collegiate experience through programs, activities, and leadership development.

### **Department of Public Safety (DPS)**

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Michael Barton, Director of Public Safety

Salls Hall  
Non-emergency: 256.782.8888  
Emergency: 256.782.5050 or 911  
Email: [upd@jsu.edu](mailto:upd@jsu.edu)

The Department of Public Safety (DPS) provides a wide range of public safety services to include law enforcement, security, parking services, communications, emergency management, and administrative services. Students and employees may report crime, accidents, and other emergencies to the University Police 24 hours a day, seven days a week by calling DPS at 256.782.5050. Crime information is available at the following link: <https://www.jsu.edu/police/prevention/crimestats.html>.

Students, faculty, and staff are encouraged to update their phone contact information on their MyJSU account to receive campus-related emergency notifications through JSU Alert. Also, members of the campus community are encouraged to download the Cocky Watch phone application, to access JSU's panic alert and submit a tip features, by going to <https://www.jsu.edu/police/emergencymgt/safetyapp.html> for further information and instructions.

All students, staff, and faculty parking on campus must have a parking decal. Visitors may obtain a visitor's parking pass at Parking Services located in Room 403 of the Theron Montgomery Building. Decals are obtained by logging into your MyJSU account. Please visit the Department of Public Safety's webpage at [www.jsu.edu/police](http://www.jsu.edu/police) for further information about the department and services available.

### **Dining Services**

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Scott Williams, General Manager  
Becky Key, Administrative Assistant

Jack Hopper Dining Hall  
Telephone: 256.782.7242

Dining Services offers a wide range of meal plans that provides a variety of choices to fit your eating needs. There are several dining locations on campus including Jack Hopper Dining Hall, which provides home cooked entrees, vegetables, breads, sub sandwiches, allergen free foods, pizza, burgers, international cuisine, salad bar, and desserts. Located in the Theron Montgomery Building is the TMB Food Court that includes Chick-fil-A, Freshens, and Mein Bowl. At the Houston Cole Library, We Proudly Serve Starbucks offers specialty coffees, sandwiches, and salads to go. If you are in the mood for some southern fried wings, visit WOW American Eats located next to Jack Hopper Dining Hall. WOW offers a full menu of wings, chicken tenders, specialty burgers, salads, and much more. If you would like to try some of your favorite virtual brands, visit Cocky's Kitchen located in Stephenson Hall, beside the Football stadium. For more details and information about meal plans, visit our website at [dining.jsu.edu](http://dining.jsu.edu) or call us at 256.782.7242. Stay up to date with all things Dining by following us on Instagram@jsudining.

### **Office of Diversity and Inclusion**

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Charlcie Pettway Vann, Director

117 Suite Angle Hall  
Telephone: 256.782.8434  
Email: [cvann@jsu.edu](mailto:cvann@jsu.edu)

Jacksonville State University is committed to celebrating the differences of all students, faculty, and staff. The purpose of the Office of Diversity & Inclusion is to provide programs, activities, and services which meet the needs of our students. We intend to sustain an inclusive and welcoming environment for students of all ethnicities, genders, physical abilities, socio-economic status, faiths, and cultures.

JSU Safe Zone is a campus-wide program that works to ensure a welcoming environment for all gender identities and sexual orientations. By establishing an identifiable network of trained individuals committed to fostering an atmosphere of respect and inclusion, the program provides a safe space for members of the LGBTQ community and their Allies on campus. By participating in the trainings, individuals are considered a trained ally and can promote themselves as such.

### **Drop/Add Procedures**

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Dean's Office

College of Student's Major  
Website: <http://www.jsu.edu/registrar/regISTRATION.html>

The term "drop" refers to dropping part (but not all) of the classes for the term, while the term "withdraw" refers to withdrawing from all classes for the term. Students who wish to drop or add classes may do so through their *My*JSU account.

Students wishing to add classes must do so by a specific date (see academic calendar online at <http://www.jsu.edu/registrar/academic-calendar>). Students may drop classes by the Internet only through a specific date (see academic calendar online at <http://www.jsu.edu/registrar/academic-calendar>).

*There is no tuition refund for course(s) dropped after the add/drop date.*

### **Enrollment Initiatives/Transfer Pathways**

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Kelly Martin, Director of Enrollment Initiatives

201 Angle Hall  
Telephone: 256.782.5039  
Email: [enroll@jsu.edu](mailto:enroll@jsu.edu)

The mission of the Office of Enrollment Initiatives/Transfer Pathways is to increase the enrollment of post-traditional students through partnerships with external constituents, including businesses, organizations, and community colleges. These initiatives focus on recruiting and enrolling first-time adult learners, adults with some college/transfer students, and returning former JSU students.

### **Financial Aid**

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Charlotte Cole, Director

107 Angle Hall  
Telephone: 256.782.5006  
Email: [finaid@jsu.edu](mailto:finaid@jsu.edu)

The Financial Aid Office provides assistance to students for their educational expenses. Several programs, including grants, loans, campus jobs, and scholarships are available each year to students who are eligible. Since most of these programs are based on financial need, interested students should fill out the Free Application for Federal Student Aid (FAFSA) at <https://studentaid.gov/h/apply-for-aid/fafsa>. These forms are available in October. Priority deadline for FAFSA completion is April 1 each year. Priority Deadline for completed financial aid files is July 1 each year. A complete listing of all scholarships and additional information is available in the Financial Aid Office or online at <http://www.jsu.edu/finaid/index.html>.

### **Grade Appeal**

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The grade appeals process begins with a meeting between the student and the course instructor. The appeal cannot proceed any further unless this requirement is met. The formal process for appealing grades is available in the Dean's Office for each College.

### **Office of Housing Operations and Residence Life**

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Brooke Lyon, Director of Housing Operations  
Rochelle Smith, Director of Residence Life

111 Angle Hall  
Telephone: 256.782.5122  
Email: [jsuhousing@jsu.edu](mailto:jsuhousing@jsu.edu)

The Office of Housing Operations and Residence Life (HRL) supports the academic mission of JSU by fostering a vibrant living and learning community that cultivates personal development, celebrates diversity, promotes leadership, and enhances the educational experience of each resident. We have traditional residence halls and apartments that enhance our community environment. Our goal is to provide clean, secure, and well-maintained facilities that promote academic success.

Submit your housing application and the \$200.00 non-refundable application fee online by the April 1 priority deadline. Students must be accepted to JSU before applying. Your assignment will be sent to your [MyJSU](#) email account. All fees must be paid prior to check-in. For more information, please go to [www.jsu.edu/housing](http://www.jsu.edu/housing).

## **Houston Cole Library**

John-Bauer Graham, Dean of Library Services

Houston Cole Library  
8<sup>th</sup> Floor  
Telephone: 256.782.5255  
Email: [jgraham@jsu.edu](mailto:jgraham@jsu.edu)

The Houston Cole Library provides bibliographic services and resources to support the scholarly and informational needs of the university community. The collection offers access to more than 1.5 million volumes, access to millions of periodical articles available through over 450 online databases, as well as tens of thousands of e-books and more than a million microfilms and audiovisual materials, all selected to support the university curriculum.

The library is open 91 hours per week during the fall and spring semesters and 79 hours during the summer on the following schedule:

<u>Fall/Spring</u>	<u>Summer</u>
Monday – Thursday: 7:30 AM – 12:00 AM	Monday – Thursday: 7:30 AM – 9:00 PM
Friday: 7:30 AM – 4:30 PM	Friday: 7:30 AM – 4:30 PM
Saturday: 9:00 AM – 5:00 PM	Saturday: 9:00 AM – 1:00 PM
Sunday: 3:00 PM – 11:00 PM	Sunday: 3:00 PM – 11:00 PM

The library will be open until 1:00 AM Sunday-Thursday during Final Exam periods during the fall and spring semesters.

Library services include the reserve reading desk in the lobby where assigned readings and online electronic reserves are placed by faculty, group study rooms, the tenth-floor computer lab, self-service photocopy machines, an online catalog, electronic databases, quiet study floor, and centralized reference assistance in the lobby. Books may be checked out at the lobby circulation desk. Librarians are available to help in the use of the library. The Houston Cole Library is a wireless access point. Laptops and other equipment may be checked out for student use from the Whitesel Multimedia Lab on the sixth floor.

## **Human Resources**

Allison Casey, HR Director

326A Angle Hall  
Telephone: 256.782.5007  
Email: [akcasey@jsu.edu](mailto:akcasey@jsu.edu)

The JSU Student Employment Program allows currently enrolled students to participate in on-campus employment opportunities and receive valuable work experience. For detailed information, please visit Student Employment at <http://www.jsu.edu/hr/student-employment/index.html>

## **Identification Card**

Jesse Thornburg, Manager

JSU ID Office  
Theron Montgomery Building  
4<sup>th</sup> Floor  
Telephone: 256.782.5290  
Email: [idooffice@jsu.edu](mailto:idooffice@jsu.edu)

### Fall/Spring

Monday – Friday: 8:00 AM – 4:00 PM

### Summer

Monday – Friday: 8:00 AM – 4:00 PM

JSU ID cards are made in the JSU ID Office on the 4<sup>th</sup> floor in the Theron Montgomery Building (TMB). Students must be registered for classes and provide picture identification before the card can be issued. The ID Office and Mail Center staff work together within both locations.

## **International House and Programs**

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TBD, Director

International House  
Telephone: 256.782.5303  
Email: [intlprog@jsu.edu](mailto:intlprog@jsu.edu)

The International House and Programs provides support for international students studying at JSU, for study abroad programs, and for faculty exchange programs with universities in other countries. International students are provided with information and assistance in such areas as student and scholar related immigration regulations, student employment regulations, driver's license, international student insurance, travel, and visa requirements as well as in matters of student life on campus. International students and U.S. students participating in the International House programs are provided with volunteer opportunities and opportunities to engage in cultural activities and educating JSU community on global education. A major goal is to internationalize the JSU campus, and help students fully participate in the life of the maximum benefit from their experience in the U.S.

## **jsuRIDE**

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Luane Evans, Coordinator Transportation

Conferences and Support Ops Bldg.  
Telephone: 256.782.8637  
Email: [transportation@jsu.edu](mailto:transportation@jsu.edu)

The mission of jsuRIDE is to provide safe and reliable transit service to Jacksonville State University faculty, staff, and students. To reserve a ride, download the jsuRIDE app from the App store for iPhone and Google play store for androids. All rides must be booked in 15-minute increments.

### Fall/Spring

Monday – Thursday: 7:00 AM – 9:00 PM  
Friday: 7:00 AM – 4:30 PM

### Summer

Monday – Thursday: 7:00 AM – 9:00PM  
Friday: 7:00 AM – 4:30

## **Mail Center**

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Jesse Thornburg, Manager

Theron Montgomery Building  
4<sup>th</sup> Floor  
Telephone: 256.782.5290  
Email: [mailcenter@jsu.edu](mailto:mailcenter@jsu.edu)

All students with a JSU email address can receive mail at JSU. Mail should be addressed as follows:

Name First, Last (Student Number)  
JSU Mail Center  
700 Pelham Rd. North  
Jacksonville, AL 36265

- Mail can be collected from the parcel lockers located on the 4th floor of the TMB.
- Each piece of mail will trigger an email sent to the student's JSU email address.
- The email will contain a bar code, and pin code used to get the mail from the parcel lockers.
- Once the mail has been collected, shut the door and the system will reset.
- Students can pick up mail 24/7 after they have been notified they have received a package.

The Mail Center is open and receives deliveries Monday – Friday: 8:00 AM – 4:30 PM. The mail center is unavailable to receive packages or mail on Saturday and Sunday.

By paying a non-refundable fee per semester, students may have all correspondence sent to their off-campus mailing address.



### **Military & Post-Traditional Services**

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Justin Parker, Director

Daugette Hall Basement  
Telephone: 256.782.8839  
Email: [parker@jsu.edu](mailto:parker@jsu.edu)

Military & Post-Traditional Services (MPTSS) aims to provide Veterans and Military Educational Benefits counseling, academic and career support services, social engagement opportunities, and advocacy for all Military-Connected Students, Adult Learners, Commuter Students, Students with Children, and Transfer Students at JSU. It is the goal of MPTSS to ensure that all the student groups we support have the resources necessary to reach their personal, academic, and professional goals.

### **Online@JSU**

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Chris Casey, Director

212 Self Hall  
Telephone: 256.782.8172  
Email: [online@jsu.edu](mailto:online@jsu.edu)

Students taking online courses or using online technology such as Canvas should review the Guide for Online Students provided by Online@JSU and located at [http://www.jsu.edu/online/current-students/guide\\_online\\_students.html](http://www.jsu.edu/online/current-students/guide_online_students.html). This is especially important for students not commuting to or living near the JSU campus. In this guide, students will find information about help/support, the Canvas LMS, student ID cards, exam proctoring, and a variety of other topics.

### **Print Shop**

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Nick Howard, Manager

Theron Montgomery Building  
Room 104 (1<sup>st</sup> Floor)  
Telephone: 256.782.5323  
Email: [printshop@jsu.edu](mailto:printshop@jsu.edu)

The Print Shop supplies Jacksonville State University with high quality printing at a discounted price (cash or check ONLY). This service is available to all students attending school at JSU. Photocopies, resumes, class notes, and much more are available to you through the Print Shop. Additional services provided include, but are not limited to, cutting, trimming, colored copies, folding, stapling, 3-hole punching, spiral binding, padding, signs, and banners!

### **Registrar's Office**

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Emily White, Registrar

113 Angle Hall  
Telephone: 256.782.5400  
Email: [registrar@jsu.edu](mailto:registrar@jsu.edu)

The Registrar's Office publishes the University Catalog, the Academic Calendar, the Class Schedule, and the Final Examination Schedule. Students desiring to change their name or address, withdraw from the university, obtain a copy of their JSU college transcript, request a degree verification and enrollment certification letter (which may be helpful for outside agencies such as insurance companies), and request a transient letter may contact the office. Midterm and final grades are also handled by this office. Specific midterm grades for fall and spring semesters are viewable on your *MyJSU* account. Final grades are viewable on your *MyJSU* account at the end of each term. For more information about services provided by the Registrar's Office, please visit <https://www.jsu.edu/registrar>.

### **JSU Health Center**

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Whitney Grimes, CRNP  
Baleigh Liveoak, Clinic Coordinator

JSU Health Center  
JSU South Complex  
Telephone: 256.782.5310  
Email: [bliveoak@jsu.edu](mailto:bliveoak@jsu.edu)

The JSU Health Center is a primary health care facility providing outpatient medical services as well as promoting preventive health measures to currently enrolled students, staff, and faculty. Prior to enrollment, new students are required to register with Med+Proctor on the JSU Health Center website, under the “student health form” tab on the left side of the page. All health information and vaccination records must be submitted via Med+Proctor prior to arrival on campus.

### **Student Accounts**

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Alice Wudarczyk, Assistant Controller

245 Angle Hall  
Telephone: 256.782.5458  
Email: [studentaccounts@jsu.edu](mailto:studentaccounts@jsu.edu)

Students may pay tuition, housing, and other fees at the Office of Student Accounts window, via the web at <http://my.jsu.edu>, by credit card (Visa, Mastercard, or Discover. American Express accepted online only), or by mail with a check or money order.

**STUDENTS ARE RESPONSIBLE FOR FAMILIARIZING THEMSELVES WITH ALL FINANCIAL POLICIES OUTLINED IN THE JSU CATALOG.**

It is the student’s responsibility to pay all charges by the published due date. If not paid by the due date, the student’s registration will not be confirmed, and the student must go through the reinstatement process to register for classes again. Tuition, housing, and other charges may be viewed at <http://my.jsu.edu>.

**A POSTMARK IS NOT ACCEPTABLE FOR MEETING YOUR PAYMENT DEADLINE.** Your complete payment must be in the Office of Student Accounts no later than the published due date. In the event a student fails to satisfy a financial obligation to the university and the debt is referred to an outside attorney or agency for collection, in addition to the debt (principal plus applicable interest), the student will be responsible for all costs, charges, and expenses incurred by the university, including attorney’s fees and/or collection agency fees and expenses, not to exceed thirty percent (30%) of the debt, plus litigation expenses and court costs, if applicable. Debts owed to the university may be referred to an outside agency for collection as accounts, or where litigation has concluded, as judgement. Delinquent accounts may accrue interest at the contract rate or, where none is stated, at the maximum rate allowed by Alabama law. Any judgement obtained in favor of the university will accrue interest at the rate set by Alabama law for unpaid judgements. By providing your telephone number to JSU, you agree and give express consent that the university or anyone working on their behalf, including third party vendors, may contact you at the number provided by manually dialing the number or by using automated dialing technology.

### **Student Government Association**

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Cody Beck, Advisor

Dean of Students Office  
402 Theron Montgomery Building  
Telephone: 256.782.5068  
Email: [studentlife@jsu.edu](mailto:studentlife@jsu.edu)

The Student Government Association (SGA) is designed to promote the welfare of the student community by providing an avenue for student expression, social activities, multicultural programming, and student services. All students are members of the SGA. Opportunities for involvement are available through the Senate and numerous committees. The university considers the SGA a vehicle of learning and education. The SGA promotes cultural diversity within the university community through programs and activities to develop leadership skills as well as to increase awareness of diverse cultures and backgrounds.

## University Recreation

Dominic DiMauro, Director

Recreation and Fitness Center  
Telephone: 256.782.5075  
Email: [urec@jsu.edu](mailto:urec@jsu.edu)

University Recreation (URec) empowers students to engage in fun and healthy experiences by developing growth opportunities which impact overall wellbeing and success. The Recreation and Fitness Center features strength training and cardio equipment, a 3-court gymnasium, a multi-activity court, three fitness studios, two racquetball courts, an indoor and outdoor pool, gaming lounge, and climbing wall. Services include Weekly Fitness Classes, Intramural Sports, Sport Clubs, and Adventure Recreation Trips.

Hours of operation during the fall and spring semesters are typically:  
Monday – Thursday: 5:00 AM – 11:00 PM  
Friday: 5:00 AM - 9:00 PM  
Saturday: 9:00 AM - 9:00 PM  
Sunday: 12:00 PM - 9:00 PM

For more information about University Recreation please visit us at [www.jsu.edu/urec](http://www.jsu.edu/urec)

## Withdrawal Procedures

Registrar's Office

113 Angle Hall  
Telephone: 256.782.5400  
Email: [registrar@jsu.edu](mailto:registrar@jsu.edu)

Students no longer wishing to attend classes in the current term must officially withdraw from the semester through the Registrar's Office. If an official withdrawal is not processed, a failing grade is assigned to each course in which the student is currently registered. Refunds are given based on specific dates listed on the Academic Calendar: <http://www.jsu.edu/refistrar/academic-calendar>. You may withdraw by completing the Withdrawal from Term Form located in your *MyJSU* account.

After the last day to drop or withdraw for the term, students who can no longer attend classes due to severe medical reasons or extraordinary personal circumstances beyond their control may request a Hardship Withdrawal through the Office of the Vice President for Student Affairs, 102 Angle Hall. Please go to the following link for more information regarding a Hardship Withdrawal:

<http://www.jsu.edu/studentaffairs/hardshipwithdrawal.html>

## Student Success Center

Dr. Timothy King, Vice Provost, Student Success

Student Success Center  
Houston Cole Library  
1<sup>st</sup> Floor  
Email: [tbking@jsu.edu](mailto:tbking@jsu.edu)  
Telephone: 256.782.5020

The mission of the Student Success Center is to provide an integrated network of support to facilitate the academic and personal success of undergraduate students at JSU. Centrally located in the Houston Cole Library the Student Success Center is equipped to meet current and emerging learning support needs of students. For more information, please review the following support options, location, and contact information.

### **Academic & Career Advising**

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Dr. Janet Bavonese, Assistant Vice Provost for Advising

- Academic Advising
- Career Development

Student Success Center  
Houston Cole Library  
1<sup>st</sup> Floor  
Email: [jbavonese@jsu.edu](mailto:jbavonese@jsu.edu)  
Telephone: 256.782.8443

### **Academic Standards**

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Debra James, Director Student Success Center

- Learning Development Plans
- Academic Needs Assessment
- Reinstatement

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [dmjames@jsu.edu](mailto:dmjames@jsu.edu)  
Telephone: 256.782.8224

### **College to Career Initiatives**

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Todd Garrison, Director

- Co-Op
- Internships
- Job Fairs
- Resume critiques
- Mock Interviews

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [agarrison@jsu.edu](mailto:agarrison@jsu.edu)  
Telephone: 256.782.5747

### **Disability Resources**

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Sean Creech, Director Disability Resources

- Assistive technology
- Accessibility Reviews
- Faculty Consultations
- Support groups for students with disabilities
- Success Coaching for students with disabilities
- Reasonable Accommodations for students with disabilities
- Interpreting and/or captioning services for classes and/or university events
- Reasonable accommodations and/or accessibility needs for Commencement

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [screech@jsu.edu](mailto:screech@jsu.edu)  
Telephone: 256.782.8381

### **First- & Second-Year Experience**

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Keaton Glass, Director, First & Second Year Experience

- First Time Freshman Gamecock Orientation
- Transfer Student Gamecock Orientation
- Freshman Forum
- Lambda Sigma Sophomore Honor Society
- SSC 101 Peer Mentor Program

Student Success Center  
Houston Cole Library  
1<sup>st</sup> Floor  
Email: [kglass@jsu.edu](mailto:kglass@jsu.edu)  
Telephone: 256.782.5493

### **Student Athlete Development**

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Michelle Green, Director, Student Athlete Development

- Success Coaching
- Student Athlete Development

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [amgreen@jsu.edu](mailto:amgreen@jsu.edu)  
Telephone 256.782.8303

### **Student Success Technology**

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Kimberly Hudgins, Coordinator Retention Technology

- JSU Navigate
- JSU Navigate Coordinated Care Team
- Cocky Bot 🤖 SMS Chatbot Messaging

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [kmegill@jsu.edu](mailto:kmegill@jsu.edu)  
Telephone: 256.782.8302

### **Success Coaching**

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Debra James, Director

- Success Coaching

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [dmjames@jsu.edu](mailto:dmjames@jsu.edu)  
Telephone: 256.782.8224

### **Success Courses**

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Courtney Peppers, Director, Learning Services & Analytics

- Student Success Courses 101
- Student Success Courses 104

Student Success Center  
Houston Cole Library  
Ground Floor  
Email: [cpeppers@jsu.edu](mailto:cpeppers@jsu.edu)  
Telephone: 256.782.5575

### **Summer Bridge Program**

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Gina Glass, Coordinator

Summer Bridge Program & Placement

- Cohort Learning Model
- Precision Based Success Courses
- Individualized Support Plans
- Success Coaching
- Tutoring
- Academic Advising
- Peer Mentoring
- EdReady Math and English Placement

Student Success Center  
Houston Cole Library  
Ground Floor  
Email: [gglass@jsu.edu](mailto:gglass@jsu.edu)  
Telephone: 256.782.5783

### **Supplemental Instruction**

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Alysia Pace, Coordinator Supplemental Instruction

- Supplemental Instruction study sessions

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [alpace@jsu.edu](mailto:alpace@jsu.edu)  
Telephone: 256.782.8225

### **Testing Services**

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David Washburn, Coordinator, Testing Services

- Exam proctoring
- Make up exams
- CLEP
- ACT (National and Residual)
- ACT Work Keys
- PRAXIS (Summer Only)

Student Success Center  
Houston Cole Library  
Ground Floor  
Email: [testingservices@jsu.edu](mailto:testingservices@jsu.edu)  
Telephone: 256.782.8378

### **Tutoring**

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Candi Burton-Momon, Coordinator, Tutoring Services

- Appointment tutoring
- Drop-in tutoring
- Tutor.com (online tutoring)

Student Success Center  
Houston Cole Library  
2<sup>nd</sup> Floor  
Email: [cburtonmomon@jsu.edu](mailto:cburtonmomon@jsu.edu)  
Telephone: 256.782.8306

## **Student Government Association**

The Student Government Association (SGA) is composed of four branches of government: Executive, Legislative, Judicial, and Student Activities Council. Each branch is devoted to serving Jacksonville State University students in different ways.

### **Executive Branch**

The SGA President presides over the Executive Branch, which is comprised of the Vice President of Student Senate, Vice President of Student Activities, Vice President of Organizational Affairs, and Vice President of Public Relations. The executive officers hold daily office hours and meet weekly at various times in the SGA office. As a student, you are invited to meet with your officers any time to share opinions and ideas.

### **Legislative Branch**

The Vice President of Student Senate oversees the Legislative Branch of government and serves as the President of the Senate. The Legislative Branch is made up of various committees and the 30 voting students who make up the Student Senate.

The Vice President of Organizational Affairs assumes responsibility for all procedures of the Organizational Council. The VPOA is also responsible for overseeing the Allocations Committee.

The legislative body of the SGA, the Student Senate, meets every Monday night at 6:00 PM during the fall and spring semesters in the TMB Auditorium. This is a great time to voice a concern.

### **Judicial Branch**

The Judicial Branch is made up of the Student Judiciary Advocate, referred to as the SJA, and a Student Judiciary Panel. The SJA oversees both the Spring General and Homecoming elections. The Student Judiciary Panel shall be appointed by the Student Judiciary Advocate.

### **Student Activities Council**

The Vice President of Student Activities presides over the Student Activities Council and oversees entertainment and recreational activities including concerts, lectures, movies, comedy clubs, and other special events.

*All registered students are automatically members of the Student Government Association. To become more actively involved, go by the Dean of Students Office in Room #402 Theron Montgomery Building.*



**Student Government Officers Contact Information**  
**402 Theron Montgomery Building**  
**256.782.5068 (T)**

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**2023-2024**

<b>President</b>	<a href="mailto:sgapres@stu.jsu.edu">sgapres@stu.jsu.edu</a>
<b>Vice President of Student Senate</b>	<a href="mailto:sgavpss@stu.jsu.edu">sgavpss@stu.jsu.edu</a>
<b>Vice President of Organizational Affairs</b>	<a href="mailto:sgavpoa@stu.jsu.edu">sgavpoa@stu.jsu.edu</a>
<b>Vice President of Student Activities</b>	<a href="mailto:sgavpsa@stu.jsu.edu">sgavpsa@stu.jsu.edu</a>
<b>Vice President of Public Relations</b>	<a href="mailto:sgavppr@stu.jsu.edu">sgavppr@stu.jsu.edu</a>
<b>SGA Advisor: 256.782.5068</b>	

# **CONSTITUTION OF THE JACKSONVILLE STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION**

## **Preamble**

We, the students of Jacksonville State University, in order to take a responsible part in the decision-making processes of the university at large and in fulfillment of the right to participate in the governance of the university, and in recognition of the responsibilities inherent in such a right, do hereby set forth this Constitution of the Jacksonville State University Student Government Association. Furthermore, let it be known that the right to representation and participation in this government and its activities shall in no way be denied or restricted on the basis of field of study, group affiliation, religion, race, color, national origin, gender, sexual orientation, or disability. By the authority granted to us by the Board of Trustees and University President, do ordain and establish this Constitution for the students of Jacksonville State University.

## **Article I Name of Organization**

This government shall be known as the Jacksonville State University Student Government Association, hereafter referred to as the SGA.

## **Article II Declaration of Purpose**

The purpose of the SGA shall be:

1. To protect and defend the rights and responsibilities of the university to the students and the students to the university.
2. To represent and provide a sound democratic student government, to promote student interests in the decision-making processes of Jacksonville State University, and to foster a spirit of unity among students.
3. To present views and strive towards a better understanding between administration, faculty, and students.
4. To fulfill, to the best of our ability, the wants and needs of the entire student body.
5. To develop, coordinate, and execute activities and services for the benefit of the students.
6. To facilitate due process in an attempt to advance the academic and social standards of the university and awareness of the responsibilities inherent with membership in the university community and provide input for judicial procedures.
7. To provide the students with the means to vote for their representative officials through general elections.
8. To cultivate and maintain leadership among the students.

## **Article III Membership and Benefits**

**Section 1.** All registered students at Jacksonville State University are, upon enrollment, members of this organization. All members of this organization shall be subject to rules and regulations established herein and hereafter by this organization.

**Section 2.** Members shall have the right to vote in all elections held by the SGA.

**Section 3.** Members shall have the right to participate in all activities sponsored by the SGA.



**Article IV  
General Organization**

**Section 1.** The SGA shall be composed of three branches: Executive, Legislative, and Judicial.

**Article V  
The Executive Branch**

**Section 1.** All Executive power shall be vested in the Student Executive Board, which shall consist of the President, the Vice-President of Student Senate, the Vice-President of Student Activities, the Vice-President of Organizational Affairs, and the Vice President of Public Relations.

**Section 2.** The student Executive Board shall also consist of non-voting members, such as the Executive Assistants appointed by the President with the consent of the Senate, and other positions created by the President, with the consent of the Senate and the Dean of Students.

**Section 3.** The Student Executive Board shall carry out the intent of this Constitution, the Code of Laws, and resolutions adopted pursuant thereto.

**Section 4.** The SGA President shall be elected by a majority vote of the student body at a general election under the qualifications as described by statute. The SGA President shall have the following powers and duties:

1. To serve as the Chief Executive Officer of the SGA
2. To serve as the presiding and managing officer of the Executive Branch.
3. To serve as an ex-officio member of or send a representative to all committees and divisions of the Executive Branch.
4. To recommend students to serve on University, Faculty, and Senate committees
5. To appoint a Presidential Cabinet for advisement at his/her discretion
6. To appoint executive assistants to aid in the performance of executive duties as needed.
7. To remove from office, with approval of the Senate, any executive officer who he/she has appointed.
8. To call and chair meetings of the Student Executive Board, Student Body, Student Senate, Student Activities Council, Organizations Council, or Joint Legislative Sessions of any of the aforementioned.
9. To form temporary executive committees when necessary to investigate problems in the executive level.
10. To meet regularly with the University President, Student Affairs staff, and faculty
11. To maintain an active seat on the President's Council of Student Government Presidents across Alabama
12. To serve as an ex-officio member of the Board of Trustees in accordance with the Executive Order Number 23 from the Governor of the State of Alabama issued from October 29, 1971.
13. To review all Student Senate resolutions and proposals with the option of signing the resolution, withholding his/her signature, or vetoing the resolution in whole or in part.
14. To address the Student Senate not less than twice each semester as prescribed by statute.
15. To request interpretation of the Constitution or the Code of Laws by the Student Judiciary Advocate.

**Section 5. The SGA Vice President of Student Senate** shall serve as the president for the Student Senate and shall be elected by a majority of the student body voting at a general election under the qualifications as prescribed by statute. The SGA Vice President of Student Senate shall have the following powers and duties:

1. To recommend for approval, as described by law, officers such as the President Pro-Tempore, Clerk, and Parliamentarian for the Student Senate whose duties are prescribed by statute.
2. To appoint Senators to fill vacancies that may arise during the course of his/her term in office, provided that such appointments are confirmed by a majority approval of the Student Senate.
3. To call and preside over meetings of the Student Senate and to cast a vote only in order to break a tie.
4. To assume responsibility for execution of Senate procedure as outlined by statute.
5. To appoint with approval of the Student Senate, committee heads to each Senate standing committee.
6. To follow up on the intent of the Senate legislation and policy concern by meeting with university officials as deemed necessary.

7. To attend Student Executive Board meetings as called by the President.
8. To perform such duties as the President might request of him/her.
9. To execute the powers and duties of the SGA President in the event that office becomes vacant.
10. To organize a training session yearly for Student Senators and committee heads.

**Section 6. The SGA Vice President of Student Activities** shall serve as President of the Student Activities Council and shall be elected by a majority vote of the student body at a general election under the qualifications prescribed by statute. The SGA Vice President of Student Activities shall have the following powers and duties:

1. To appoint Student Activities chairpersons in conjunction with the consent of the Student Senate.
2. To call and preside over the meetings of the Student Activities Council.
3. To organize a training session for the Student Activities chairpersons.
4. To assume responsibility for all student activities sponsored by the SGA.
5. To attend Student Executive Board meetings as called by the President.
6. To assume responsibility for all Student Activities Council procedures.
7. To meet regularly with Student Affairs staff designed to work with the SGA and any other university officials when necessary to coordinate activities.
8. To perform such duties as the SGA President might request of him/her.

**Section 7. The SGA Vice President of Organizational Affairs** shall be elected by a majority vote of the student body at a general election under the qualifications as described by statute. The SGA Vice President of Organizational Affairs shall have the following powers and duties:

1. To maintain accurate records of budget expenditures and to ensure compliance with the approved annual budget.
2. To present a weekly report to the Student Executive Board on the status of Student Government accounts.
3. To present a monthly report to the Senate on the status of Student Government accounts, as prescribed by status.
4. To ensure that all allocations requests are processed in a timely manner.
5. To attend all Student Executive Board meetings as called by the President.
6. To ensure that all allocation regulations are in compliance.
7. To appoint an Organizational Affairs Head with the majority consent of the Student Senate.
8. To maintain an official record of recognized student organizations.
9. To work in accordance with the Dean of Students Office, which is responsible for all relations with university recognized organizations.
10. To assume all responsibility for all procedures of the Organizational Council.
11. To call and preside over the meetings of the Organizational Council.
12. To coordinate and review all bills and resolutions which come from the Organizational Council for Student Senate review.
13. To report all news announcements, events, and advertisements to the Vice President of Public Relations for inclusion on the SGA Calendar.
14. To advise the SGA Vice President of the Student Senate on all matter's university recognized organizations.
15. To perform such duties as the SGA President might request of him/her.

**Section 8. The Vice President of Public Relations** shall be elected by a majority vote of the student body at a general election under the qualifications as described by statute. The Vice President of Public Relations shall have the following powers and duties:

1. To coordinate publicity for the SGA.
2. To design all printed materials, place all advertisements, and oversee all publicity for the SGA.
3. To work along with other members of the Executive Board and Student Activities Council Committee Chairpersons to develop publicity campaigns for programs and events.
4. To attend all Student Executive Board meetings as called by the President.
5. To perform such duties as the President might request of him/her.

**Section 9.** No person can serve in the Student Government Association Executive Board more than two consecutive years (2 full academic years) without approval from the Dean and Assistant Dean of Students

**Article VI  
Legislative Branch**

**Section 1.** All legislative power shall be vested in the Student Senate.

**Section 2.** The Student Senate shall consist of elected members known as Senators.

**Section 3.** The Vice President of Student Senate shall be a member of the Senate and shall serve as the President of the Senate. The President of the Senate shall recommend to the Senate, for approval by majority vote, a Senator to serve as President Pro-Tempore.

**Section 4.** The selection of other officers and their duties shall be by statute.

**Section 5.** The Student Senate shall act in accordance with the process established by statute.

**Section 6.** A Presidential veto may be overridden by a two-thirds majority of the Student Senate.

**Article VII  
Judicial Branch**

**Section 1.** The judicial branch shall be made of up the Student Judiciary Advocate.

**Section 2.** The Student Judiciary Advocate shall not serve in any other SGA elected or appointed office.

**Section 3.** The Student Judiciary Advocate shall be appointed by the President and confirmed by the Student Senate.

**Section 4.** The Student Judiciary Advocate shall work in conjunction with the JSU Office of Community Standards and Title IX.

**Section 5.** The Student Judiciary Advocate shall serve as a student representative in cases involving student infractions.

**Article VIII  
General Provisions**

**Section 1.** There shall be a council of student organizations, to be known as the Organizations Council. This council shall include the presidents, or such person as shall be appointed, of every student organization recognized by the Senate. The Council shall have the power to present bills to the Senate and other such powers as granted by statute.

**Section 2.** Every person elected or appointed, and every organization under the jurisdiction of this Constitution shall meet and maintain all qualifications as prescribed by statute.

**Section 3.** Quorum, as defined by statute, must be determined before any action may be taken by any branch or agency of the SGA.

**Section 4.** Elections shall be held in a fair and timely manner as prescribed by statute.

**Section 5.** All meetings shall be conducted with decorum and in accordance with such rules of order as shall be established by statute, insofar as these rules do not conflict with this Constitution.

**Section 6.** Any holder of any office created by this Constitution, or the Code of Laws may be eligible for impeachment for misfeasance, malfeasance, or nonfeasance while in office by such method as provided by the Code of Laws.

**Section 7.** The SGA President shall be succeeded by the Vice President of Student Senate. If the Vice President of the Student Senate (VPSS) is not able and (or) willing to be SGA President, then the Vice President of Student Activities (VPSA) shall proceed as SGA President. In the case that both VPSS and VPSA are not able and (or) willing to be SGA President the Vice President of Organizational Affairs (VPOA) shall proceed as SGA President. In the case that VPSS, VPSA, and the VPOA are not able and (or) willing to be SGA President the Vice President of Public Relations (VPPR) shall proceed as SGA President. In the case that all executive officers are not able and (or) willing to proceed as SGA President then a special election can be called by the Student Senate, with a two thirds constitutional majority vote. The election must take place two weeks from the date the special election was voted on. The special election process must not extend over two weeks.

**Section 8.**

1. The Vice President of the Student Senate shall be succeeded by the Senate Pro-Tempore. If the Senate Pro-Tempore is not able and (or) willing to be VPSS, the SGA President shall appoint a temporary VPSS until a special election is held. Appointments must be confirmed by the Student Senate.

2. The Vice President of the Student Activities shall be succeeded by the Vice President of the Student Activities Council. If the Vice President of the Student Activities Council is not able and (or) willing to be VPSA, the SGA President shall appoint a temporary VPSA until a special election is held. Appointments must be confirmed by the Student Senate.

3. The Vice President of Organizational Affairs shall be succeeded by the Senate Organizational Affairs Committee Head. If the Senate Organizational Affairs Committee Head is not able and (or) willing to be VPOA, the SGA President shall appoint a temporary VPOA until a special election is held. Appointments must be confirmed by the Student Senate.

4. The Vice President of Public Relations shall be succeeded by the Senate Publicity Committee Head. If the Senate Publicity Committee Head is not able and (or) willing to be VPPR, the SGA President shall appoint a temporary VPPR until a special election is held. Appointments must be confirmed by the Student Senate.

**Article IX**  
**Amending the Constitution**

**Section 1.** Constitutional Amendments can be submitted only by Student Senators and Executive Board members.

**Section 2.** For a constitutional amendment to be adopted, it must:

1. Be approved by a two-thirds vote in the Student Senate.
2. Be approved by two-thirds of a student body vote (following Student Senate Approval).

## Student Groups and Organizations

Jacksonville State University is open and inclusive of all Recognized Student Groups and welcomes ideas and proposals for new student groups or organizations. The Dean of Students Office is responsible for maintaining order of all Recognized Student Groups and therefore requires all groups and organizations to adhere to the following:

1. Groups/Organizations will be required to have a faculty/staff advisor at all times.
2. Annual Paperwork will be submitted to the Dean of Students (or Assistant Dean of Students for Fraternity and Sorority Life for IFC, NPHC, and College Panhellenic Organizations)
  - a. Group/Organization Rosters
  - b. Chapter Leadership Updates
  - c. Advisor Contact Information
  - d. Additional paperwork/requirements are required for IFC, NPHC, and College Panhellenic Organizations:
    - i. Chapters will submit a roster update form any time membership is extended, withdrawn, or resigned.
    - ii. At least one advisor will attend advisor certification training annually.
    - iii. New members/aspirants will attend a new member/aspirant orientation each semester.
    - iv. Hazing compliance forms will be submitted to the Assistant Dean of Students each semester.
    - v. All chapters will submit a new member/aspirant education plan approved by their Inter/National Office
    - vi. Chapter members and/or leadership will attend risk reduction training as offered by the Dean of Students Office
    - vii. Chapters will abide by policies set forth by their respective councils and their Inter/National Organization
3. Adhere to the JSU Student Code of Conduct and all JSU policies at all times.
4. Members of group/organization shall attend annual student organization leadership training sponsored by the Dean of Students Office
5. Provide notice and details to the Dean of Student Office within twenty-four (24) hours of receiving notice of any investigation, sanction, probation, discipline, or misconduct related to issues involving the organization or any of its members and the Inter/National Organization, if a national affiliation exists

Failure to adhere to the above mentioned requirements could result in removal of recognized status by the university.

## Special Interest Groups

### **Active Minds at JSU**

To promote awareness and education to remove the stigma that surrounds Mental illness and to create an environment for discussion.

Advisor: Julie Nix, Counseling Services, 256.782.5475

E-mail: [jnix@jsu.edu](mailto:jnix@jsu.edu)

### **Anime and Cosplay Club**

To promote a love for anime and cosplay and to share knowledge of both.

Advisor: Kim Westbrook, Library Services, 256.782.5244

E-mail: [kwestbrooks1@jsu.edu](mailto:kwestbrooks1@jsu.edu)

### **AlgoSolvers**

To Provide an avenue for student sot better understand data structures, algorithms, and problem solving.

Advisor: Dr. Arup Kumar Ghosh, Mathematical Computing Info Science, 256.782.5717

E-mail: [akghosh@jsu.edu](mailto:akghosh@jsu.edu)

### **Asgard Coalition**

To assist new, upcoming, and smaller campus organizations. This includes providing help in event planning, recruitment, and attaining the resources required to succeed and grow.

Advisor: Karlie Johnson, Library Services, 256.782.5253

E-mail: [kljohnson@jsu.edu](mailto:kljohnson@jsu.edu)

### **Big Bold & Beautiful Women Empowerment**

To inspire and empower Women with Trauma.

Advisor: Giselle Sharp, 256.782.5475

Email: [gsharp@jsu.edu](mailto:gsharp@jsu.edu)

**Black Student Union (BSU)**To encourage unity, among African American students, encourage students to participate in all aspects of campus life, and to serve as a representative for African American and minority students to the university's governing body.

Advisor: Dr. Stacey Gill, 256.782.5086

Email: [sgill@jsu.edu](mailto:sgill@jsu.edu)

### **College Democrats**

Encourages participation in the Democratic Party.

Advisor: Paul Hathaway, Sociology and Political Science, 256.782.5652

E-mail: [phathaway@jsu.edu](mailto:phathaway@jsu.edu)

### **College Republicans**

To give Republicans on the Campus of JSU a voice and a safe place to gather and express opinions about local, state, and federal politics, as well as allow anyone to participate in polite discourse.

To give all JSU students a place where they can be 100% themselves without fear of being rejected, silenced, or censored, and to meet people, make friends, and have fun.

Advisor: Lori Owens, Honors Program, 256.782.5696

Email: [ljowens@jsu.edu](mailto:ljowens@jsu.edu)

### **Criminal Analysis Club**

To create a community that promotes interest in the criminal mind by analyzing behavior traits of violent offenders.

Advisor: Walter Haney, Criminal Justice, 256.782.5483

E-mail: [whaney1@jsu.edu](mailto:whaney1@jsu.edu)

### **Dual Enrollment Student Representative Program**

To promote leadership among 25 dual enrollment students from high schools in our service region.

Advisor: Carol Grace Meehan, Admissions, 256.782.5268

E-mail: [cmeehan@jsu.edu](mailto:cmeehan@jsu.edu)

### **El Latido de Mi Cultura**

To raise awareness and celebrate Hispanic Cultures at JSU through education and action.

Advisor: Dr. Lance Ingwersen, History & Foreign Languages, 256.782.5632

E-mail: [lingwersen@jsu.edu](mailto:lingwersen@jsu.edu)

### **Firebird Ultimate (Men's Ultimate Frisbee)**

To encourage and teach teamwork, to be competitive, to become physically fit and have fun.

Advisor: Sean Chenoweth, Chemistry and Geosciences, 256.782.8598

E-mail: [mchenoweth@jsu.edu](mailto:mchenoweth@jsu.edu)

### **Freshman Forum**

Freshman Forum is an Elite Freshman Leadership Institute that allows freshmen at JSU to gain valuable leadership skills that will help them throughout college and in their careers. Must be an in-coming freshman who has shown campus involvement in high school and is committed to pursuing that commitment in college.

Advisor: Abbie Beatty, Student Success, 256.782.5045

E-mail: [abeatty@stu.jsu.edu](mailto:abeatty@stu.jsu.edu)

### **Fuego Ultimate (Women's Ultimate Frisbee)**

To promote competition, confidence and team bonding in an athletic woman led environment.

Advisor: Mabra Gaspar Miguel, Human Resources 256.782.5007

E-mail: [mgasparmiguel@jsu.edu](mailto:mgasparmiguel@jsu.edu)

### **Full SPECTRUM (LGBTQ)**

To promote a safe non-judgmental environment for people of all sexual and gender identities. This is an organization for bisexual, pansexual, gay, lesbian, transgender, asexual questioning students and their allies.

Advisor: Karlie Johnson, Houston Cole Library, 256.782.5253

E-mail: [fullspectrum@jsu.edu](mailto:fullspectrum@jsu.edu)

### **History Club**

To encourage further learning and understanding of our nation's great history.

Advisor: Llewellyn Cook, History, 256.782.5632

E-mail: [lcook@jsu.edu](mailto:lcook@jsu.edu)

### **HOPE Women's Services (Help, Options & Pregnancy Education) – Formerly Sav-A-Life**

To promote hope for students in a non-planned pregnancy and encourage life for the unborn. Counseling is offered for anyone in a pregnancy crisis or think they may be pregnant. Also, counseling is provided for anyone that has had an abortion. We promote abstinence and we are pro-life.

Advisor: Lauren Robinson, HOPE Women's Services

Email: [savalifetoday.lauren@gmail.com](mailto:savalifetoday.lauren@gmail.com)

Advisor: Kay Cogger, Teacher Education Services, 256.782.5574

E-mail: [kcogger@jsu.edu](mailto:kcogger@jsu.edu)

### **Interfraternity Council**

Association of nationally recognized fraternities which functions as the governing body and the Greek voice for JSU IFC fraternities.

Advisor: FranShay Kendal Garrett, Dean of Students Office, 256.782.5491

E-mail: [fgarrett@jsu.edu](mailto:fgarrett@jsu.edu)

### **International Student Organization (ISO)**

To foster a cultural understanding and sharing between the international students and increase international student ties with the local community.

Advisor: Javier Burrow, International House, 256.782.5313

E-mail: [jburrows@jsu.edu](mailto:jburrows@jsu.edu)

### **Jacksonville State Bass Fishing Club**

To help members grow by knowledge of tournament fishing.

Advisor: Dominic DiMauro, UREC, 256.782.8680

E-mail: [ddimauro@jsu.edu](mailto:ddimauro@jsu.edu)

### **Jacksonville Association of Nursing Students**

Promoting a positive image of nursing throughout the local, state, and national level

Advisor: Melissa Duckett, Department of Nursing, 256.782.8404

E-mail: [mduckett@jsu.edu](mailto:mduckett@jsu.edu)

### **JSU Climbing**

To promote the culture of competitive and casual climbing and bring awareness to the fastest growing sport in history.

Advisor: Paul Killen, University Recreation, 256.782.8697

E-mail: [pkillen@jsu.edu](mailto:pkillen@jsu.edu)

### **JSU Cycling**

To encourage recreational riding as well as promoting students to attend local community cycling events.

Advisor: Lori Galloway Cochran, Kinesiology Department, 256.782.5515

E-mail: [lcgalloway@jsu.edu](mailto:lcgalloway@jsu.edu)

### **JSU Math Club**

To promote the interest of mathematics among students.

Advisor: David Dempsey, MCIS, 256.225.0889

E-mail: [ddempsey@jsu.edu](mailto:ddempsey@jsu.edu)

### **JSU Overwatch Esports Team**

To build a community of Overwatch players at JSU and compete in tournaments.

Advisor: Chris Hosmer, Music, 256.782.5063

E-mail: [chosmer@jsu.edu](mailto:chosmer@jsu.edu)

### **JSU Pre-Veterinary Health Club**

To educate other on animal health and spread awareness of animal healthcare across campus.

Advisor: Dr. Jenna Lee Ridlen, 256.782.5644

E-mail: [jridlen@jsu.edu](mailto:jridlen@jsu.edu)

### **JSU Pride: Outdoor Initiative**

The mission of the JSU Pride Outdoor Initiative is to create a safe, inclusive, and recreational group for LGBTQIA+, BIPOC, persons with disabilities, and allies to experience the outdoors while making connections with other people within the community.

Advisor: TBA

### **JSU Students for Equality**

To promote diversity and inclusion for individuals of all sexualities and genders as well as other historically marginalized groups; our goal is to help retain and recruit these students while enhancing their experiences through cultural programming, workshops, support groups, education, and social events.

Advisor: Tina Deshotels, Sociology and Political Science, 256.782.5350

E-mail: [tdeshotels@jsu.edu](mailto:tdeshotels@jsu.edu)



**JSU Tabletop and Collectible Card Game Club**

To provide a fun environment for all tabletop games.  
Advisor: Kim Westbrook, Library, 256.782.5244  
E-mail: [kwestbrooks1@jsu.edu](mailto:kwestbrooks1@jsu.edu)

**Korean Entertainment Club**

To bring together fans of K Pop and Korean Dramas.  
Advisor: Karlie Johnson, Houston Cole Library, 256.782.5253  
E-mail: [kljohnson@jsu.edu](mailto:kljohnson@jsu.edu)

**Level Up**

To provide a general understanding and interest of electronic gaming of the past, present and future.  
Advisor: Rence Cochran, Mathematics, 256.782.5722  
E-mail: [rlcochran@jsu.edu](mailto:rlcochran@jsu.edu)

**Model United Nations**

To provide a way for students with an interest in international relations to learn new skills  
Advisor: Dr. Lori Owens, Undergraduate Studies and Special Programs, 256.782.8269  
E-mail: [ljowens@jsu.edu](mailto:ljowens@jsu.edu)

**Muslim Student Association**

To promote and encourage an educational and informative outlook on Islam.  
Advisor: Safaa Al-Hamdani, Biology Department, 256.782.5801  
E-mail: [sah@jsu.edu](mailto:sah@jsu.edu)

**National Association for the Advancement of Colored People – N.A.A.C.P. Youth and College Division**

Creating a platform to give a political voice to the youth in the state.  
Advisor: Michelle Green, Student Success, 256.782.8303  
E-mail: [amgreen@jsu.edu](mailto:amgreen@jsu.edu)

**National-Pan-Hellenic Council (NPHC)**

Association of nationally recognized, historically African American sororities and fraternities which functions as the governing body and Greek voice for JSU's historically African American sororities and fraternities.  
Advisor: FranShay Kendal Garrett, Dean of Students Office, 256.782.5491  
E-mail: [fgarrett@jsu.edu](mailto:fgarrett@jsu.edu)

**National Society of Leadership and Success**

To help students gain leadership skills.  
Advisor: Michelle Green, Student Success, 256.782.8303  
E-mail: [amgreen@jsu.edu](mailto:amgreen@jsu.edu)

**Nihongo Go! The Japanese Language and Culture Club**

To celebrate Japan's cultural traditions and teach JSU students the Japanese language.  
Advisor: Helen Kaibara, History and Foreign Language  
E-mail: [hkaibara@jsu.edu](mailto:hkaibara@jsu.edu)  
Advisor: Michael Boynton, Drama Department, 256.782.8428  
E-mail: [mboynton@jsu.edu](mailto:mboynton@jsu.edu)

**College Panhellenic Council**

Association of nationally recognized sororities which functions as the governing body and the Greek voice for JSU sororities.  
Advisor: FranShay Kendal Garrett, Dean of Students Office 256.782.5491  
E-mail: [fgarrett@jsu.edu](mailto:fgarrett@jsu.edu)

### **Political Science Model Arab League**

To introduce students to all aspects of life in the Arab world while debating critical issues in an official format.

Advisor: Dr. Lori Owens, Undergraduate Studies, and Special Programs, 256.782.8269

E-mail: [ljowens@jsu.edu](mailto:ljowens@jsu.edu)

### **Pre-law Society**

To prepare students for the official law school admissions exam.

Advisor: Dr. Lori Owens, Undergraduate Studies, and Special Programs, 256.782.8269

E-mail: [ljowens@jsu.edu](mailto:ljowens@jsu.edu)

### **Public Relations Student Society of America (PRSSA)**

PRSSA provides an atmosphere for growth and opportunity for young public relations professionals. It also promotes effective public relations practice for all JSU students. We help promote campus events, attend conferences, network with other public relations practitioners, and host professional workshops.

Advisor: Dr. Breann Murphy, Department of Communication, 256.782.5389

E-mail: [bmurphy5@jsu.edu](mailto:bmurphy5@jsu.edu)

### **Residence Hall Association**

Provide a voice and address the concerns of residents living in JSU residence halls and apartments.

Advisor: Ellis Collins, Residence Life, Lead. 256.782.7706

E-mail: [edcollins@jsu.edu](mailto:edcollins@jsu.edu)

### **ROTC (Gamecock Battalion)**

The JSU ROTC courses taught instill invaluable leadership and critical thinking skills that are necessary in leading, managing, and motivating people; the kind of leadership experience that will be very attractive for civilian agencies.

Advisor: Travis Easterling, ROTC, 256.782.5601

E-mail: [rotc@jsu.edu](mailto:rotc@jsu.edu)

### **Scholars Bowl Club**

To enhance Jax State by providing students a place to use their prior and continuing knowledge to compete, to socialize, to stay present in the community, and to grow intellectually with other members.

Advisor: Kyle Pearson, University Recreation, 256.782.5072

Email: [kwpearson@jsu.edu](mailto:kwpearson@jsu.edu)

### **Sigma Alpha Omega**

To assemble Christian women in a Christ centered sorority to glorify God by reaching women across the world. A sisterhood that equips women to grow in their relationships with Christ through unity and service.

Advisor: Betsy Gulledge, College of Health Professions & Wellness, 256.782.8129

E-mail: [gulledge@jsu.edu](mailto:gulledge@jsu.edu)

### **Student Activities Council (SAC)**

A programming board to host events for JSU students.

Advisor: Cody Beck, Dean of Students Office, 256.782.5491

E-mail: [cbeck@jsu.edu](mailto:cbeck@jsu.edu)

### **Students Alumni Association**

JSU Alumni are ready to assist and prepare students for jobs after college.

Advisor: Brittany White, Alumni Relations, 256.782.8256

E-mail: [bhwhite@jsu.edu](mailto:bhwhite@jsu.edu)

### **Student Government Association (SGA)**

Promote the welfare of the student community by providing an avenue for student expression, social activities, and student services. All enrolled students are members.

Advisor: Cody Beck, Dean of Students Office, 256.782.5491

E-mail: [cbeck@jsu.edu](mailto:cbeck@jsu.edu)

### **Student Veterans of America (SVA)**

Provides military-connected students with the resources, support, and advocacy needed to succeed in higher education.

Advisor: Tashua Dennis, Military & Post-Traditional Student Services, 256.782.8840

Email: [tbdennis@jsu.edu](mailto:tbdennis@jsu.edu)

### **The Choice @ JSU**

The Choice strives to promote different venues and information for anyone seeking professional assistance for psychological disorders while also promoting global awareness on the positive benefits for psychology.

Advisor: Paul Hathaway, Political Science, 256.782.5652

E-mail: [phathaway@jsu.edu](mailto:phathaway@jsu.edu)

### **The Tocqueville Society**

The Tocqueville Society seeks to facilitate discussion and critical reflection among the student body regarding topics that lie at the intersection of politics and culture.

Advisor: Ben Gross, Sociology and Political Science, 256.782.5651

E-mail: [bgross@jsu.edu](mailto:bgross@jsu.edu)

### **Umbrella Alliance**

The mission of Umbrella Alliance is to be a LGBTQ group that offers supports, snacks, and speakers for trans and gender non-conforming students.

Advisor: Emrys Donaldson

E-mail: [edonaldson@jsu.edu](mailto:edonaldson@jsu.edu)

### **Young Women for America**

To inform women at JSU about the role they play in government, the role they play in society, and Christianity in transition into college life.

Advisor: Cannon Connell, International House, 256.782.5303

E-mail: [cconnell@jsu.edu](mailto:cconnell@jsu.edu)

### **Women's Issues, Support and Empowerment (W.I.S.E)**

Through education and activism, we seek to connect individuals with solutions to the problems we face in order to create a more balance world where women's issues are addressed. Women are supported in their endeavors and empowered to make changes in their lives and ultimately society.

Advisor: Tina Deshotels, Sociology and Political Science, 256.782.5350

E-mail: [tdeshotels@jsu.edu](mailto:tdeshotels@jsu.edu)

### **Writer's Club**

An artistic outlet that encourages writers to find their talent in a specific genre and to improve writing skills.

Advisor: Dr. Kim Southwick-Thompson, English, 256.782.5411

E-mail: [ksthompson@jsu.edu](mailto:ksthompson@jsu.edu)

## **Athletic Support Groups**

### **Southerners and Marching Ballerinas**

Performs for half-time entertainment at JSU football games as well as various band competitions, festivals, and parades.

Advisor: Ken Bodiford, Music, 256.782.5175  
E-mail: [kbodiford@jsu.edu](mailto:kbodiford@jsu.edu)  
Assistant: Clint Gillespie, Music, 256.782.5630  
E-mail: [cgillesp@jsu.edu](mailto:cgillesp@jsu.edu)  
Assistant: Jeremy Stovall, Music, 256.782.5061  
E-mail: [jstovall@jsu.edu](mailto:jstovall@jsu.edu)

#### **Student Athletic Advisory Committee**

The mission of the Student Athletic Advisory Committee at JSU is to provide a link of communication between JSU student-athletes and athletic department administration and to provide a support system for student athlete life.

Advisor: Tee Neely, Athletic Compliance, 256.782.5536  
E-Mail: [tneely@jsu.edu](mailto:tneely@jsu.edu)

## **Service Groups**

#### **Ambassadors**

Serves as official representatives at events hosted by JSU such as graduation, presidential functions, board meetings, career fairs, and preview days. Accompany admissions counselors to area high schools for recruitment and assist with on-campus recruiting events.

Advisor: Sarah Engle, 256.782.5667  
E-mail: [seengle@jsu.edu](mailto:seengle@jsu.edu)

#### **Circle K International**

Promote community service, leadership, and fellowship among members of the JSU community.

Advisor: Mysti Nichols, English Department, 256.782.5411  
E-mail: [mnichols@jsu.edu](mailto:mnichols@jsu.edu)

#### **Collegiate Recovery Community**

Offers students in recovery a total college experience.

Advisor: Len McCauley, Counseling Services, 256.782.5475  
E-mail: [lmccauleyjr@jsu.edu](mailto:lmccauleyjr@jsu.edu)

#### **Gamecock Orientation**

Assist new students during orientation and throughout their first year at JSU. Requirements include sophomore status, 2.25 overall GPA, and selection through an interview process.

Advisor: Keaton Glass, Student Success, 256.782.5493  
E-mail: [kglass@jsu.edu](mailto:kglass@jsu.edu)

#### **JSU Global Ambassador**

The Global Ambassador (GLA) Program aims at helping prospective international students with information on JSU and accepted international students with information on programs, campus, community and life in Jacksonville, AL. The GLA program seeks to help international students with arrival and adjustment to life at JSU as a “home away from home”.

Advisor: Byron Nichols, International House & Programs, 256.782.5303  
E-mail: [enichols@jsu.edu](mailto:enichols@jsu.edu)

#### **JSU Peer Educators**

The JSU Peer Educators take the initiative to offer leadership to their peers on certain issues. Their number one goal is to create a more positive and healthy campus environment.

Advisor: Julie Nix, Counseling Services, 256.782.5954  
E-mail: [jnix@jsu.edu](mailto:jnix@jsu.edu)

## Media

### **Chanticleer (JSU Newspaper)**

Informs and entertains JSU students, faculty/staff and administration about campus events and important regional and national news. Provides a public forum for the expression of different opinions.

Advisor: TBA, 256.782.5572

E-mail: [wjlsprogramdirector@gmail.com](mailto:wjlsprogramdirector@gmail.com)

### **Mimosa (JSU Yearbook)**

Serves as a memory book, a history book, a reference book, and a recruiting tool for JSU students, faculty/staff, and administration.

Advisor: Mary Smith, Marketing Services

E-mail: [msmith@jsu.edu](mailto:msmith@jsu.edu)

### **The Odyssey Online**

Providing perspectives of the new generation by democratizing content, giving people the opportunity to share what is most important to them and their communities through writing, videography, and photography. Enriching everyone with broader, more honest perspectives on topics they care about.

Advisor: Teresa Reed, English Department, 256.782.5456

E-mail: [treed@jsu.edu](mailto:treed@jsu.edu)

### **WLJS Radio Station (92.J)**

Provides the university and surrounding communities with news and information, music, public affairs, sports programming, and information about campus activities; the 3000-watt FM radio station licensed to the Board of Trustees of Jacksonville State University provides hands-on experience for students who are interested in making broadcasting a career and serves as a laboratory for radio production class.

Advisor: Chris McCollough 256.782.5572

E-mail: [wjlsprogramdirector@gmail.com](mailto:wjlsprogramdirector@gmail.com)

## Honor Societies

### **Alpha Kappa Delta – Eta (AKD)**

AKD-Eta founded in 1978, promotes the study of social issues for the benefit of humanity, while simultaneously providing a co-curricular outlet for students interested in the study of sociology.

Advisor: Dr. Tina Deshotels, Sociology and Social Work, 256.782.5350

Email: [tdeshotels@jsu.edu](mailto:tdeshotels@jsu.edu)

### **Alpha Phi Sigma Criminal Justice Honor Society**

To recognize and promote academic excellence among students engaged in collegiate preparation for professional service in the field of criminal justice.

Advisor: H. Dean Buttram, Criminal Justice and Forensic Investigation, 256.782.8179

E-mail: [dbuttram@jsu.edu](mailto:dbuttram@jsu.edu)

### **Beta Biology Honor Society**

An honor society for students to improve the understanding of biological study.

Advisor: Michael Burns, Biology, 256.613.7054

E-mail: [mburns3@jsu.edu](mailto:mburns3@jsu.edu)

### **Honors Program**

To provide academically gifted students with an enriched educational experience in a diverse range of courses.

Advisor: Lori Owens, Honors Program, 256.782.5640

E-mail: [ljowens@jsu.edu](mailto:ljowens@jsu.edu)

### **JSU Psi Chi Chapter**

Psi Chi is an international honor society whose purpose shall be to encourage, stimulate, and maintain excellence in scholarship of the individual members in all fields, particularly in psychology, and to advance the science of psychology.

Advisor: Heidi Dempsey, Psychology, 256.782.5895

E-mail: [hdempsey@jsu.edu](mailto:hdempsey@jsu.edu)

### **Kappa Mu Epsilon (Mathematics)**

To promote the interest of mathematics among undergraduate students and to recognize students who have attained academic distinction in mathematics.

Advisor: David Dempsey, MCIS, 256.782.5124

E-mail: [ddempsey@jsu.edu](mailto:ddempsey@jsu.edu)

### **Kappa Pi Honor Art Society**

To form a body of student representatives with the highest ideals of education and artistic ability.

Advisor: John Oles, Art Department, 256.225.0889

E-mail: [joles@jsu.edu](mailto:joles@jsu.edu)

### **Lambda Alpha Epsilon (Alpha Sigma Omega)**

To promote Education in the Criminal Justice field.

Advisor: Brian Patton, Criminal Justice and Forensic Investigation, 256.782.8126

E-mail: [bepatton@jsu.edu](mailto:bepatton@jsu.edu)

### **Lambda Beta Society-JSU Chapter**

The purpose of this society shall be to promote, recognize, and honor scholarship, scholarly achievement, service, and character of students, graduates, and faculty members of the Respiratory Care profession.

Advisor: Andres Crawley, Nursing and Respiratory Therapy, 256.782.5478

E-mail: [acrawley@jsu.edu](mailto:acrawley@jsu.edu)

### **Lambda Sigma Honor Society**

Second year honor society that fosters leadership, scholarship, fellowship, and service.

Advisor: Keaton Glass, Student Success, 256.782.5493

E-mail: [kglass@jsu.edu](mailto:kglass@jsu.edu)

### **Phi Sigma Alpha**

An honor society for upper-level students that have a specialized interest in sociology and political science.

Advisors: Benjamin Gross, Department of Sociology and Political Science, 256.782.5651

E-mail: [bgross@jsu.edu](mailto:bgross@jsu.edu)

### **Sigma Alpha Iota**

International Music Women's Fraternity that encourages, nurtures, and supports the art of music.

Advisor: Mark Brandon, Music Department, 256.782.5048

E-mail: [mbrandon@jsu.edu](mailto:mbrandon@jsu.edu)

### **Tau Sigma Honor Society (Transfer Students)**

To promote involvement for transfer students through social, academic, and philanthropic activities.

Advisor: Nolan Clackley, Admissions Office, 256.600.9538

E-mail: [nclackley@jsu.edu](mailto:nclackley@jsu.edu)

### **Rho Lambda**

To be able to join the Greek community in leading our campus and the community to recognize women who have excelled in their own chapters.

Advisor: FranShay Kendal Garrett, Dean of Students Office, 256.782.5491

Email: [fgarrett@jsu.edu](mailto:fgarrett@jsu.edu)

## **Religious Groups**

### **Agape Campus Ministries**

To connect, to love, and to support all college students.

Advisor: Aimee Thrasher, 256.782.8085

E-mail: [athrasher3@jsu.edu](mailto:athrasher3@jsu.edu)

### **Baptist Campus Ministries**

Baptist Campus Ministries at Jacksonville State University exists to reach, care for, and build up students in the love of Jesus Christ, involving them in the ministries of the BCM, preparing them to serve Jesus both here and abroad, all for the glory of God.

Advisor: Robert Cochran, MCIS, 256.782.5722

E-mail: [rlcochran@jsu.edu](mailto:rlcochran@jsu.edu)

### **Becoming @ JSU**

Helping people become who they are in Christ and reclaiming the lost generation for the equipping of the saints.

Advisor: Michael Walker

E-mail: [mwalker@jsu.edu](mailto:mwalker@jsu.edu)

### **Campus Outreach**

Campus outreach exists to glorify God by building laborers on the campus for the lost world. We desire to equip students to lead their churches, communities, and families for a lifetime.

Advisor: Ethan Knight, Campus Director, 334.759.0144

Email: [ethan.knight@campusoutreach.org](mailto:ethan.knight@campusoutreach.org)

### **Catholic Student Organization**

To proclaim the gospel of Jesus Christ in the arena of higher education

Advisor: Julie Boland, Softball, 256.782.8299

E-mail: [jboland@jsu.edu](mailto:jboland@jsu.edu)

### **Delight Ministries**

Our mission is to invite college women into Christ-centered community that fosters vulnerability and transforms stories.

Advisor: Victoria Stigile, Department of Music, 256.613.7511

E-mail: [vstigile@jsu.edu](mailto:vstigile@jsu.edu)

### **Episcopal Campus Ministry**

To encourage spiritual growth in Christ and provide services to the campus and community.

Advisor: Paul Beezley, History & Foreign Languages, 256.782.5632

E-mail: [pbeezley@jsu.edu](mailto:pbeezley@jsu.edu)

Advisor: Rev. Robert Fowler, St. Luke's Episcopal Church, 256.435.9271

### **Friends in Faith**

To educate, explore, and bond with people in faith.

Advisor: Russel Lemmons, 256.782.5632

E-mail: [rlemmons@jsu.edu](mailto:rlemmons@jsu.edu)

**Jacksonville Christian Student Organization (Jacksonville Church of Christ)**

To grow closer together through Christ and build friendships that will last a lifetime.

Advisor: Jana McGinnis, Softball, 256.782.5524

E-mail: [mcginnis@jsu.edu](mailto:mcginnis@jsu.edu)

**Loving One Another**

To share God's love with one another.

Advisor: Tashua Dennis, Military & Post-Traditional Student Services, 256.782.8840

E-mail: [tbdennis@jsu.edu](mailto:tbdennis@jsu.edu)

**Reformed University Fellowship (RUF)**

A college ministry of the Presbyterian Church of America dedicated to the cultivation of a Christ-centered community on the campus at Jacksonville State University.

Advisor: Christopher Probst, Music, 256.782.5559

E-mail: [cprobst@jsu.edu](mailto:cprobst@jsu.edu)

**Sound From Heaven Ministries**

Sometimes it can be hard to hear what God wants from us in a deafening world. This organization is a Spirit-filled ministry that strives to learn His greater plan, the spiritual gifts we have been given, and how God can use us to glorify His kingdom.

Advisor: Misty Ray, Athletics, 256.782.5970

E-mail: [mcassell@jsu.edu](mailto:mcassell@jsu.edu)

**Wesley Foundation**

Providing an alternative community for students to hang out, study, ask questions, a place to belong, explore their spirituality and serve God.

Advisor: Kim Stevens, Library, 256.782.5762

E-mail: [weather@jsu.edu](mailto:weather@jsu.edu)

## **Professional and Departmental Clubs**

**Alpha Kappa Psi**

To foster scientific research in the field of commerce, accounts, and finance.

Advisor: Ellis Collins, Housing & Residence Life, 256.782.5860

E-mail: [edcollins@jsu.edu](mailto:edcollins@jsu.edu)

**American Chemical Society**

To advance the interest in chemistry through education and research.

Advisor: Stephen Slauson, Chemistry, 256.782.8521

E-mail: [sslauson@jsu.edu](mailto:sslauson@jsu.edu)

**Collegiate National Association for Music Education**

The goal of CNAFME is to advance music education by promoting the understanding and making of music by all.

Advisor: Renee Baptiste, Music Department, 256.782.5873

E-mail: [baptiste@jsu.edu](mailto:baptiste@jsu.edu)

**FCS Association**

To unify the concentration within Family and Consumer Sciences into a student chapter of the American Association of Family and Consumer Sciences (AAFCS).



Advisor: Kim Mitchell, Family and Consumer Sciences, 256.782.8526  
E-mail: [klmitchell@jsu.edu](mailto:klmitchell@jsu.edu)

#### **Financial Management Association**

To promote professional leadership opportunities in finance for students across business disciplines.  
Advisor: Benjamin Boozer, Geography Club, 256.782.5775  
E-mail: [bboozer@jsu.edu](mailto:bboozer@jsu.edu)

#### **Geography Club**

To promote volunteer work for the community, exercise environmental stewardship, and participate in geography related trips.  
Advisor: Vicki Tinnon Brock Geography, 256.782.5216  
E-mail: [vtbrock@jsu.edu](mailto:vtbrock@jsu.edu)

#### **Graduate Student Nursing Association (GSNA)**

The GSNA seeks to enrich the experiences of graduate nursing students through collaborative efforts to establish supportive activities that promote graduate student interest and values.  
Advisor: Arlinda Wormely, College of Nursing, 256.782.8285  
E-mail: [awormely@jsu.edu](mailto:awormely@jsu.edu)

#### **International Association of Emergency Managers JSU Student Chapter**

The mission of IAEM is to serve its members by providing information, networking, and professional opportunities, and to advance the emergency management profession. The student chapter of IAEM welcomes students from all disciplines at JSU. Membership of the student chapter is free if you are a member of IAEM in good standing (student or individual).  
Advisor: Jeff VanSlyke, Emergency Management and Public Administration, 256.782.5925  
E-mail: [jvanslyke@jsu.edu](mailto:jvanslyke@jsu.edu)

#### **Jacksonville Associate on Nursing Students (JANS)**

Promoting a positive image of nursing throughout the local, state, and national level.  
Advisor: Melissa Duckett, College of Health Professions and Wellness, 256.782.5270  
E-mail: [mduckett@jsu.edu](mailto:mduckett@jsu.edu)

#### **Lambda Alpha Epsilon (Alpha Sigma Omega)**

To improve criminal justice through educational activities. To prepare and promote criminal justice majors or minors for Regional and National competitions.  
Advisor: Brian Patton, Criminal Justice and Forensic Investigation, 256.782.8126  
E-mail: [bepatton@jsu.edu](mailto:bepatton@jsu.edu)

#### **Leadership House for Women**

The Leadership House of Women program at JSU consists of a one-year leadership program that provides opportunities for students to study and apply leadership skills such as confidence, integrity, persistence, teamwork, and the desire for excellence. Through this program, students will have the ability to positively influence both the campus and global communities.  
Advisor: Claudia Hess, Residence Life, 256.782.8135  
E-mail: [chess@jsu.edu](mailto:chess@jsu.edu)

#### **Nu Phi Chapter of Beta Alpha Psi**

To promote the study and precatave of accounting and finance. The primary objective of Beta Alpha Psi is to encourage and give recognition to scholastic and professional excellence in the business information field.  
Advisor: Taleah Collum/Julie Staples, Accounting, 256.782.8418  
E-mail: [tcollum@jsu.edu](mailto:tcollum@jsu.edu)

#### **Pre-Medical Chapter of the American Medical Student Association**

To provide an environment that supports the creative ideas of physicians-in-training.

Advisor: Jenna Ridlen, Biology Department, 256.782.5644  
E-mail: [jridlen@jsu.edu](mailto:jridlen@jsu.edu)

**Psychology Club**

To help students interested in psychology learn more about it, attend psychology conferences, and find careers in psychology-related fields.

Advisor: Heidi Dempsey, Psychology, 256.782.5895  
E-mail: [hdempsey@jsu.edu](mailto:hdempsey@jsu.edu)

**Sociology Club**

To promote professional, intellectual, and personal growth; to encourage community consciousness by sponsoring activities of interest for students; to promote the ideas of service and scholarship through the discipline of sociology; to cooperate with other organizations at JSU; to continually strive to serve the community and better understand the social forces shaping it.

Advisor: Dr. Brianna Turgeon, Sociology and Political Science, 256.782.5334  
E-mail: [bturgeon@jsu.edu](mailto:bturgeon@jsu.edu)

## Sororities and Fraternities

### Interfraternity Council (IFC)

Organization	President	Faculty Advisor
Alpha Tau Omega	Dawson Edwards	Josh Moses
Delta Chi	Brayden Bridges	Todd Garrison
Kappa Alpha Order	Cole Bowen	Bill Nash
Kappa Sigma	Evan Fuller	Keaton Glass
Pi Kappa Alpha	Conner Stinson	Trenton Sheffield
Pi Kappa Phi	Cole Contris	Dean Buttram
Sigma Nu	Carlos Gonzalez	Paul Hathaway
Sigma Phi Epsilon	TBD	FranShay Kendal Garrett (Interim)

### National Pan-Hellenic Council (NPHC)

Organization	President	Faculty Advisor
Alpha Phi Alpha	Laletia Hale	Earl Warren
Alpha Kappa Alpha	Kyla Chambers	Tonya McGowen
Omega Psi Phi	TBD	Earl Warren
Delta Sigma Theta	TBD	Franshay Kendal Garrett (Interim)
Sigma Gamma Rho	Christina Prior	Candria Thompson
Phi Beta Sigma	Jordan Williams	Stacey Gill

### Panhellenic Council (CPH)

Organization	President	Faculty Advisor
Alpha Omicron Pi	Ava Malone	Allison Casey
Alpha Xi Delta	Sydney Rinehard	Kaci Ogle
Delta Zeta	Danielle Knight	Kim Delesandro
Phi Mu	Macie Beecham	Emily Lankford
Zeta Tau Alpha	Audrey Wester	Andrea Porter

### Fraternity & Sorority Advisor

FranShay Kendal Garrett  
Assistant Dean of Students  
700 Pelham Road North, TMB Room 402  
Jacksonville, AL 36265  
256-782-8492  
[fgarrett@jsu.edu](mailto:fgarrett@jsu.edu)

## Academic Grievance Process

An "academic grievance" is a claim by an enrolled student receiving academic credit for a course that a specific academic decision or action, such as a grade in a course, has violated published policies and procedures, or has been applied to the student in a manner different from that used for other students.

Students wishing to appeal a grade or reverse an academic decision should always begin by meeting with the instructor initiating the grade or decision. Oftentimes, this meeting will result in a satisfactory outcome for the student and instructor. If the student and instructor are unable to resolve the issue, the student should follow the academic grievance process set forth below. In the event that the process is not initiated or continued following the timelines mentioned below, the decision becomes final.

### **Basis for Academic Grievance**

A student may appeal an assigned grade, or a similar decision related to academic performance if the student has evidence or reason to believe a grade was assigned or a decision was made in a malicious, (intentionally harmful; spiteful) capricious, (subject to, led by, or indicative of a sudden, odd notion or unpredictable change; erratic) erroneous, (containing error; mistaken; incorrect; wrong) or arbitrary (based on whim or personal preference, without reason or pattern; random) manner. The burden of proof and preponderance of evidence shall be upon the student such that the student challenging the decision, action or final grade assigned has the burden of supplying evidence that proves that the instructor's decision was incorrect.

In cases where the academic decision is based on a deficiency in or a violation of a clinical or professional standard, the deficiency or violation may be considered sufficient proof to support an academic failure or dismissal notwithstanding a student's success in other areas of academic performance.

For the grievance to be valid, the student must follow the steps outlined below in the order indicated and within the given timelines. Furthermore, the grievance at each additional step in the process must be in writing, utilizing the form located on the Academic Affairs webpage. Documents submitted for the purpose of the grievance will become the property of Jacksonville State University and will be used solely for the purpose of investigating the grievance.

The following steps provide a guideline for the grievance process.

**For purposes of this process, business days are considered to be any day Jacksonville State University is open for business.**

### **Steps in the Grievance Resolution Process**

#### **1. Informal Appeal to the Faculty Member for Review**

To initiate the grievance resolution process, the student must discuss, or request a meeting to discuss, the academic grievance with the faculty member within **5 business days** of the grade posting or academic performance decision. If it is found that the grade or decision is incorrect in the judgment of the faculty member, the faculty member will initiate the appropriate grade change process or decision reversal process and the matter is concluded. If the faculty member is not available or is no longer with the university, the student will proceed directly to the next step (Appeal to the Department Head).

#### **2. Informal Appeal to the Department Head for Review**

If the grievance cannot be resolved between the student and the faculty member, the student may appeal in writing, utilizing the form located on the Academic Affairs webpage, to the department head of the department in which the course was taught or the academic decision was made. The appeal must be submitted **within 5 business days** of the decision made by the faculty member.

If the department head determines the decision made was inappropriate, the department head will recommend to the faculty member the decision be reversed. The faculty member may or may not concur with the department head's recommendation.

The department head will notify the student in writing within two weeks after receiving the appeal, whether or not the decision was reversed to the student's satisfaction. If the decision will not be reversed, the student has the right to appeal to the Dean of the College within 5 business days.

### **3. Formal Appeal to the Dean for Review**

If the academic decision is not resolved at the department level, the student may appeal in writing, utilizing the form located on the Academic Affairs webpage, to the dean of the College. The appeal to the dean must be made **within 5 business days** of receipt of the notice from the department head that the faculty member will not reverse the decision.

If the appeal does not meet a defined basis for a grievance, it will be denied by the dean of the college. If there is a legitimate basis for a grievance, the dean will determine if the case will be reviewed through an administrative hearing or a panel hearing.

### **Administrative Hearings**

Administrative hearings are coordinated and held by the Dean, or designee, who act as hearing officers.

**Hearing Officer.** Hearing Officers determine whether a student has a basis for an academic grievance and if a decision will be sustained or amended. Hearing Officers make their determination based upon a preponderance of the information standard.

An Administrative Hearing is generally conducted in the presence of the Hearing Officer. Students will have an opportunity to hear the evidence being offered against them and present witnesses and relevant evidence. In addition, students may be accompanied by an advisor or their choice.

During the hearing, Hearing Officer will have an opportunity to question the student and any participating witnesses. The Hearing Officer may add or amend the violation based on information uncovered during the Administrative Hearing. The Hearing Officer may also elect to refer the matter to a Panel Hearing based on uncovered information.

At the conclusion of the hearing, the Hearing Officer may make a determination. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Officer will either sustain or amend the academic decision.

The Hearing Officer has the discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision. Where a student fails to attend an Administrative Hearing, the Hearing Officer retains the right to rule in absentia.

The Hearing Officer will generally provide a written decision letter to the student **within 5 business days of the conclusion of the hearing.** Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination. As such, the Hearing Officer may provide a response outside of this timeframe.

### **Panel Hearing**

The panel shall be composed of three members, one student and two faculty/staff members, one of whom will act as the chairperson.

**Hearing Officer.** The dean of the college or designee shall serve as the Hearing Officer. The Hearing Officer should attend and advise the Hearing Board at all hearings. The Hearing Officer may ask questions as appropriate.

The hearing officer or board shall have discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision.

The primary responsibility for maintaining order lies with the hearing officer, hearing board advisor, or hearing board chairperson. However, all members of the hearing board have a duty to assure an orderly and fair proceeding. It is the duty of the hearing officer or hearing chairperson to make sure that presentations to the board are relevant and that issues raised by complaint, appeal, petition are reasonably developed and addressed.

It is also the duty of the hearing officer or board advisor to manage the logistics of the hearing; to coordinate schedules, paperwork, and reports with the dean; to speak for the body in all exchanges with counsel, parties, and others (except when the bodies are engaged in general conference with their advisor present); to control the proceedings and maintain order; to instruct persons before the body on the appropriate procedures of that hearing body; to declare the rulings and orders of the hearing body; to ensure proper completion and filing of all papers; and to perform other duties as necessary.

A conduct system can be effective only to the extent that the cooperation of all participants assures an orderly and fair exchange of information. All parties appearing before the various hearing bodies are expected to show consideration for one another so that the fact finding, and analysis may proceed in a reasoned and reliable way. The hearing chairperson or administrative hearing officer shall have the authority to remove any participant (including advisors and witnesses) from the hearing or to inform any disorderly and disruptive person(s) that if their behavior does not subside, such acts may result in disciplinary action against the offenders.

**Findings.** A simple majority vote by the Hearing Board will determine the findings. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Board may find the sustain or overturn the academic decision. The Hearing Officer will generally provide a written decision letter to the student **within 5 business days of the hearing.** Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination. As such, the Hearing Officer may provide a response outside of this timeframe.

**Confidentiality.** In cases resolved by a hearing board, confidence is placed in the character and judgement of the board members, and they should hear, examine, and consider all information relevant to the specific issues before the body. Members should feel free to require counsel of the board advisor, the University, the complainant, or the respondent to explain information presented. Members are expected to commit themselves diligently and in good faith to the business of the board and to disqualify themselves, if necessary. Finally, members are reminded that all matters before the hearing board concerning identifiable individuals are strictly private and cannot be revealed.

#### **4. Reversing a Decision**

If at any point during the appeals process a decision is made to reverse the initial academic decision, the entity will notify the Dean of the College who will then notify the University Registrar to make any necessary changes the record of the student. The individual responsible for notifying the student of a decision will also inform the faculty member, the department head, and the applicable appeals committee.

*\*Students seeking an academic grievance review must complete this process prior to requesting readmittance to their academic program if deemed ineligible.*

## Scholars' Code

### Purpose

The University recognizes that the open exchange of ideas plays a vital role in the academic endeavor, as often it is only through discussion with others that one is fully able to process information or to crystallize an elusive concept. Therefore, students generally are encouraged to engage in conversations with their teachers and classmates about their courses, their research, and even their assignments. These kinds of discussions and debates in some ways represent the essence of life in an academic community. Even so, it is important for all scholars to maintain academic integrity in all aspects of their work, clearly noting when they have relied upon or incorporated the work of others.

To ensure academic honesty and provide support for students who may have engaged in minor violations, the university proposes the Scholars' Code as means by which the course instructor can work with students in an educational and restorative manner while also securing the academic integrity of the university.

This policy emphasizes several values in order to provide students a clear path forward if they have committed an offense and to provide faculty with clear steps to follow when a student has committed an offense in their class. The first of those values is the student's academic responsibility, followed by values impacting the process through which an offense is adjudicated: nondiscrimination, equal and consistent treatment, confidentiality, and respect.

To that end, the policy consists of the following aspects:

- Violations
- Levels of offense
- Procedures and standards for course instructor reporting
- Process
- Levels of sanction based on offense
- Appeals process

This policy is intended to provide a consistent view of academic dishonesty and a practice to follow for course instructors in reporting incidents of academic dishonesty and in initiating the formal adjudication process on the university level.

### Definitions

**Advisor:** During any meeting or proceeding under this policy, students may be accompanied by an Advisor of their choice, including but not limited to a faculty member, family member, friend, or third party. The "potted plant" rule applies to Advisors throughout this process. Advisors may not speak on the student's behalf, individually meet or correspond with the course instructor, or otherwise interfere with the process. Where an Advisor's conduct undermines the integrity of this policy or interferes with meetings or proceedings, an Advisor may be prohibited from continuing to serve in their role. Where there are unreasonable delays due to an Advisor, the meetings or proceedings may be held in their absence. The affected party will be permitted to obtain a substitute Advisor.

**Appeals Coordinator:** Provost (or designee) will function as the Appeals Coordinator and ensure that the Appeals Panel is appropriately trained and equipped with relevant information to adjudicate the received appeal.

**Appeals Panel:** The Appeals Panel will be comprised of three (3) university officials (university staff or faculty) who have been trained to adjudicate violations of the Scholars' Code.

**Hearing Officer:** The Dean of the impacted College or designee will function as the Hearing Officer and determine whether to convene a Scholars' Code Administrative Hearing or a Scholars' Code Panel. The Hearing Officer retains the sanctioning authority for both Administrative Hearings and Panel Hearings.

**Preponderance of the Evidence:** A standard of proof that indicates that the information provided leads an administrative Hearing Officer or hearing board to decide that "more likely than not" a violation did or did not occur. This is the standard of proof for all alleged violations of the Scholars' Code. The preponderance standard is lower than the standard of "beyond a reasonable doubt," which is used in criminal court cases. If the evidence presented meets this preponderance standard, then the accused should be found responsible.

**Respondent:** A student who has allegedly violated this policy.

**Scholars' Code Administrative Hearing:** A process in which the facts of an alleged violation of the Scholars' Code are presented to a Hearing Officer to determine if a violation(s) took place and if sanction(s) are appropriate.

**Scholars' Code Panel:** A group of trained faculty who determine if a student(s) is responsible for a violation(s) of the Scholars' Code. The Dean of the impacted college (or designee) will advise the panel as the Hearing Officer and may sit in on the adjudications of the board to ensure proper procedures are followed.

**Witness:** Any person having relevant, direct knowledge of the alleged violation. Witnesses shall not present character evidence.

## **Violations**

In a university community, true knowledge can be gained only through honest means. Therefore, all academic dishonesty is expressly prohibited, whether in the traditional classroom or in online or hybrid settings.

Violations include, but are not limited to, the following:

- The use of unauthorized materials or the receipt of unauthorized assistance during an examination or in the completion of any other assignment, exercise, experiment, or project for academic credit. Unauthorized materials may include, but are not limited to, notes, textbooks, previous examinations, exhibits, experiments, papers, or other supplementary items.
- Copying or utilizing information from a paper of another student during an examination.
- Rendering unauthorized assistance to another student by knowingly permitting him or her to copy an examination, project, paper, assignment, exhibit, exercise, or other material to be submitted for academic credit.
- Illegally obtaining or attempting to obtain unauthorized prior knowledge of an examination or test materials.
- Selling or giving to another student, unauthorized copies of tests or examinations, or research assignments.
- The use of a commercially prepared term paper or research project or the submission of a paper, project, or experiment completed by someone other than the student submitting any of the above for academic credit.
- Falsifying class attendance.
- Falsifying reasons why a student did not attend a required class or take a scheduled examination.
- Taking an examination in the place of another student.
- Making unauthorized changes in any reported grade or on an official academic report form.



- Unauthorized collaboration between two or more students on an examination, paper, or project.
- Plagiarism, which is the deliberate act of copying, writing, or presenting as one's own the information, ideas, or phrasing of another person without proper acknowledgement of their true source.
- Making use of computing facilities and electronic devices in an academically dishonest manner including personal devices such as phones, tablets, dual monitors, watches, and glasses.
- Using online sources and programs, such as artificial intelligence, ChatGPT, and other generative AI, to produce content without proper acknowledgment or authorization.

## Levels of Offense

The following levels of offense provide specific examples of academic dishonesty in three categories: collaboration, cheating, and plagiarism.

**MINOR OFFENSES:** In general, minor offenses involve errors in judgment that, in the course instructor's professional opinion, violate academic integrity, such as:

- Minor Collaboration example: student copies part of the work of another student exactly on an assignment on which collaboration is allowed but copying is not.
- Minor Cheating example: A student is caught glancing at another exam, but there is no evidence of premeditation or collaboration between those students.
- Minor Plagiarism example: student indicates that source of information is not original but does not follow proper citation procedures.

**MODERATE OFFENSES:** In general, moderate offenses are unpremeditated dishonest acts that directly affect only one student, such as:

- Moderate Collaboration example: student paraphrases or copies a sentence (or two) without citing the source or provides an improper citation.
- Moderate Cheating example: student cheats, or facilitates the cheating of another, on an examination (in cases where there is no evidence of premeditation). A student tries to gain an advantage in an exam by removing reserved materials from a lab or library to have additional study time at home.
- Moderate Plagiarism example: student paraphrases or copies a portion of a document without citing the source or provides an improper citation.

**MAJOR OFFENSES:** In general, major offenses are premeditated dishonest acts or dishonest acts that directly affect the offenders and/or other students' grades, such as:

- Major Collaboration example: student poses as, or facilitates another posing as, someone else during an exam; student requests or receives payment for unauthorized academic content; student directs another student on how to evade detection.
- Major Cheating example: student cheats or facilitates the cheating of another on an examination in a way that is premeditated (e.g., using a cheat sheet, a prearranged system of sharing answers, a prearranged system of accessing unauthorized academic content, or some similar method that was planned in advance).
- Major Plagiarism example: student places his/her name on a written assignment he/she did not write.

## **Procedures and standards for course instructor reporting**

**Student responsibility:** If a student suspects that a violation of the Scholars' Code has occurred, they will notify the professor.

**Course instructor responsibility:** The course instructor must report any offense—minor, moderate, or major—when it is clear there was an intent to defraud and when the course instructor has taken action because of the offense, such as assigning a zero to the assignment or lowering the course grade. The course instructor will report via [Academic Integrity Reporting Form](#). If no action was taken because there was no intent to defraud, then no report by the course instructor is required. (i.e. a student misunderstanding instructions or expectations).

### **Process**

When the course instructor suspects that the Scholars' Code has been violated, including credible reports from students, the course instructor will review the relevant evidence to determine if the allegation is credible. This evidence may include, but is not limited to, video and transcripts from HonorLock, Turnitin, tests, written assignments, and witness statements. If the allegation is credible, the course instructor will notify their Department Head and report the incident via [Academic Integrity Reporting Form](#). The Department Head and/or course instructor, in consultation with the Dean, may directly refer the matter to Office of Community Standards and Title IX for major offenses or where the potential sanction could be suspension or expulsion.

If the course instructor does not refer the matter to the Office of Community Standards and Title IX, then within five (5) business days of actual notice of a potential violation, the course instructor or designee will send the student a request to meet (in-person, virtual) to discuss the alleged violation. The student will be provided a notice of allegations, which will specify the violation at issue and include a copy of or link to this policy.

During the scheduled meeting, the course instructor or designee will provide the student with access to the relevant evidence and specify the proposed action. Students will have the right to view the evidence being offered against them, present relevant evidence, be accompanied by an Advisor, and discuss the allegations and proposed action with the course instructor or designee. The course instructor will employ diligence in assuring due process.

Within five (5) business days of the scheduled meeting, the student may submit a plea by admitting or refuting the offense, contest the proposed action, and/or offer written evidence supporting their denial of the offense or their request for an adjustment of the proposed action. The course instructor will consider the nature of the offense, the Levels of Offense and Levels of Sanctions Based on Offense as noted elsewhere in this policy, the totality of the circumstances, and evidence presented by the student. Upon review of the available information and the submitted plea, the course instructor or designee, in consultation with the Dean, may issue a decision of responsibility based on preponderance of the evidence and determine an appropriate action, refer the matter to a Scholars' Code Hearing, or refer the matter Office of Community Standards and Title IX where the course instructor deems suspension or expulsion may be a justified action.

**Documentation:** Regardless of level of offense, the course instructor should document the alleged incident, the student's response, and resolution of the incident. All documentation should be submitted through the [Academic Integrity Reporting Form](#), which will be shared with the Dean of the School.

### **Referral to Scholars' Code Hearing**

Moderate offenses, major offenses, and repeat or multiple offenses will receive increased scrutiny and may trigger a review through the Scholars' Code Hearing process, which will determine possible further sanctions

as outlined below. The Dean of the impacted College or designee will function as the Hearing Officer and determine whether to convene a Scholars' Code Administrative Hearing or a Scholars' Code Panel.

The student will receive written notice that a Scholars' Code Hearing has convened to review the matter. The student may provide a written statement or additional evidence to the Hearing Officer within five (5) business days of this notice. The Hearing Officer will contact the student to schedule a hearing (in person or via Teams) to provide them the opportunity provide a written or verbal statement and answer clarifying questions. If the student chooses to participate in this hearing, they may be accompanied by an Advisor who may not speak on their behalf. If the student chooses not to participate in this process, the Hearing Officer and/or the Scholars' Code Panel will review the available information before issuing a decision based on the preponderance of information.

The Hearing Officer and/or the Scholars' Code Panel will seek the input of the course instructor member before making final recommendations and referrals for disciplinary action to the Office of Community Standards and Title IX. The Hearing Officer will generally provide a written decision letter to the student within fifteen (15) business days of the scheduled hearing.

### ***Scholars' Code Administrative Hearing***

An Administrative Hearing is generally conducted in the presence of the Hearing Officer. Students will have an opportunity to hear the evidence being offered against them and present witnesses and relevant evidence. In addition, students may be accompanied by an advisor of their choice. During the hearing, Hearing Officer will have an opportunity to question the student and any participating witnesses. The Hearing Officer may add or amend the violation based on information uncovered during the Administrative Hearing.

The Hearing Officer may also elect to refer the matter to a Scholars' Code Panel based on uncovered information. At the conclusion of the hearing, the Hearing Officer may make a determination based on the totality of the circumstances, available evidence, and the preponderance of information.

### ***Scholars' Code Panel***

A Scholars' Code Panel will be composed of two faculty members and one student. Students will have an opportunity to hear the evidence being offered against them and present witnesses and relevant evidence. In addition, students may be accompanied by an advisor of their choice.

During the hearing, the members of the Scholars' Code Panel will have an opportunity to question the student and any participating witnesses. The Hearing Officer may also ask questions as appropriate. The Hearing Officer may add or amend the violation based on information uncovered during the hearing.

**Hearing Officer.** The Dean of the college or designee shall serve as the Hearing Officer. The Hearing Officer should attend and advise the Scholars' Code Panel at all hearings. The Hearing Officer or board shall have discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision. The primary responsibility for maintaining order lies with the Hearing Officer. However, all members of the hearing board have a duty to assure an orderly and fair proceeding.

**Findings.** A simple majority vote by the Scholars' Code Panel will determine the findings. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Scholars' Code Panel will make a finding of responsibility and recommend sanctions to the Hearing Officer.

The Hearing Officer maintains sanctioning power to ensure fairness and consistency and will account for mitigating and aggravating factors. The Hearing Officer will generally provide a written decision letter to the student within 15 business days. Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination.

## **Referral to Office of Community Standards and Title IX**

The Department Head and/or course instructor, in consultation with the Dean, may directly refer the matter to the Office of Community Standards and Title IX for major offenses or where the potential sanction could be suspension or expulsion. Additionally, the Hearing Officer and/or the Scholars' Code Panel may refer students to the Office of Community Standards and Title IX for additional sanctions, including but not limited to, community service, disciplinary probation, research projects, self-reflection questions, counseling, suspension, expulsion and/or removal from Academic College or Major.<sup>1</sup>

The Office of Community Standards and Title IX will seek input from the Scholars' Code Panel and/or the Dean of the College as appropriate. Please refer to the Code of Student Conduct for additional information on the student conduct process.

## **Levels of Sanctions Based on Offense**

Students who have repeat violations or have committed a moderate or major offense will also be subject to the following sanctions.

- **Minor Offense:** Student may receive a reduced grade on the assignment, an opportunity to revise the assignment, failure of the assignment, additional coursework, and/or a reduced course grade. The course instructor in whose course the offense occurred will determine the sanction for a minor offense. The student may be required to attend an Academic Integrity Workshop. Students may be referred for disciplinary action through the Office of Community Standards and Title IX for additional sanctions, including community service and counseling.
- **Repeat Offenses/ Moderate Offense:** The course instructor may impose sanctions ranging from failure on the assignment, a reduced course grade, and/or an "F" in the course, for instance. Additionally, the Scholars' Code Panel will conduct a review to determine if additional sanctions above those imposed by the course instructor are merited. The student will be required to attend an Academic Integrity Workshop. The Scholars' Code Panel will seek the input of the course instructor member before making final recommendations and referrals for disciplinary action to the Office of Community Standards and Title IX.
- **Repeat Offenses/ Major Offense:** The course instructor may impose sanction of an "F" in the course. Additionally, the matter will be subject to further review by the Scholars' Code Panel to determine if additional sanctions above those imposed by the course instructor are merited. The student will be required to attend an Academic Integrity Workshop. The Scholars' Code Panel will seek the input of the course instructor member before making final recommendations and referrals for disciplinary action to the Office of Community Standards and Title IX.

Students may be referred for disciplinary action through the Office of Community Standards and Title IX for additional sanctions, including but not limited to, community service, disciplinary probation, research projects, self-reflection questions, counseling, suspension, expulsion and/or removal from Academic College or Major.<sup>2</sup> The Office of Community Standards and Title IX will seek input from the Scholars' Code Panel and/or the Dean of the College as appropriate.

## **Appeals Process**

The student will have the right to appeal sanctions. Within five (5) business days of notification of sanctions from the Hearing Officer, a student must submit in writing their grounds for appeal. The provost or designee will function as the Appeals Coordinator for matters implicating this policy. If an appropriate appeal has been submitted, the Appeal Coordinator will appoint an Appeals Panel composed of three faculty/staff members.

Any persons desiring an appeal will submit within five (5) business days (or in the case of reason #1 below, 30 days) from the date of the decision, a written statement outlining the specific issues and rationale for the appeal. Requests for an appeal will only be considered for one or more of the following:

1. **Information not previously available.** Information not available at the hearing which, had it been available, would in all reasonable likelihood have produced a different finding(s).
2. **Procedural error.** Procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to, failure to adhere to outlined guidelines or perceived Hearing Officer bias (or bias by a board member) based on factors other than the Hearing Officer's decision and rationale for such decision.
3. **Inconsistent Finding or Sanction.** The finding and/or sanction is inconsistent with the weight of the information. The sanction is either too lenient or too severe and does not fit the violation and totality of the circumstances. Discontentment with a particular finding is not a valid reason for appeal.

The Appeal Panel will review all documentation of the offense and sanctions from the course instructor and the Scholars' Code Hearing and will return their decision to the student within fifteen (15) business days of receipt of the request for appeal.

The Appeals Panel decisions shall be made by a simple majority vote. No member may abstain from voting. For additional information regarding the Appeals Process please refer to the Code of Student Conduct. The decision of the Appeal Panel is final. There is not a second level of appeal to the Provost or the President of the University.

**Revisions to the Scholars' Code.** This Code shall take effect August 1, 2023. The provost, in consultation with university administration and faculty, will bear the responsibility for identifying and considering any proposed revisions to the Scholars' Code. Jacksonville State University reserves the right to make changes to the Scholars' Code as deemed appropriate.

## **Jacksonville State University Code of Student Conduct**

2023-2024

- I. Purpose
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For the most up to date Student Code of Conduct, please visit our website at  
<http://www.jsu.edu/community-standards/index.html>

## **I. Purpose**

The Office of Community Standards and Title IX supports the Jacksonville State University mission through remaining student centered and educational in its disciplinary procedures. The Code of Student Conduct is a way for the university to publicly expect all students (undergraduate, graduate, and non-degree seeking on campus or off campus) to maintain standards and respect for the university community. The process outlined below is designed to support students who may engage in misconduct through an educational and restorative method. The Office of Community Standards and Title IX upholds the general mission and goals of the institution while recognizing and respecting the rights, privileges, and responsibilities of all JSU students.

Students who have completed the process of violating and being held accountable to the Code of Student Conduct should end the process with a larger understanding of the impact of their decisions and how to grow and be a more mindful community member.

## **II. Philosophy**

The philosophy of the Office of Community Standards and Title IX is educational and attempts to have the Respondent reconcile with any potential victims and the greater community at large. This restorative justice philosophy is best achieved through cooperation between the offender and the administrator that is holding them accountable. The hopeful benefit of this philosophy is transformational learning of everyone involved.

## **III. Statement of Values**

**Professional Responsibility:** Balance developmental and educational needs of the student with the obligation of Jacksonville State University to protect the safety and welfare of the academic community. In situations where the behavior of a student poses a risk to self or others, Jacksonville State University staff must take action consistent with applicable laws and regulations.

**Nondiscrimination:** Protect human rights and promote appreciation of diversity and multicultural practice at Jacksonville State University.

**Equal & Consistent Treatment:** Treat all students with impartiality and accept all students as individuals with rights and responsibilities. Seek to create and maintain a campus climate in which learning and personal growth and development take place. Follow procedural guidelines when enforcing the Code of Student Conduct as outlined by Jacksonville State University's Code of Student Conduct.

**Confidentiality:** Confidentiality is maintained with respect to all privileged communications and to educational and professional records considered confidential. Information is only shared in accordance with institutional policies and relevant statutes, where given informed consent, or when required to prevent personal harm to themselves or others.

**Respect:** Opportunity for every student and university employee to be treated with respect and dignity, with the freedom of speech and open exchange of ideas.

## **IV. Statement of Freedom of Expression**

All members of the Jacksonville State University community can enjoy the right to freedom of speech and expression. The right to free speech and expression does not include unlawful acts or activity that endangers or threatens to endanger the safety and/or well-being of any member of the JSU community. In addition, it does not include any activity that materially and substantially disrupts the education or well-being of other students or the mission of Jacksonville State University.

Members of the university community are encouraged to engage in opportunities of free speech and expression to be intellectually and culturally challenged and therefore better prepared to deal with the issues they encounter in a changing and diverse society. These encounters can occur with activities and discussions that embody courtesy, mutual respect, and clarity.

In addition, members of the university community are free to take positions on public controversies and to engage in protected expressive activity in outdoor areas of the campus, and to assemble, speak, and distribute literature spontaneously and contemporaneously. Spontaneous and contemporaneous speech should not materially and substantially disrupt educational and business functions of the University, normal or scheduled uses of university space, or the public health, safety, and/or welfare of the campus community.

The following procedures have been established to safeguard students' rights while also providing safety and protection for members of the university community. To ensure that multiple demonstrations or assemblies do not conflict or lead to major university disturbances:

1. The Office of the Dean of Students should be notified of any planned or scheduled demonstrations or peaceful assemblies in advance. Standard space reservation procedures must be followed for the use of any university space.
2. Factors those students should consider for any demonstrations or peaceful assemblies are:
  - a. Blocking or impeding vehicular or pedestrian traffic is prohibited.
  - b. Blocking access to or from campus buildings or offices is prohibited.
  - c. Activity that promotes violence against person or property is prohibited.
  - d. Observers may not interfere with participants of the demonstration or assembly in any way, unless requested by the participants of the demonstration.
  - e. Activities of participants or observers that disrupt or disturb classes, meetings, or any other normal functions of the university are prohibited.
  - f. All individuals participating in or observing a demonstration or peaceful assembly must comply with any reasonable request of university officials of the Department of Public Safety.

**Demonstrations or Peaceful Assemblies:** Demonstrations or peaceful assemblies are generally defined as any public manifestation of welcome approval, disapproval, protest, or conscience by a student or group of students.

**Material and Substantial Disruption:** A material and substantial disruption occurs when the activity a.) significantly hinders the protected expressive activity of another person or group, prevents the communication of a message of another person or group, or prevents the transaction of the business of a lawful meeting, gathering, or procession by engaging in fighting, violence, threats of violence, or other unlawful behavior; or b.) physically blocks, uses threats of violence to prevent any person from attending, listening to, viewing, or otherwise participating in a protected expressive activity.

*For additional guidance please refer to the University's Campus Use and Protection of Free Speech Policy.*

## **V. Scope of Authority**

Jacksonville State University's conduct system has authority in all non-academic disciplinary matters. The university reserves the right to discipline students and recognize student organizations for acts of misconduct wherever they occur.

The university, at its discretion, may pursue disciplinary action against a student while the student is also subject to criminal proceedings. The university reserves this right, even if criminal charges are pending, reduced, or dismissed. The university disciplinary procedures are administrative proceedings, not criminal or civil in nature. Therefore, formal rules of evidence and procedures akin to civil or criminal trials are not applicable.



As a Jacksonville State University community member, students are expected to uphold and abide by all local, state, federal, and international laws. Referrals received from any university or police authority, regardless of location, are subject to possible code of student conduct proceedings for the accused.

Students being held accountable to the Code of Student Conduct includes behavior that may have occurred before, during and/or after an academic term. Additionally, violations of the Code of Student Conduct during the academic year, between academic terms, during times of non-enrollment, or during periods of suspension or dismissal will be addressed.

All policies, processes, and procedures outlined in the Code shall also apply to a student's conduct, even if the student withdraws (or graduates) from school while a disciplinary matter is pending.

The Code of Student Conduct and all applicable processes apply to recognized student organizations. Student organizations shall be responsible for the conduct of members in relation to the organization from the time of application for recognition until such time as they are no longer recognized by the university. Violations of the Code of Student Conduct during the academic year, between academic terms or during periods of suspension or dismissal will be addressed.

The Code shall apply to an organization, even if the organization disbands while a disciplinary matter is pending. The reasonable observer standard is utilized when determining individual conduct vs. recognized student organization conduct.

## **VI. Definitions**

**Accused Individual:** A student accused of an alleged violation of the Code of Student Conduct.

**Administrative Hearing:** A process in which the facts of an alleged violation of the Code of Student Conduct are presented to an administrative Hearing Officer to determine if a violation(s) took place and if sanction(s) are appropriate.

**Advisor:** A person who attends a hearing to support a student during the conduct process. Advisors may only confer with the student they are advising and cannot speak on a student's behalf. An Advisor can be any person of the student's choosing, at the student's expense. Students may only have one advisor during a conduct hearing. Advisors cannot serve as witnesses. If a student needs assistance finding an advisor, the Office of Community Standards and Title IX will provide this information upon request. An individual who is charged in same fact pattern related to the complaint may not serve as an advisor.

The "potted plant" rule applies to Advisors throughout the investigation and disciplinary process. While a FERPA release may allow university officials to answer general questions about a matter, university officials will not meet with Advisors separately or discuss particulars of the investigation with them. Any inquiries should come directly from the Complainant or Respondent. Further, Advisors may not speak on their party's behalf or otherwise interfere with meetings or proceedings. Advisors must be accompanied by their respective parties when viewing any evidence.

Where either the Title IX Coordinator or the Hearing Officer determines that an Advisor's conduct undermines the integrity of this policy or interferes with meetings or proceedings, an Advisor may be prohibited from continuing to serve in their role. Where there are unreasonable delays due to an Advisor, the Title IX Coordinator or Hearing Officer may elect to hold meetings or proceedings absent their presence. The affected party will be permitted to obtain a substitute Advisor.

Where employees are involved in an investigation, the selection and availability of an advisor may be impacted by applicable collective bargaining agreements, contract requirements, legal requirements, and university policy.

**Administrative Hearing Officer or Conduct Officer:** Also referred to as the Hearing Officer. University staff, faculty or graduate students designated by the Director of Community Standards and Title IX (or designee) and trained to adjudicate violations of the Code of Student Conduct.

**Affirmative Consent:** Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender, gender expression or gender identity.

The following are principles that apply to the above definition of affirmative consent:

1. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
2. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
3. Consent may be initially given but withdrawn at any time.
4. When consent is withdrawn or can no longer be given, sexual activity must stop.
5. A person is incapable of affirmative consent when they are:
  - a. Less than sixteen years of age.
  - b. Mentally disabled (a person is mentally disabled when their normal cognitive, emotional, or behavioral functioning renders them incapable of appraising their conduct).
  - c. Incapacitated.
6. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
  - a. A person is incapacitated when they are unconscious, passed out, asleep, involuntarily restrained, physically helpless, or otherwise unable to provide consent.
  - b. Capacity exists along a continuum ranging from sober, impairment, intoxication, incapacitation, to overdose/ alcohol poisoning. Impairment “under the influence” occurs with the ingestion of any drugs or alcohol, whereas intoxication “drunkenness” is similar to the drunk driving limit. Some signs of intoxication include but are not limited to mild impairment of speech, vision, coordination, reaction time, slurred speech, stumbling while walking, exaggerated motions and excited language. A person *may* be able to give consent if they have been drinking or using drugs depending on their capacity to make informed decisions free from pressure, coercion, and incapacitation.
  - c. Depending on the degree of intoxication, a person who is under the influence of alcohol, drugs, or other intoxicants may become incapacitated and therefore unable to consent. Incapacitation is a state beyond impairment “under the influence” or intoxication “drunkenness.” Alcohol and other drugs impact individuals differently and determining whether an individual is incapacitated requires an individualized determination-based on the totality of the circumstances.
  - d. A person may be incapacitated if they were unaware of where they were at a relevant time, how they got there or why or how they became engaged in a sexual interaction. Incapacitation is the point at which an individual lacks the ability to appreciate the fact that the situation is sexual, or they cannot appreciate the nature/extent of the situation. Some signs of incapacitation may include the following: lack of control over physical movements, inability to walk or stand up without assistance, slurred or incomprehensible speech, confusion on basic facts, unsteady gait, bloodshot eyes, vomiting, black outs, incontinence, and/or disorientation. A person who is incapacitated may also be experiencing alcohol/drug overdose if they are puking while passed out, if they are unresponsive to pinching or shaking, and/or if their breathing is irregular, shallow, or has stopped, or if their skin is blue, cold, or clammy.
  - e. Affirmative consent cannot be gained by taking advantage of the incapacitation of another. In evaluating responsibility in cases of alleged incapacitation, the fact finder asks two questions: (1) did the Respondent know that the Complainant was incapacitated? If not, (2) should a sober, reasonable person in the Respondent’s situation have known that the Complainant was incapacitated? If the answer to either of these questions is “yes,” affirmative consent was absent.

incapacitated, the person who initiated the sexual activity alleged to be nonconsensual due to incapacity is at fault.

7. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
  - a. Examples of coercion and intimidation include using physically or emotionally manipulative conduct against the Complainant or expressly or implicitly threatening the Complainant or a third party with negative actions that would compel or induce a reasonable person in the Complainant's situation to engage in the sexual activity at issue. Examples of sexual coercion include statements such as "I will ruin your reputation," or "I will tell everyone, "Or "your career (or education) at Jacksonville State University will be over" or "I will post an image of you naked."
  - b. Examples of force or a threat of harm include using physical force or a threat, express or implied, that would place a reasonable person in the Complainant's situation in fear of physical harm to, or kidnapping of, themselves or another person.

**Appeals Coordinator:** Title IX Coordinator or VP of Student Affairs (or designee) will function as the appeals Coordinator and ensure that the Appeals Panel is appropriately trained and equipped with relevant information to adjudicate the received appeal.

**Appeals Panel:** The Appeals Panel will be comprised of three (3) university officials (university staff or faculty) who have been trained to adjudicate violations of the Code of Student Conduct.

**Appeal Process:** A process designed to review and ensure the integrity of the process and decisions of a university hearing board or the decisions of an administrative Hearing Officer. Additional information on the appeals process, including grounds for appeal, can be reviewed in Section XV of the Code of Student Conduct.

**Bystander:** A person who observes a crime, impending crime, conflict, or unacceptable behavior.

**Bystander Intervention:** A bystander's safe and positive actions to prevent harm or intervene when there is a risk posed to another person. Bystander intervention includes recognizing situations of potential harm, identifying safe and effective intervention options, and taking action to intervene.

**Code:** Refers to the Code of Student Conduct

**Complainant:** A person who makes a referral to the Office of Community Standards and Title IX alleging that a violation of the Code of Student Conduct has occurred. Under certain circumstances, a university official may file a complaint on behalf of someone who experienced prohibited conduct but who cannot or will not themselves take a formal role of a Complainant. Generally, the university may bring a complaint where there is evidence that this policy has been violated.

**Confidentiality:** Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual or as otherwise permitted or required by law. Jacksonville State University is committed to protecting the confidentiality of Reporting Individuals and will work closely with Reporting Individuals to obtain confidential assistance regarding any incident of prohibited conduct as outlined in these policies.

During any portion of the complaint procedures, the parties shall not record, either by audio or video, the meetings, interviews, interrogations, or any portion of the process. However, parties will be granted access to the Incident Report, Investigative Report and any accompanying evidence and materials by making an in-person appointment during normal business hours.

**Faculty member:** A person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

**FERPA:** Family Education Rights and Privacy Act- protects all Jacksonville State University students' records. Information allowed to be released is called directory information and is defined in the catalog under Student Regulations/Information-General Information (<https://catalog.jsu.edu/undergraduate/student-regulations-information>).

**Gender:** A socially constructed collection of traits, behaviors, and meanings that have been historically attributed to biological differences. The distinction between gender and sex reflects the usage of these terms: Sex usually refers to the biological aspects of maleness or femaleness, whereas gender implies the psychological, behavioral, social, and cultural aspects of being male or female (i.e., masculinity or femininity.) The term gender as used throughout this policy includes gender identity and gender expression.

**Gender Expression:** Outward behavior and appearances (e.g., hair, clothing, voice, body language) by which people manifest their gender identity.

**Gender Identity:** A person's deeply felt, inherent sense of being a boy, a man, or male; a girl, a woman, or female; or an alternative gender (e.g., genderqueer, gender nonconforming, gender neutral) that may or may not correspond to a person's sex assigned at birth or to a person's primary or secondary sex characteristics. Since gender identity is internal, a person's gender identity is not necessarily visible to others. When one's gender identity and biological sex are not congruent, the individual may identify along the transgender spectrum.

**Hearing Board:** A group of trained students and faculty/staff who determine if a student(s) is responsible for a violation(s) of the Code of Student Conduct (excluding cases of sexual misconduct). A chairperson will be responsible for facilitating and managing the adjudication process. The Director of the Office of Community Standards and Title IX (or designee) will advise the hearing board as the Hearing Officer and may sit in on the adjudications of the board to ensure proper procedures are followed.

**Hold:** A temporary or permanent status of a student's educational records that prevents a student from being able to register for classes, make registration changes, access enrollment and other services. Holds will be placed on student records and kept in the University Registrar's Office. A full description of record holds is available in Section XVI of the Code of Student Conduct.

**Informal Resolution:** A process, other than a formal disciplinary proceeding, by which the Director of Community Standards and Title IX or designee and the Respondent may voluntarily and mutually agree upon terms and conditions to address a violation of the Code of Student Conduct.

**International House Conduct Advisory Board:** A dynamic group of staff and students to determine International House specific sanctions if a student of the International House programs is found responsible for violations by the Office of Community Standards & Title IX. Students may be notified of those sanctions immediately following retrieval of their Administrative Decision Letter and is typically communicated from someone on the International House & Programs staff.

**Interim Measures:** Interim measures include support or accommodations, protective measures, and/or restrictive directives intended to protect the safety and well-being of the parties and the university community and to promote an accessible educational environment.

**Investigator:** A person(s) who has been identified and trained to gather information in cases which involve alleged violations of the Code of Student Conduct. The investigator shall be a member of the university community and not an individual who is suspended or expelled or under any other conduct outcome. An individual who is charged in same fact pattern related to the complaint may not serve as an investigator.

**Mediation:** Mediation is a process in which two individuals or groups meet to resolve a conflict with the facilitation and help of a neutral third party. Mediation sessions are generally one hour long and are conducted confidentially by Office of Community Standards and Title IX staff or affiliates.

**No Contact Order:** A written directive prohibiting contact with a protected individual, either directly or through a third party. If the accused or Respondent and a protected person observe each other in a public place, it is the responsibility of the accused or Respondent to leave the area immediately and without directly contacting the protected person.

**Persona Non Grata:** An individual is no longer permitted to be present on the university's owned, -leased, -operated, or – controlled property. Such individual may be issued an administrative trespass warning by university official or a criminal trespass by UPD.

**Pre-Hearing conference (or meeting):** A meeting with a professional staff member where a student can learn more about the conduct process, as well as ask any questions related to the actual hearing. Pre-Hearing meetings are to discuss processes and procedures only, and do not review the facts or substantive nature of a conduct referral.

**Preponderance of Information:** A standard of proof that indicates that the information provided leads an administrative Hearing Officer or hearing board to decide that “more likely than not” a violation did or did not occur. This is the standard of proof for all alleged violations of the Code of Student Conduct. The preponderance standard is lower than the standard of “beyond a reasonable doubt,” which is used in criminal court cases. If the evidence presented meets this preponderance standard, then the accused should be found responsible.

**Privacy:** Information related to a report of prohibited conduct will only be shared with those university employees who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the issuance of interim measures. The university will determine which employees have a legitimate need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA) and will share information accordingly. Jacksonville State University will limit the disclosure as much as possible, even if the university determines that the request for confidentiality cannot be honored. Even university officials and employees who cannot guarantee confidentiality will maintain privacy to the greatest extent possible.

Jacksonville State University may notify the parents or guardians of any dependent students who are Respondents regarding conduct charges or sanctions, particularly disciplinary probation, loss of housing, suspension, and dismissal.

**Privileged or Confidential Resources:** Individuals that, with very few exceptions, are confidential resources to those wishing to disclose alleged violations of the Code of Student Conduct, including but not limited to sexual misconduct. Such resources include licensed medical professionals, licensed mental health counselors, and clergy.

**Prohibited Conduct:** Alleged conduct or acts of misconduct, as defined in these policies, which may give rise to an investigation and a judicial or disciplinary proceeding.

**Reporting Individual:** Encompass the terms victim, survivor, Complainant, claimant, witness with victim status, and any other term used by an institution to reference an individual who brings forth a report of an alleged violation of the Code of Student Conduct.

**Respondent:** A person who is alleged to have violated the Code of Student Conduct. Encompass the term Accused Individual and any other term used to reference an individual who is responding to a report of a violation and the subject of an investigation or a judicial or disciplinary proceeding. Includes the person accused of a violation who has entered the university's judicial or conduct process.

**Retaliation:** Adverse action against another person for reporting a violation. Retaliation includes harassment and intimidation, including but not limited to, violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

**Rights and Responsibilities:** While the policies are outlined in the Student Handbook and can be referred to at any time, students have a responsibility to know the policies and abide by them in order to avoid violating a policy. In addition, students have a responsibility to Jacksonville State University to report any known violations of the Code of Student Conduct to maintain proper order and respect in the university community. With an allegation of violating the Code of Student Conduct, all students have rights as listed herein and are afforded to any accused student upon first notification of an allegation.

**Sanction:** An outcome imposed for the violation of the Code of Student Conduct. Generally, sanctions are educational in nature and intended to modify the student's behavior as well as build an awareness of personal responsibility and community standards. Sanctions may also be given to protect the JSU community and preserve a safe educational environment for all members. More information on sanctions can be found in Section XIV of the Code of Student Conduct.

**Sanctioning Officer:** The Director of Community Standards and or designee retains the sanctioning authority for both Administrative Hearings and Panel Hearings.

**Sex (sex assigned at birth):** Sex is typically assigned at birth based on the appearance of external genitalia. When the external genitalia are ambiguous other indicators (e.g., internal genitalia, chromosomal and hormonal sex) are considered to assign a sex with the aim of assigning a sex that is most likely to be congruent with the child's gender identity. For most people, gender identity is congruent with sex assigned at birth; for TGNC individuals, gender identity differs in varying degrees from sex assigned at birth.

**Sex Discrimination:** Includes all forms of sexual misconduct by employees, students, or third parties against employees, students, or third parties. Students, university employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the university campus and whether or not the incidents occur during working hours.

**Sexual Orientation:** A component of identity that includes a person's sexual and emotional attraction to another person and the behavior and/or social affiliation that may result from this attraction. A person may be attracted to men, women, both, neither, nor to people who have other gender identities. Individuals may identify as lesbian, gay, heterosexual, bisexual, queer, among others. Sexual orientation does not always appear in such definable categories and instead occurs on a continuum.

**Special University Program:** Any academic, student service-related, student life, athletic, or other university program where a student voluntarily submits to and can be held accountable for violation(s) of additional rules of conduct or program rules.

**Student:** Any individual who has applied to the university and/or is taking courses at Jacksonville State University on a full-time, part-time, or non-degree seeking basis. Included in this definition are those enrolled at all campuses and remote locations (i.e., online, study abroad, etc.). Student status lasts until conferral of a degree or certificate or is permanently separated from the university for academic or non-academic reasons. Also included are those individuals who are not officially enrolled for a particular semester, but who have a continuing relationship with the university.

**Student Organization:** Any number of persons who have complied with the formal requirements for Jacksonville State University student organization recognition and registration.

**Transgender:** An umbrella term used to describe the full range of people whose gender identity and/or gender role do not conform to what is typically associated with their sex assigned at birth. While the term "transgender" is commonly accepted, not all TGNC people self-identify as transgender.

**Witness:** A person present at the time of an incident who attends a hearing to share information about a particular incident. Character witnesses are not allowed and are not taken into consideration when determining responsibility or sanction(s). The relevancy of witness information will be evaluated by the Hearing Officer or chairperson of a board hearing. Witness statements can be accepted in lieu of attending the hearing but must be emailed directly to the Hearing Officer from the witness using only official JSU email accounts. Witnesses cannot serve as advisors.

**University Official:** Any individual who is employed, contracted with, or appointed and performing administrative or professional responsibilities within the scope of the person's authority by the university.

**University Premises:** The premises of Jacksonville State University, including all land, buildings, facilities, and other property in the possession of, owned, leased, licensed, managed, or controlled by the university (including adjacent streets and sidewalks, online networks, and domains).

## **VII. Prohibited Conduct**

Acts of misconduct or prohibited conduct are defined as any behavior that is inconsistent with university policy or as outlined in the Student Handbook or other university publication. Acts of misconduct are subject to the terms, conditions, and processes described herein. Acts of misconduct apply to anywhere the student may be when engaging in that conduct (on university owned property, not on university owned property, outside the state, country, etc.). Please refer to JSU's Sex-Based Harassment and Misconduct Policy for misconduct subject to that policy.

**Abuse of the Judicial System.** Abuse of the Judicial System include but are not limited to:

- Failure to obey the official correspondence by a Hearing Officer or university official.
- Falsification, distortion, or misrepresentation of information or testimony before a university official, staff member, and/or judicial body.
- Disruption or interference with the orderly conduct of a judicial proceeding.
- Institution of a judicial proceeding knowingly without cause by filing a false report or statement.
- Attempting to discourage an individual's proper participation in, or use of, the judicial system through intimidation or any other means.
- Attempting to influence the impartiality of a member of a judicial body prior to, during, and/or after a judicial proceeding.
- Harassment (verbal or physical) and/or intimidation of the Hearing Officer, a member of a judicial body, or other university official prior to, during, and/or after a judicial proceeding.
- Influencing or attempting to influence another person to commit an abuse of the judicial system.

### **Alcohol.**

- (1) **Alcohol Distribution.** Distribution, manufacture, or sale of alcohol in violation of university policy or law, or other violations of the University Alcohol Policy.
- (2) **Alcohol Use.** Possession or use of alcohol in violation of university policy or law, or other violations of the University Alcohol Policy.

Cases where injury, referral to a hospital, vandalism, use of a vehicle while under the influence, police involvement, or actions bringing discredit to the university will be referred to the conduct process. Also, impairment which can be attributed to the use of alcohol, possession of alcohol beverage(s) in designated "dry areas", including hallways and common areas, or other violations of JSU's Alcohol and Other Drug Policy.

It should be noted that the presence of empty alcoholic beverage containers in or about residence rooms, halls and/or university grounds is prima facie evidence of use, consumption, and/or transportation. Empty

alcoholic beverage containers shall not be considered appropriate décor for residential facilities. Open containers of alcoholic beverages are generally not permitted in common areas and other public areas unless approval is granted by the Dean of Students.

Residents of University Housing are subject to all local and state laws concerning the use, possession, sale, and transportation of alcoholic beverages. Residents above the age of 21 years old, living in university housing, shall not possess bulk quantities of alcohol (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event). Please refer to section VIII of the Code of Student Conduct, JSU's Alcohol and Other Drug Policy, and the University's Housing policy for additional guidance regarding use of alcohol in residential facilities.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, threats, or a fight, may result in a \$300 fine and suspension from the university.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the university.

**University Housing.** Any student found responsible for violating this policy, regardless of where the incident occurred, while living in university housing, may be subject to a \$300 fine, deferred housing suspension and additional sanctions, including a room change without a refund. Upon a second offense, an individual may be suspended from university housing.

**Special University Programs.** Students found responsible for violating this policy may be subject to additional scrutiny if they are enrolled in a university program with a stricter alcohol use policy. The Director of Community Standards and Title IX may notify the head of the department or program of a finding of responsibility. For these purposes, it is understood that students participating in the Fast Start Academy, the International House program, the education program, the nursing program, the social work program, and ROTC have agreed to oblige by additional program policies.

*Please refer to the Jacksonville State University (JSU) Alcohol and Other Drug Policy for additional guidance.*

**Arson.** Arson is the willful or malicious burning of property (such as a building) especially with criminal or fraudulent intent. Arson includes but is not limited to:

- Committing acts of arson, creating a fire hazard, or unauthorized possession or use of flammable materials or hazardous substances.
- Causing a fire or explosion, or unauthorized use of any potential incendiary device or equipment.

**Assault.** A threat of bodily harm coupled with an apparent, present ability to cause harm. Examples of violations regarding Assault include but are not limited to:

- Inflicting bodily harm upon any person.
- Taking any action for the purpose of inflicting harm upon any person.
- Threatened use of force upon any person.
- Subjecting another person to unwanted physical contact.
- Slapping, kicking, shoving, or otherwise striking another person.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, drugs, or alcohol or injuries resulting in a hospitalization, may result in a \$300 fine and suspension from the university.



Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the university.

**Attempt.** Attempting to engage in conduct, which, if completed, would result in the violation of any rule or policy applicable to the university. A student may be charged with and found responsible for the prohibited conduct, which, if completed, would have been a violation of the Code of Student Conduct.

**Biased Incident.** Bias related incidents including but are not limited to any violation of the Code of Student Conduct motivated in whole or in part by a consideration of race, sex (including gender identity), color, religion, ancestry, national origin, age, disability, veteran status, or sexual orientation may subject the student to the imposition of a sanction more severe than would be imposed in the absence of such motivation.

**Hate Crime.** An act in which criminal offense is committed against persons, property, or community that is motivated in whole or in part, by the offender's bias against group or individual's race, religion, ethnic/national origin, sex, gender identity, gender expression, age, political beliefs, disability, or sexual orientation. Biased incidents are those actions by an individual or group that is motivated by bias but does not rise to the level of a criminal offense.

The fact that the offender was biased against an individual's race, religion, ethnic/national origin, gender, age, political beliefs, disability, or sexual orientation does not automatically mean that a hate crime was committed. The act must have been motivated, in whole or in part, by a bias. Upon referral to judicial proceedings, the incident may be classified as a hate crime, a crime, prohibited conduct or violation under these policies and/or the Code of Conduct, a biased incident, or an act of free speech.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, drugs, or alcohol or injuries resulting in a hospitalization, may result in a \$300 fine and suspension from the university.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the university.

**Bicycles/Motorized Scooters.** No bicycle or motorized scooter may be kept or ridden anywhere inside residential, academic, or administrative buildings.

**Bribery.** The offer or acceptance of anything of value in exchange for favorable treatment by a university official, UPD, or other official. Forms of bribes may include gifts or payments of money, property, various goods, privileges, services and favors.

**Bullying.** Bullying is systematically and chronically inflicting physical hurt or psychological distress on one or more individuals. It is further defined as unwanted purposeful written, verbal, non-verbal or physical behavior including, but not limited to, any threatening, insulting, or dehumanizing gesture by a student that has the potential to create an intimidating, hostile, or offensive educational/living environment or causes long-term damage, discomfort or humiliation; or to unreasonably interfere with another individual's school performance or participation; is carried out repeatedly; and is often characterized by an imbalance of power. Bullying may involve, but is not limited to:

- Unwanted teasing
- Threatening
- Intimidating
- Stalking
- Cyber-stalking
- Cyber-bullying
- Physical violence
- Theft

- Sexual, religious, or racial harassment
- Public humiliation
- Destruction of school or personal property
- Social exclusion, including incitement and/or coercion
- Rumors or spreading of falsehoods

**Camping or Shelter Construction.** Constructing shelters, camping, or sleeping out on university owned properties is prohibited at all times.

**Complicity.** Aiding, helping, or otherwise assisting another in violating any rule applicable to the university. Complicity in any prohibited act(s) of the Code of Student Conduct, including the failure to remove oneself from incriminating situations and/or report the incident to proper authorities. One who is complicit may be referred to as an accomplice. A complicit student may be charged with and found responsible for the violation committed by another. Students are also responsible for the actions and behaviors of their guests.

**Computers.** Misuse, abuse, and unauthorized use of computers and/or technology, and/or use of technology for unauthorized purposes.

**Damage to Property.** Any action that causes damage or which would tend to cause damage to the property of the university or property of a member of the university community or other personal or public property.

Any student found responsible for violating this policy may be subject to a \$100 fine, restitution of the fair market value of the damaged property, educational sanctions, and additional sanctions.

**Dangerous Instrument and Firearms.** No one may possess, store, display, or carry any dangerous instrument or firearm on all university property except by authorized law enforcement officers and other persons specifically authorized by the President of the University.

Possession or keeping of a dangerous instrument on campus or in University Housing or use of any object with intent to harm another is generally prohibited. A lawfully possessed firearm may be maintained in an individual's privately owned vehicle. Objects may not be improperly displayed to intimidate, harass, threaten, or otherwise breach the peace. They may not be used in a commission of prohibited conduct.

**“Dangerous instrument”** includes, but is not limited to,

- any device that shoots or delivers a bullet, BB, pellet, arrow, dart, flare, electrical charge, or other projectile, whether loaded or unloaded, including those devices powered by air, gas, explosion, or mechanical means.
- any explosive device, including fireworks.
- any instrument/device designed to be a weapon to injure or threaten another individual, including brass knuckles.
- Any item potentially hazardous.
- Nonculinary knives with a blade greater than three (3) inches, including hatchets, machetes, swords, daggers, or other edged weapons.
  - Exception: common pocketknife or legitimate tools appropriately used in authorized work on campus are generally permitted.

**“Firearm”** includes a pistol, handgun, rifle, or shotgun and any ammunition.

Realistic facsimiles of dangerous instruments or firearms are also specifically not allowed. Paintball guns and paintball markers are generally prohibited. They may only be used on the property of the university in connection with authorized university activities and only at approved locations.

Any student found responsible for violating this policy may be subject to a \$300 fine, deferred housing suspension, educational sanctions, criminal prosecution and/or disciplinary action from the

university. Aggravating factors, such as the presence of drugs or alcohol, threats, or a fight, may result in a \$300 fine and suspension from the university.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the university. Students who are aware of an unauthorized weapon on-campus are strongly encouraged to notify the University Police and Dean of Students immediately.

**University Housing.** Students found responsible for violating the Dangerous Instrument and Firearms policy may be subject to a \$300 fine and deferred housing suspension. Upon a second offense, an individual may be subject to a housing suspension without a refund for a period of at least one (1) year.

*Please review JSU's Dangerous Weapons and Firearms policy for additional guidance.*

**Discrimination.** Any distinction, preference, advantage for or detriment to a person or group based on race, color, national origin, gender, gender identity, marital status, pregnancy status, sexual orientation, age, religion, disability, predisposing genetic characteristics, military status, and domestic violence victim status.

**Dishonesty.** Knowingly furnishing false information to any person, including university officials. Acts of dishonesty include, but are not limited to, acts of manipulation, misrepresenting the facts or failing to disclose relevant information, impersonating a university official or designee, or engaging in other deceitful behavior. Conflicting or inconsistent statements and evidence may be considered evidence of dishonesty.

JSU recognizes the impact of trauma on a student's ability and willingness to be forthcoming and to recall information. The Director of Community Standards and Title IX will consider the totality of the circumstances and consult other university officials when necessary.

Any student found responsible for violating this policy may be subject to a \$100 fine, educational sanctions, and additional sanctions.

**Disruptive Behavior.** Obstructing or disrupting university activities, including but not limited to, teaching, research, administration, disciplinary procedures, or other authorized activities including public service functions. It can include participation in campus demonstrations which substantially and materially disrupt the normal operations of the university and infringes on the rights of other members of the university community by leading or inciting others to disrupt scheduled and/or normal activities within any campus building or area; intentional obstruction which unreasonably interferes with freedom of movement, either pedestrian or vehicular, on campus.

- Disruption or obstruction of teaching, research, administration, or other university activities, including its public-service functions on or off campus, or other authorized non-university activities.
- Leading or inciting others to disrupt activities associated with the operations of the university.
- Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored or supervised functions.
- Material and substantial disruption of the protected expressive activity

**Disorderly Conduct.** Conduct which is disruptive, lewd, or indecent, with intent to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, which breaches the peace of the community. Disorderly conduct may include any of the following:

- Engages in fighting or in violent tumultuous or threatening behavior.
- Makes unreasonable noise.
- In a public place, uses abusive or obscene language or makes an obscene gesture.
- Without lawful authority, disturbs any lawful assembly or meeting of persons.
- Obstructs vehicular or pedestrian traffic, or a transportation facility.
- Congregates with other person in a public place and refuses to comply with a lawful order of law enforcement to disperse.

## **Drugs.**

- (1) **Drug Distribution.** Distribution, manufacture, or sale of drugs, narcotics, chemicals and/or drug paraphernalia in violation of university policy or law, or other violations of the University Drug Policy.
- (2) **Drug Use.** Possession or use of drugs, narcotics, chemicals and/or drug paraphernalia in violation of university policy or law, or other violations of the University Drug Policy.

“**Drugs**” are considered to be any mind-altering substances, regardless of legality, including but not limited to opiates, barbiturates, amphetamines, marijuana, hallucinogens, “designer drugs,” and illegal steroids, except for legally authorized doses for medical purposes. Banned substances include but are not limited to, the following:

- Controlled substances, as defined by state law, requiring a prescription, but are obtained without a physician’s order, such as methedrine (speed), amphetamines (Ritalin, Adderall, etc.), antidepressants (Prozac, etc.), sedatives and barbiturates, tranquilizers, and pain killers (Valium, Vicodin, etc.).
- Narcotics, such as morphine, heroine, codeine, ketamine, and cocaine in any form.
- Chemical substances and organic manner, such as LSD (Acid), marijuana, hashish, THC, Peyote buttons, mescaline, DMT, DOM, STP, psilocybin or psychedelic mushrooms, etc.
- Designer drugs, including but not limited to synthetic marijuana (K2, Spice, herbal potpourri).

Unauthorized (without prescription) use or possession of any of the above is an illegal act. Use, possession, or sale of these substances may also result in legal action. The university will remain cognizant of its responsibility to civil matters.

Any student who is involved with drugs is encouraged to consult the Health Services for help. Information given to a university health care provider or Counselor is privileged, and the provider cannot voluntarily disclose it to anyone and cannot be forced to testify to it in court or elsewhere. Other members of the staff or other students may also help with drug problems; however, students should realize they are not necessarily bound by confidentiality.

Action taken by the university in all cases of drug violation will be guided by a concern both for the emotional and physical welfare of the student involved and for the maintenance of a suitable educational environment for all members of the university community.

Drug violations include but are not limited to:

- Possession, sale, consumption, distribution or being knowingly in the presence of narcotics or other controlled substances is prohibited except as expressly permitted by law.
- Further, any items that can be utilized for or are designed for the use of drugs (i.e., bowls, bong, hookahs, etc.) are not allowed on campus property.

It should be noted that the presence of empty containers with drug residue, roaches, buds/stems, paraphernalia, or items designed for the use of drugs, in or about residence rooms, halls and/or university grounds is prima facie evidence of use, consumption, and/or transportation of drugs.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, threats, or a fight, may result in a \$300 fine and suspension from the University.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the University.

**University Housing.** Any student found responsible for violating this policy, regardless of where the incident occurred, while living in university housing may be subject to deferred housing

suspension, a \$300 fine, and additional sanctions, including a room change without a refund. Upon a second offense, an individual may be suspended without a refund from university housing for a period of at least one (1) year and subject to an additional \$300 fine.

Where a student has received an official warning regarding *suspected drug use*, including but not limited to reported marijuana odor in or around their residence, a student may be found responsible for violating the university's drug use policy and subject to additional sanctions, including room change without a refund. Upon a second report of suspected drug use, a student may be subject to a \$150 fine, housing probation, and/or additional disciplinary action.

If drugs or drug paraphernalia is found in a common space, the rebuttable presumption will be that all student tenants are responsible for possession and/or use of illegal drugs.

**\*\*Please note that students found responsible for smoking, drug use, and/or tampering with fire safety equipment may be subject to separate fines associated with each individual charge originating from the same documented incident.**

**Special University Programs.** Students found responsible for violating this policy may be subject to additional scrutiny if they are enrolled in a university program with strict drug use policy. The Director of Community Standards and Title IX may notify the head of the department or program of a finding. For these purposes, it is understood that students participating in the Fast Start Academy, the International House program, the education program, the nursing program, the social work program, and ROTC have agreed to oblige by additional code of conduct.

**Dumping/ Littering.** No one shall intentionally dispose of trash of any kind anywhere except a designated trash receptacle. Dumping or littering may include but is not limited to the act of dropping and leaving objects such as aluminum cans, cardboard boxes or plastic bottles on the ground and leaving them there indefinitely or for others to dispose of as opposed to disposing of them properly. Dumping and littering violations include but are not limited to:

- Depositing, dumping, littering, or otherwise disposing of any refuse on university property, except in duty designated refuse depositories.
- Leaving trash outside the residence door or on a balcony.

**Failure to Comply.** Failure to comply with the direction of, and/or present identification to any university official when that official has been identified and is acting expressly within their authority to uphold a university policy. University officials include faculty and staff of the university. Also included are student employees who are carrying out assigned work responsibilities. Failure to comply with a verbal or written directive given by a university official, including obligations associated with any disciplinary sanction(s). Interfering with the normal operation of the teaching/learning environment. Violations of Failure to Comply/Abide include but are not limited to:

- Failure to comply with reasonable and lawful requests or directives of university officials or law enforcement officers acting in the performance of their duties and/or interference with faculty, staff, or student-staff acting in the performance of their official duties.
- Attempting to, or successfully evading, avoiding, or delaying questioning by a university official or employee or UPD officer.
- Failure to show proper student identification or other identification to any faculty, staff, or student-staff in the performance of her/his official duties.
- Violation of federal, state, and/or local laws.
- Violation of published university policies, rules, and regulations (i.e., Code of Conduct, Academic Policies, etc...)
- Failure to provide student identification to UPD upon request.
- Aiding, abetting, or procuring another person to violate a university policy.

**Failure to Comply- Interim Protective/Restrictive Measure.** Per the Code of Conduct, failing to comply with the directions of an authorized university official, faculty, or staff member may be construed as “failure to comply/abide.” In these policies, a person violates an interim protective/restrictive measure if they (1) have notice and (2) intentionally or unintentionally failed to comply with restrictions articulated in the written directive (e.g., “No Contact Order”, “Interim Suspension.”) issued by a university official, faculty, or staff member. A person who violated an interim protective/restrictive measure *may* be charged with “failure to comply/abide” and may be subject to additional interim measures (e.g., Interim Suspension) as detailed in the written directive.

**Notice:** For these purposes, notice is generally given upon delivery of the written directive via email or in-person delivery.

**Failure to Comply- Public Health / Emergency Management Directives.** Students are required to comply with public health and emergency management directives communicated by university, local, state, and federal officials and entities.

**Failure to Comply- Self Reporting Policy.** Students are required to self-report reportable offenses, including but not limited to, any felony offense, or any misdemeanor offense or statutory infraction involving danger to another, moral turpitude, or an offense involving the illegal possession / use / distribution of drugs. Please review JSU’s Student Self-Reporting policy for additional guidance.

**Fire Alarm.** The instigation of false fire/explosion, or emergency alarms, bomb threats. Knowingly disregarding a fire alarm, bomb threat, or refusing to evacuate a building or a section of a building where a fire alarm is sounding or an order to evacuate has been given in addition to entering a building while a fire alarm is sounding. This includes entering or exiting from a fire escape unless during a fire drill or in the case of an actual fire.

Any student found responsible for tampering with a fire alarm may be subject to a \$300 fine and additional sanctions.

**Fire Safety Equipment.** Tampering/misusing or damaging fire extinguishers, alarms, or other safety equipment. Tampering with smoke detectors includes removing the batteries, covering the smoke detectors, removing the smoke detectors, or otherwise disabling the smoke detectors.

Students are not permitted to tamper with a smoke detector in any way regardless of its sensitivity. It is recommended to use your oven fan or open a window when using high heat on the stove or oven.

Any student found responsible for tampering with fire safety equipment, including smoke detectors, may be subject to a \$300 fine per tampered equipment and additional sanctions.

**University Housing.** Any student found responsible of tampering with fire safety equipment, including smoke detectors, while living in university housing, may be subject to deferred housing suspension, a \$300 fine per tampered equipment, and additional sanctions, including a room change without a refund. Upon a second offense, an individual may be subject to an additional \$300 fine and immediately suspended without a refund from university housing for a period of at least one (1) year.

Where the tampered equipment is in a common living space, the rebuttable presumption will be that all student tenants are responsible, and all student tenants may be subject to an individual fine of \$300 per tampered equipment.

**\*\*Please note that students found responsible for smoking, drug use, and/or tampering with fire safety equipment may be subject to separate fines associated with each individual charge originating from the same documented incident.**

**Fraud.** Furnishing false information to the university or others with intent to deceive is a personal abrogation of such responsibility, which is contrary to the well-being of a university community. Fraud includes, but is not limited to:

- Forging alteration, or misuse of university property, including library material, private property on the campus, auto decals, identification cards, grade reports, or other personal identification instruments requested by an official.
- This includes using another student's ID card to get meals at the dining center.
- Using another student's ID card to access a residence hall.
- Alteration, or misuse of university documents, identification and keys or access cards.
- Tampering with or illegally influencing voting or vote counting procedures or regulations as set forth by the Student Government Association for any campus election.

**Gambling.** Gambling, including, but not limited to, contests of chance, illegal lottery and policy for money or something of value, promoting or advancing gambling, gambling using university computing/network facilities, possessing gambling devices or gambling records is prohibited at the university.

Gambling on university property or at university-sponsored or supervised functions for money or stakes is prohibited.

**Harassment.** Any form of harassment and/or any form of harassment based on perceived or actual identities; In addition to harassment on the basis of legally protected status, Jacksonville State University prohibits harassment of students on any basis, which the university defines to include, persistent, severe, pervasive, unwelcome, and inappropriate conduct that actually or potentially interferes with a student's ability to work or learn.

The university reserves the right to take disciplinary action based on such conduct whether or not it meets with the legal standards of discrimination or harassment. Harassment violations include but are not limited to:

- Action(s) which recklessly and/or intentionally endanger(s) the mental or physical health of any individual and/or results in a cessation of normal activities and operations of the university.
- Persistent, severe, pervasive, unwelcome, and inappropriate conduct that actually or potentially interferes with a student's ability to work or learn.

**Hazing.** All forms of hazing are prohibited. Any intentional, knowing, or reckless act committed for the purpose of joining or retaining membership in an organization that causes an individual or group of individuals to violate the law or JSU policy or where there is a substantial risk of emotional, mental, or physical harm. For a full definition of hazing, please refer to section XI. A. Risk Management Policy of the Code of Student Conduct.

**Intimate Partner Violence:** (relationship violence, domestic violence, or dating violence) A pattern of coercive behaviors that serve to exercise control and power in an intimate relationship, as defined below. The coercive and abusive behaviors can be physical, sexual, economic, psychological, verbal and/or emotional in nature. This includes any behaviors that intimidate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Intimate partner abuse can occur in relationships of the same or different genders; between current or former intimate partners who have dated, lived together, or been married. Intimate partner violence includes dating violence and domestic violence, both of which are defined below.

**Dating Violence:** Any act of violence, including but not limited to physical, sexual, psychological, and verbal violence, sexual or physical abuse or threat of such abuse, which occurs between individuals who are or have been in a social relationship of a romantic or intimate nature. Dating Violence can occur as a single act, or it can consist of a pattern of violent, abusive, or coercive acts that serve to exercise power and control in the context of a romantic or intimate relationship, as defined below. In determining the existence of such a relationship, consideration will be given to the length and the type of relationship and the frequency of interaction between the persons involved in

the relationship. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic violence:** Any violent felony, non-violent felony, or misdemeanor crime or threatened act of violence against the Complainant committed by (1) a current or former spouse or intimate partner; (2) a person with whom the Complainant shares a child; or (3) a person co-habituating with the Complainant as a spouse or intimate partner. Domestic violence also includes behavior that seeks to establish power and control over the Complainant by causing the Complainant to fear violence to themselves or another person. Such behavior may take the form of harassment, property damage, intimidation, and violence or a threat of violence to oneself (i.e., the Respondent) or a third party. It may involve one act or an ongoing pattern of behavior.

**Intimate Relationship (intimate partner):** The existence of an intimate relationship shall be determined based on the individual's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. This relationship may be characterized by some or all of the following: emotional connectedness, regular contact, ongoing physical contact and sexual behavior, identity as a couple, and familiarity and knowledge about each other's lives. Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship.

**Invasion of privacy.** All forms of invasion of privacy including, but not limited to the recording, filming, photographing, viewing, transmitting, or producing the image or voice of another person without the person's knowledge and expressed consent while in an environment that is considered private. In such circumstances, the use of undisclosed and/or hidden recording devices is prohibited, as is the storing, transmission and/or distribution of any such recordings. This policy pertains to areas on campus that are considered private or where there is an expectation of privacy, including but not limited to a residence, restroom, shower, office, locker room, or gym.

**Physical Harm.** Infliction of, or threat of physical harm to any person(s) or thing or their property (when disruptive or detrimental to the community).

Any student found responsible for violating this policy may be subject to a \$100 fine, restitution, educational sanctions, and additional sanctions.

**Pet Policy.** No one shall bring any pet except for service animals or emotional support animals, belonging to them or under their control, into any university owned or operated building or chain a pet outside any building. Exceptions to the pet policy may exist in some student housing buildings and students should seek that exemption through housing. Students accompanied by service animals must comply with local laws and public health requirements concerning vaccinations, licensing, and registration that applies to all animals of that species. Students with service animals are encouraged to voluntarily register their service animals with Disability Resources to assist with the identification of the service animal in the event of an emergency. Emotional Support Animals (ESAs) must be registered and be granted an accommodation of access through Disability Resources and subsequently with University Housing for those students living in university provided housing.

**Disability:** "Disability" is defined as a physical, mental, or medical condition or impairment that limits one or more of a person's major life activities or is demonstrable by medically accepted clinical or laboratory diagnostic techniques. These limitations may include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

**Owner:** The "owner" is the student or individual who has made the requested accommodation and has received approval for an Emotional Support Animal.



**Service Animal:** A “service animal” as defined in Title II of the Americans with Disabilities Act (ADA) is any animal (most often a dog) that is individually trained to work or perform tasks for the benefit of an individual with a disability including physical, psychiatric, intellectual, sensory, or other mental disabilities. The tasks a service animal provides is directly related to the functional limitations of the individual’s disability and include but are not limited to guiding individuals with visual impairments; alerting persons with hearing loss to intruders or sound; providing minimal (non-violent) protection or rescue work; pulling a wheelchair; assisting an individual during a seizure; or fetching dropped items. A service animal may be present in-residence halls as well as academic buildings and other campus facilities unless the animal presents an unreasonable threat to health or safety. Animals younger than 4 months of age are not considered service animals. A pet or other animal, whether the animal is trained or untrained, whose sole function is to provide companionship, comfort, or emotional support, does not qualify as a service animal.

**Emotional Support Animal:** An “emotional support animal” (“ESA”) is an animal that provides comfort to an individual with a disability upon the recommendation of a qualified healthcare or mental health professional. An emotional support animal does not assist persons with a disability with activities of daily living but rather its role is to live with a student and alleviate the symptoms of an individual’s disability to provide equal opportunities to use and enjoy residential life at the university. An ESA is primarily limited to residence halls and designated outdoor areas on campus and is not permitted in academic buildings and other campus facilities. Animals younger than 4 months of age are not considered emotional support animals. An emotional support animal is not a service animal. Emotional Support Animals are governed through Housing and Urban Development’s Section 504 regulation and the Fair Housing Act.

**Pet:** A pet is an animal kept for ordinary use and companionship unrelated to a disability. A pet is not considered a service animal or an emotional support animal, and therefore, is not covered by this policy. Individuals are not allowed to have pets on university property.

**Ownership Responsibility.** Owners are expected to care for and protect their permitted animals. Animals are dependent on people for more than just food, water, and shelter. They also need their owners to protect them from harm. Animal cruelty includes abandonment, starvation, torture, and dog fighting.

- Owners must always keep animals on leash.
- Owners are expected to clean up after their pets. Feces must be placed in a plastic bag tightly and securely tied and sealed. The plastic bag must be deposited in an appropriate building garbage receptacle.
- Owners are expected to be responsible owners who appropriately vaccinate their animals and render appropriate medical and behavioral care.
- Owners are expected to appropriately vaccinate their animals and provide them with appropriate medical attention.
- Owners are expected to provide their animals with the necessary care and attention, including but not limited to regular exercise, as to ensure the animal’s medical and behavioral health.
- Owners are expected to provide the animals with the necessary training and obedience instruction to reinforce positive behaviors. Obedience training may include positive reinforcement training, clicker training, and relationship-based training.
- Owners are liable for the actions of their pets (bites, scratches, etc.). Personal renter’s insurance including liability insurance should be obtained to cover the cost of liability should the animal harm a person.
- Owners should ensure that their animal is not a nuisance (odor, excessive noise, or other disturbance created by the animal). In general, wild animals, animals not typically kept as pets or for service, and ones that are likely to be too big, too noisy, too fierce, too temperamental, or which are trained for protection will not be allowed.

- Owners are expected to comply with any additional university rules and regulations, including those outlined in the University Housing’s Animal Policy and Memorandums of Understanding for Service Animals and Emotional Support Animals.

In the event that an animal causes harm, or threatens to cause harm to an individual, i.e.: physically threatening or harming an individual, the animal must be removed from campus immediately and permanently. There will be no written warning. The university reserves the right to require the removal of an animal or obedience training at any time whether or not prior warnings have occurred.

**University Housing.** Students who may have a pet in their residence, per University Housing policy, must have an approved pet application for an approved unit. The approved pet application cannot be transferred to another unit without prior notice to and approval from the building manager. Students are expected to clean up after their pets and to be responsible pet owners.

Students who fail to appropriately submit a pet application or otherwise violates the university’s pet policy may be subject to a \$100 fine and housing probation. Students will generally be given an opportunity to remedy the situation within three (3) calendar days by either submitting a pet application with the pet fee or by removing the pet. In limited circumstances where there is a legitimate safety concern, the university may require students to remedy the situation within 24 hours upon notice.

Upon a second offense, a student may be subject to an additional \$100 fine, housing probation, and loss of privileges, including the inability to submit a pet application. Upon a third violation, a student may be subject to an additional \$100 fine and suspension from university housing for a period of at least one (1) year without a refund.

Students who continue to violate the university’s pet policy may be subject to an interim housing suspension without refund until they cure the situation. Where a pet has caused harm or threatened to cause harm to an individual, students must immediately remove the pet. Failure to immediately remove the pet may result in the student being subject to an interim housing suspension without refund until they cure the situation.

***Students are expected to comply with the university’s pet policy and with Disability Resources Service and Emotional Support Animals Policy.*** Students who repeatedly violate the university’s pet policy may be subject to housing suspension without refund. In addition, violation of the university’s pet policy may impact a student’s current and future ESA eligibility.

**Retaliation.** Adverse action against another person for reporting a violation. Retaliation includes harassment and intimidation, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

Jacksonville State University has a zero tolerance for retaliation. Students may not engage in retaliatory acts or encourage others to do so. Retaliation against another student or member of the JSU community for their participation in any portion of the referral or student conduct process which includes, but is not limited to, serving as a witness in conduct hearings, is prohibited. Students may be found responsible for violating this policy regardless of the outcome of the referral.

**Sexual Assault.** Sexual assault is an extreme form of sexual harassment. Sexual assault includes what is commonly known as “rape” (including what is commonly known as “date rape” and “acquaintance rape”), fondling, statutory rape, and incest. Sexual assault is (1) sexual intercourse or (2) sexual contact (3) without affirmative consent.

1. **Sexual intercourse:** Sexual intercourse means any penetration, however slight, with any object or body part, as follows: (a) penetration of the vulva by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

2. **Sexual contact:** Sexual contact means intentional sexual touching, however slight, with any object or body part, whether directly or through clothing, as follows: (a) intentional touching of the lips, breasts, buttocks, groin, genitals, inner thigh, or anus or intentionally touching another with any of these body parts; (b) making another touch anyone or themselves with or on any of these body parts; and (c) intentional touching of another's body part for the purpose of sexual gratification, arousal, humiliation, or degradation.
3. **Affirmative consent** (as defined above)

**Rape:** penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim.

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent, which is 16 years old in the state of Alabama.

**Sexual Exploitation.** Any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute sexual assault or sexual harassment. Examples of sexual exploitation include but are not limited to the following:

- Recording, photographing transmitting, viewing, or distributing intimate or sexual images or sexual information without the knowledge or consent of all parties involved; voyeurism (i.e., spying on others who are in intimate or sexual situations)
- Observing another person when that person is nude or engaged in sexual activity without the knowledge and consent of the person observed or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
- Making, sharing, posting, streaming, or otherwise distributing any image, photography, video, or audio recording depicting or otherwise recording another person when that person is nude or engaged in sexual activity without the knowledge and consent of the person depicted or recorded.
- Exposing one's genitals to another person without the consent of that person.
- Intentional, nonconsensual tampering with or removal of condoms or other methods of birth control and STI prevention prior to or during sexual contact that significantly increases the likelihood of STI contraction and/or pregnancy by the nonconsenting party.
- Exposing another person to a sexually transmitted infection without the knowledge and consent of the person exposed.
- Trafficking people to be sold for sex; and,
- Causing another person to become incapacitated with the intent of making that person vulnerable to nonconsensual sexual assault or sexual exploitation.

**Sexual and Gender- Based Harassment:** Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, nonverbal, graphic, physical, or otherwise, when the conditions outlined in (1) or (2), below, are present.

Gender-Based Harassment is harassment based on gender, sex, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, nonverbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) or (2), below, are present.

1. Submission to or rejection of such conduct is either an explicit or implicit term or condition of benefits or detriments to a person's employment or academic standing (including, for example, grades, recommendations, promotions, quality of assignments or compensation), or participation in any university programs or activities or is used as the basis for college decisions affecting the individual (often referred to as "quid pro quo" harassment).

2. The conduct has the purpose or effect of interfering with an individual's study and/or work performance, or creating an intimidating, hostile or offensive work and/or learning environment. Such conduct creates a hostile environment. A hostile environment exists when the conduct is

sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual's participating in or benefitting from the university's education or employment programs or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

In evaluating whether a hostile environment exists, the university will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature, and severity of the conduct.
- Whether the conduct was physically threatening.
- The effect of the conduct on the Complainant's mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether there is a power differential between parties; and,
- Whether the conduct implicates concerns related to academic freedom or protected speech.

Although it is not possible to list all examples of conduct that constitutes sexual and gender-based harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual and gender-based harassment depending upon the totality of the circumstances, including the persistence and severity of the conduct and its pervasiveness:

- Sexual advances — whether they involve physical touching or not.
- Sexual epithets, jokes, references to sexual activity, comments on an individual's body, or comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, cartoons, or other images.
- E-mail, instant messaging, voicemail messages or postings on social networking sites or blogs containing sexual content or references.
- Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments of a sexual nature.
- Making sexual comments or jokes about a person's pregnancy, calling a pregnant person sexually charged names, spreading rumors about their sexual activity, and making sexual propositions or gestures.
- Attempting or threatening to subject another person to unwanted physical contact.
- Repeatedly following another person in or about a public place or places, sending unwanted text messages, letters, email and/or voicemails, or persistent pursuit of another person.
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

**Sexual Misconduct.** Any form of sexual harassment or sexual misconduct including, but not limited to sexual assault, stalking, dating violence, intimate partner violence, domestic violence, and sexual exploitation. Please refer to JSU's Gender-Based and Sexual Misconduct policy for misconduct subject to that policy.

**Smoking.** The university is primarily smoke free. Smoke free zones include all university buildings and university housing, including the UREC Center.

Smoking (cigarettes, electronic cigarettes, vaping, cigars, hookahs, and pipes) in the residential area is only permitted in the areas for that purpose.

Smoking violations include but are not limited to:

- Smoking in unauthorized areas of campus as outlined above.
- The unauthorized sale of cigarettes and other tobacco products is prohibited anywhere on university property.

It should be noted that the presence of ashes, in or about residence rooms, halls and/or university buildings creates a rebuttable presumption that a student has violated the university's smoking policy.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, threats, or a fight, may result in a \$300 fine and suspension from the University.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the University.

**University Housing.** Any student found responsible of smoking while living in university housing may be subject to deferred housing suspension, a \$300 fine, and additional sanctions, including a room change without a refund. Upon a second offense, an individual may be suspended without a refund from university housing for a period of at least one (1) year and subject to an additional \$300 fine.

If evidence of smoking is found in a common space, the rebuttable presumption will be that all student tenants are responsible for violating the smoking policy.

**\*\*Please note that students found responsible for smoking, drug use, and/or tampering with fire safety equipment may be subject to separate fines associated with each individual charge originating from the same documented incident.**

**Soliciting.** No student or non-student entity may sell, solicit, survey, or publicize on university property without the prior written approval of the Dean of Students.

**Stalking.** A course of conduct directed at a specific person that would cause a reasonable person to fear. Stalking involves repeated and continued harassment, which causes the targeted person to feel emotional distress, including fear and apprehension. A stalker may know the targeted person, may be a past partner, or may be a stranger. Here are some examples of stalking behaviors:

- Pursuing or following.
- Non-consensual (unwanted) communications or contact- including face-to-face, telephone calls, voice messages, electronic messages, or unwanted gifts.
- Showing up at one's home or place of work unannounced or uninvited.
- Constantly calling and hanging up.
- Trespassing.
- Surveillance and other types of observation.
- Use social networking sites and technology to track you.

**Cyberstalking:** Using the Internet or other electronic means to harass someone.

**Student Contractual Agreement.** All students or student organizations planning to conduct programs on or off the university campus requiring a contractual agreement with non-university agencies, must obtain permission of the Dean of Students.

**Student Posting.** Posters, banners, or any other printed material may only be displayed on bulletin boards inside authorized university operated buildings or on authorized buildings. Trash receptacles are specifically unauthorized display areas.

**Theft.** Theft or attempted theft. Theft is defined as the wrongful taking and carrying away of the personal goods or property of another. Theft violations include but are not limited to:

- Attempted or actual theft of university property or services or property belonging to any member of the university community.
- Misappropriation of funds or receipt of funds through fraudulent or dishonest means.

- The unauthorized possession of university property or property belonging to any member of the university community.
- Unauthorized use or abuse of computer time and/or computer systems, information, passwords, or computerized data.
- Obtaining or attempting to obtain telephone service by any devious means, including but not limited to, unauthorized charging of another person for service, utilizing fraudulent mechanical means to gain service, and/or tampering with connections, facilities, or documents.
- Any student found responsible for violating this policy may be subject to a \$100 fine, restitution of the fair market value of the stolen property, educational sanctions, and additional sanctions.

**Threats or intimidation.** All hostile, threatening, or intimidating behavior that, by its very nature, would be interpreted by a reasonable person to threaten or endanger the health, safety, or well-being of another.

Examples of such behavior may include, but are not limited to:

- Act(s) that alarms or seriously disrupts another person's ability to participate in any aspect of university life.
- Communicating verbally (either directly or indirectly) through another party, by telephone, or electronic mail, voice mail or any verbal, mechanical, electronic, or written communication in a manner that would restrict or deny any individual's access to educational resources, university activities, and university-related opportunities.

**Trespassing.** Wrongful and/or any unauthorized entry onto university property, including the residential halls, or the property of another. Students may not violate an administrative trespass issued by a university official or a criminal trespass order issued by UPD.

**Unauthorized Use of JSU's Name.** Non-recognized student organizations using the name of the university or attempting to use the name of the university without the express written consent of the university.

**Unauthorized Activity.** Non-recognized student organizations participating or attempting to participate in activities reserved for recognized student organizations. Student organizations that have been suspended or dismissed are considered organizations not recognized by the university.

#### **Unauthorized Entry into Water Feature Areas**

To ensure safety, and to protect JSU property from damage, tampering with or unauthorized entry into any campus area that has a water feature such as a fountain, pond, creek, or pool for any reason, during any season is prohibited. Individuals or groups entering the water in any way or placing any objects, substances, or chemicals into the water is strictly prohibited. Such actions can jeopardize the safety of the individual as well as the water feature's components, systems, and the surrounding area.

Any individual found responsible for violating this policy may be subject to a \$500 fine, cost of repairs, educational sanctions, additional sanctions, as well as criminal trespass orders.

Students who are complicit may be subject to a \$500 fine and additional sanctions.

**Vandalism.** The willful or ignorant destruction, damage or defacement of property belonging to others has been defined as vandalism which is a detriment to the university community. This policy covers not only university-owned property, but that of others as well. Violations include but are not limited to the willful or ignorant destruction, damage, or defacement of property.

Any student found responsible for violating this policy may be subject to a \$100 fine, cost of repairs, educational sanctions, and additional sanctions.

**Violation of University Policy.** Violation of written university policy or regulations contained in any official publication or administrative announcement of Jacksonville State University (i.e., University Catalog, Guide to Residence Living, etc.).

**Violation of the Law.** Alleged or actual violation(s) of any local, state, federal or international law.

## **Related Policies**

### **A. Jacksonville State University Alcohol and Other Drug Policy**

*Please refer to the Jacksonville State University (JSU) Alcohol and Other Drug Policy for the complete policy and additional guidance.*

#### **Alcohol Policy for Students**

Jacksonville State University has established the following policy in regard to alcohol use by students.

1. Alcohol possession and consumption on campus is permitted only for students of legal age (21).
2. It is unlawful and a violation of University Policy to use or possess identification that makes an individual appear older or misrepresents an individual as someone else.
3. The consumption of alcohol stronger than 80 proof is not permitted on campus.
4. It is prohibited to serve, provide, or knowingly allow alcohol to individuals under 21.
5. It is prohibited to serve alcohol to someone who is visibly intoxicated or to pressure someone to consume alcohol.
6. It is prohibited for minors to transport, possess, consume, or serve alcohol.
7. Common source and “tap” systems are prohibited. This includes, but is not limited to, kegs, beer balls, punch bowls, and punch served out of a cooler or another unusual container.
8. Drinking games are prohibited.
9. Consumption in student rooms should neither infringe on the rights of other students to study nor negate any normal activity.
10. Persons may not transport or consume open containers of alcoholic beverages in public areas.  
\*Public areas include hallways, foyers, stairwells, bathrooms, lounges, or other public areas including outdoor university grounds (e.g., Residential Parking Lots, The Quad, Dillon Field etc.).
11. Full responsibility for compliance with policies and laws belongs to all students.

#### **Drug Policy for Students**

The following define the university’s policies regarding drug use.

1. Jacksonville State University prohibits illegal drugs on university property and at university events.
2. Students may not be in illegal possession of any controlled substance. Possession means that such substances are on one’s person, in one’s living environment, automobile or known hiding location.
3. Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. The use and/or distribution of legal medication outside the parameters of the medical authorization is prohibited.
4. Illegal drug paraphernalia, use, possession, sale, distribution, trafficking, and manufacturing are prohibited.

#### **Assistance for Alcohol and/or Drug Abuse**

The university offers an array of services for students who require help with alcohol and/or drug use issues. Students needing confidential assistance responding to alcohol and/or drug abuse problems are encouraged to speak with a counselor from Counseling Services, 147 Trustee Circle, 256.782.5475. Another confidential resource is the RMC Student Health Center, 256.782.5310.

Besides individual sessions, Counseling Services provides educational programming through New Pathways, a psycho-educational program that includes both individual assessment and group participation, Collegiate Recovery Community (CRC), and Alcoholics Anonymous and Narcotics Anonymous.

#### **Student Self Reporting**

*Please refer to the Jacksonville State University (JSU) Student Self Reporting policy for the complete policy and additional guidance.*

A student must disclose any arrest, conviction, or the preferring of charges for any of the criminal offense

designated below (state, federal or municipal)— excluding minor traffic violations that do not result in an arrest, injury, or risk of injury to others—that occur after the student is first admitted to the university. Disclosure shall be made within five (5) calendar days of the subject event, unless the university is closed then in such event within two (2) business days of it reopening, whichever is longer, and should be made to the Vice President for Student Affairs or the Office of Community Standards and Title IX.

Failure to comply with this disclosure obligation, without a valid legal basis for doing so, shall itself be deemed a violation of the Student Code of Conduct.

## **B. Duty to Cooperate**

Upon receiving notification of allegations and/or an investigation, any student or student organization shall not discuss the investigation or any related incidents with the intent of impeding the investigation. All students are expected to comply with the request of the Office of Community Standards and Title IX or Dean of Students office to attend an interview/meeting and any reasonable request for information. Willful failure to cooperate, the giving of false or misleading information, or failure to maintain confidentiality shall be deemed a violation of the Code of Student Conduct and will result in disciplinary action. For more information regarding this duty to cooperate, please refer to University Policy No: III:18 which can be located at the following link: [http://www.jsu.edu/busaffairs/polprocman/pdf/III\\_18.pdf](http://www.jsu.edu/busaffairs/polprocman/pdf/III_18.pdf)

## **C. Medical Amnesty Policy**

A bystander or a reporting individual acting in good faith that seeks **immediate and appropriate medical assistance** for a person in need related to the use or consumption of alcohol, drugs, or to another medical emergency, **may not be subject** to the Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

### **Steps to Medical Amnesty.**

- Call 911, so appropriate emergency personnel (police, fire, and ambulance) can respond.
- Remain with the individual needing treatment and cooperate with emergency officials, as long as it is safe to do so.
- Notify and meet with appropriate university officials after the incident and cooperate with any university investigation that may ensue.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

## **D. Good Samaritan Amnesty**

The university encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get in trouble themselves (for example, an underage student who has been drinking might hesitate to help an alleged victim of sexual misconduct). The university pursues a policy of limited immunity for students who offer help to others in need.

A bystander or a reporting individual acting in good faith that discloses any **incident of violence**, including hazing, domestic violence, dating violence, stalking, or sexual assault, to university officials or law enforcement **may not be subject** to the Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

To qualify for this amnesty, students must notify and meet with appropriate university officials after the incident and cooperate with any university investigation that may ensue.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or



instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

### **E. Retaliation**

Retaliation against anyone who has filed a report, discrimination, or sexual harassment complaint, or who has participated in the investigation, is prohibited, may constitute illegal conduct, and will be considered an additional violation of JSU and result in disciplinary action. Intimidation, coercion, threats, reprisals or discrimination against any student or employee for complaining about harassment or discrimination or participating in an investigation of alleged harassment or discrimination constitute prohibited retaliatory conduct.

## **VIII. Interim Measures: Protective/Restrictive Measures and Accommodations**

Depending on the nature of the alleged misconduct, interim actions may be taken as deemed necessary for the reasonable operation of Jacksonville State University. The Director of Community Standards and Title IX or designee and other designated university officials, including the Director of Residence Life or designee, may impose interim measures. Examples include, but are not limited to, administrative trespasses from specific buildings or the entire campus, administrative no contact orders between individuals or groups, and alteration of academic or work schedules.

All accommodations or interim measures will be treated as confidential to the extent possible without impairing implementation. Parties have the right to request a prompt review of the need for certain protective and restrictive measures and accommodations. Below is a list of protective/restrictive measures and accommodations that can be authorized during and after the investigative proceedings. ***This list is not exhaustive.***

Please refer to JSU's Gender-based and Sexual Misconduct Policy for information regarding interim measures administered under that policy.

**Interim Accommodations-** To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Parties may request a prompt review of the need for and terms of any interim measures and accommodations that directly affect them.

**Interim Loss of Privileges-** In certain circumstances, the Director of Community Standards and Title IX or designee has the authority to restrict a student or recognized student organization from participating in certain university activities or events (on or off campus) or access to specific buildings or grounds of Jacksonville State University to protect the safety and well-being of the university community or specific individuals involved in alleged incident.

**Interim Suspension-** In certain circumstances, the Director of Community Standards and Title IX or designee has the authority to suspend a student or recognized student organization from the university on an interim basis, pending a disciplinary hearing. A student or organization will be suspended on an interim basis to ensure the safety and well-being of community members and/or Jacksonville State University property to ensure the student's own physical or emotional safety and well-being, or to protect the community if the student poses a threat to the normal operation of the university.

The hearing will be held according to the procedure set forth in the Code of Student Conduct. In the event the student is found responsible for the violation that student was notified, any sanction imposed shall take effect from the date of the interim suspension. The fact of interim suspension and subsequent disciplinary action shall become part of the student's disciplinary record. If the Hearing Officer or hearing board concludes that there is insufficient information to support a finding that the student committed a violation, no record of the interim suspension shall be maintained in the Office of Community Standards and Title IX.

Depending on circumstances and at the sole discretion of the Office of Community Standards and Title IX, students who are interim suspended may still be allowed to attend classes. The Office will attempt to work with students on interim suspension so that their academic career and on-campus living arrangements are uninterrupted as much as reasonably practical. However, in most cases where a student is interim suspended, the nature of the incident is usually very serious and poses a significant risk for the entire university community. Such widespread risks usually far outweigh the temporary, protective measure of an interim suspension which prohibits student from physically being present on university property.

**Interim Housing Suspension-** In certain circumstances, the Director of Residence Life, or designee, and/or the Director of Community Standards and Title IX, or designee, has the authority to suspend a student from all residential communities on an interim basis, pending a hearing. A student may be interim suspended from all residential communities to ensure the safety and well-being of members and/or Jacksonville State University property, to ensure the student’s own physical or emotional safety, and well-being, or to protect the community.

**Interim No Contact Order-** No contact orders are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who have no contact orders are not to contact each other using ANY means. This includes, but is not limited to comments, words, or gestures in person, through postal mail, email, social networking sites, or by having others (friends, acquaintances, family members, etc.) act on his/her behalf.

### **A. Notice**

The Director of Community Standards and Title IX or designee and other designated university officials, including the Director of Residence Life or designee, will promptly inform the Respondent of any actions undertaken that would directly impact them. Notice is generally given upon delivery of the written directive via email or in-person delivery. Notice may occur where Respondent has actual or constructive knowledge of an interim measure. Interim Measures become effective when notice is provided.

### **B. Violating a Protective Measure**

A person violates an interim protective/restrictive measure if they (1) have notice, as addressed above, and (2) intentionally or unintentionally failed to comply with restrictions articulated in the written directive (e.g., “No Contact Order”, “Interim Suspension.”) issued by a university official, faculty, or staff member. A person who violated an interim protective/restrictive measure may be charged with “failure to comply” and may be subject to additional interim measures (e.g., interim suspension) as detailed in the written directive.

### **C. Interim Suspension Pending Resolution**

Once a formal complaint has been filed, immediate action may be necessary to protect the Reporting Individual or the university community. Where the allegation of prohibited conduct has not been adjudication on the merits, an Interim Suspension may be imposed. In determining whether an Interim Suspension is appropriate, Director of Community Standards and Title IX or the issuing university official may conduct a continuing threat and danger assessment.

In determining whether an individual poses a continuing threat to the community, the following factors may be considered:

- Whether the accused has a history of violent behavior or is a repeat offender.
- Whether the accused has failed to comply with prior interim measures, such as No Contact Order, or with court orders, such as an Order of Protection.
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking, acts of violence, or retaliation.
- The increased risk that the accused will commit additional acts of violence.
- Whether the accused used a weapon or force.
- Whether the Reporting Individual is a minor.
- Whether we possess other means to obtain evidence such as security footage, and whether the report

reveals a pattern of perpetration at a given location or by a particular group.

Interim Suspensions may include the withdrawal of any or all university privileges and services, including class attendance, participation in examinations, participation in athletics, and utilization of university premises and facilities. The Interim Suspensions may be issued by the Director of Community Standards and Title IX or designee and other designated university officials, including the Director of Residence Life or designee.

#### **D. Reviewing Interim Measures**

The Complainant and Respondent may submit a written petition within five (5) business days of notice of the interim measure to the Director of Community Standards and Title IX or the issuing university official for a review of the decision to impose an interim measure. The petitioning party must submit a petition explaining the reason for their request and include any supporting documentation. Petitions without a basis or without sufficient information or petitions considered to be frivolous in nature will not be reviewed. This procedure only addresses interim measures issued in the context of a disciplinary proceeding, as defined by the Code of Student Conduct.

General complaints communicated verbally or via email will not automatically be construed as a petition to review an interim measure. The petitioning party should address any questions about the process to the Director of Community Standards and Title IX or the issuing university official. The university official may inform the non-petitioning party that a petition has been filed and provide access of the petition to that party. The non-petitioning party may choose to submit a written response to the petition.

Upon receipt of a petition and accompanying responses, Director of Community Standards and Title IX or the issuing university official will review the petition and make a determination based on the totality of the circumstances. Where a student is petitioning to overturn an interim suspension, a new continuing threat and danger assessment may be conducted. An interim suspension may be lifted if there is a change in circumstance or good cause.

The issuing university official retains the right to review and modify any interim measures as they see fit and in response to changing circumstances. Please note that additional university officials may be consulted before rendering a decision on the petition. A decision regarding the petition will be communicated via email. Should an interim measure be lifted, Director of Community Standards and Title IX or the issuing university official may recommend and impose alternate reasonable and appropriate interim measures.

#### **IX. Student General Procedural Assurances**

The following is a list of procedures that are generally provided to any student participating in the university disciplinary process. Each case presents a unique set of facts and circumstances. The Director of Community Standards and Title IX may elect to consolidate multiple reports or complaints due to the underlying nature of the complaints and in an effort to increase efficiency.

Other than receiving notice and an opportunity to be heard, none of the following procedures are guaranteed. Similarly, additional procedures not listed below may apply or be available to the student. The conduct officer determines what procedures are available on a case-by-case basis.

##### ***Respondents (accused students)***

1. Respondents will receive notification of the alleged violation and the date, time, and place of any meeting or hearing on the alleged violation(s).
2. In a disciplinary proceeding, students may be accompanied by an advisor (one) of the student's choosing and the student's own expense. Advisors may only consult with the respondent and are not permitted to speak on the respondent's behalf or address the hearing board or officers.
3. Students may request postponement of a disciplinary proceeding if circumstances warrant. In most cases, a postponement will only be granted for an academic or medical situation. The decision to postpone a disciplinary proceeding rest with the Hearing Officer or designee from the Office of Community

Standards and Title IX. The Hearing Officer reserves the right to hear the case in absentia if the respondent refuses to show up.

4. Respondents may request access to any written information that may be used during any administrative proceeding as permitted under the Family Educational Rights and Privacy Act (FERPA). Access may be provided to materials in advance of a meeting/hearing upon written request to the Office of Community Standards and Title IX. In cases where retaliation is a legitimate safety concern, the information may be redacted or presented in such a way as to prevent identification.
5. Respondents have the opportunity to introduce documents, call witnesses, and present information during their hearing. The opportunity to call witnesses is accompanied by the obligation to provide the name of and rationale for each witness in writing, at least two (2) business days in advance of a meeting or hearing to the Hearing Officer.
  - a) In cases where retaliation is a legitimate safety concern, the Office of Community Standards and Title IX may limit the respondent's opportunity to call or examine witnesses. In cases where retaliation is a legitimate safety concern, evidence may be redacted to protect the identity of witnesses.
  - b) The presentation of information by the respondent is not unlimited. The Hearing Officer may at any time direct the respondent to move on from irrelevant, or redundant witnesses, documents, facts, or arguments.
  - c) Both parties have the right not to have irrelevant prior sexual history or sexual character admitted as evidence in a campus hearing. In addition, moral character evidence is generally not considered relevant evidence.
6. A Respondent will not typically be compelled to be a witness against themselves. However, if a student decides not to participate in the hearing or does not provide additional information, the conduct officer or board will render a decision in the absence of this information.
7. Respondents will receive a finding of 'responsible', 'not responsible', or 'no finding' based on the preponderance of the information, and to be notified of such decision in writing. The burden of proof is a 'more likely than not' standard.
8. Respondents have the opportunity to submit (orally or in writing) an impact statement to any conduct body, should the respondent be found responsible for one or more of the alleged violations.
9. Respondents may appeal the decision of a disciplinary proceeding in accordance with University Appeal procedures, which are outlined under section XV, Appeal Procedures of the Code of Conduct.

***Complainants (reporting individuals)***

1. Complainants may be accompanied in a disciplinary proceeding by an advisor (one) of the student's choosing and at the student's own expense. Advisors may only consult with the complainant and are not permitted to speak on the complainant's behalf or address the hearing board or officer.
2. Complainants have the opportunity to decide whether or not to notify local law enforcement authorities and/or to file a report with the Office of Community Standards and Title IX.
3. Complainants may request information about victim advocacy, counseling, mental health, or medical services available on and off campus.
4. Complainants have the ability to report retaliation or harassment as a result of reporting acts of misconduct.
5. Complainants may request the status of proceedings throughout the process subject to federal and state privacy laws.
6. Complainant may have the opportunity to introduce documents, call witnesses, and present information during the hearing. The opportunity to call witnesses is accompanied by the obligation to provide the name of and rationale for each witness in writing, at least two (2) business days in advance of a meeting or hearing to the Hearing Officer.
  - a) In cases where retaliation is a legitimate safety concern, the Office of Community Standards and Title IX may limit the Complainant's opportunity to call or examine witnesses. In cases where

- retaliation is a legitimate safety concern, evidence may be redacted to protect the identity of witnesses.
- b) The presentation of information by the Complainant is not unlimited. The Hearing Officer may at any time direct the Complainant to move on from irrelevant, or redundant witnesses, documents, facts, or arguments.
  - c) Both parties have the right not to have irrelevant prior sexual history or sexual character admitted as evidence in a campus hearing. In addition, moral character evidence is generally not considered relevant evidence.
7. Complainants may request the opportunity to answer questions posed by the respondent outside of the physical presence of the respondent. The Director of Community Standards and Title IX or designee will determine if such a request will be granted. Other procedures may be provided on a case-by-case basis to protect the safety and well-being of the university community.
  8. Complainants have the opportunity to submit (orally or in writing) an impact statement to any conduct body, should the respondent be found responsible for one or more of the alleged violations.
  9. In the case of sexual misconduct violations or physical assault cases, complaining parties will receive timely notification of any decision made, including appeal results.
  10. When reasonable, complainants may be granted a change in living assignment, academic arrangement, or other measures (determined on a case-by-case basis) necessary to prevent unnecessary or unwanted contact.

***In Cases of Violence***

Although not guaranteed or exhaustive, a Complainant who reports an alleged violation of violence, including physical harm, may be provided the following:

- The opportunity to make a request for a reasonable change in living assignment, academic arrangement, or other steps necessary to prevent unnecessary or unwanted contact- regardless of the outcome of the hearing.
- The opportunity to be informed, in writing, of the outcome of any administrative or board hearing decision and any sanction(s) that may have been assigned, including appeal results.

In addition to these procedural assurances, complainants and respondents will be provided information on university resources available for support.

In cases where sexual misconduct is reported, please refer to JSU’s Gender-Based and Sexual Misconduct Policy for additional guidance.

**A. Informal Resolutions**

At their discretion and based on the totality of the circumstances, the Director of Community Standards and Title IX or designee reserves the right to propose an informal resolution. Before pursuing the formal complaint process, the Director Community Standards and Title IX may meet with the Respondent and other impacted individuals to discuss the problem or grievance. The Respondent may be accompanied by an advisor of their choice at any meeting with the Director of Community Standards and Title IX.

If deemed practical and safe, the Director of Community Standards and Title IX or designee and the Respondent may voluntarily agree upon an informal resolution that constructively resolves the issues at hand. By accepting the terms of the informal resolution, the Respondent waives their right to a formal hearing and waives their right to appeal. Should the Respondent violate the terms of the informal resolution, the formal complaint process may be initiated.

If satisfactory resolution is not reached after discussion with the Respondent or if these efforts are unsuccessful or deemed impractical, the formal complaint process may be initiated. If the university or the

student believes that the conduct cannot be effectively addressed through informal means, then the formal complaint process may be initiated.

## **B. Administrative Hearings**

Administrative hearings are coordinated and held by the Director of Community Standards and Title IX and other university administrators, who act as Hearing Officers. Hearing Officers determine whether a Respondent is responsible for violating the Code of Student Conduct. Hearing Officers make their determination based upon a preponderance of the information standard. Hearing Officers, when also acting as the Sanctioning Officer, may assign sanctions as appropriate.

An Administrative Hearing is generally conducted in the presence of the Hearing Officer. Respondents will have an opportunity to hear the evidence being offered against them and present witnesses and relevant evidence. In addition, students may be accompanied by an advisor of their choice.

During the hearing, the Hearing Officer will have an opportunity to question the Respondent and any participating witnesses. The Hearing Officer may add or amend the violation based on information uncovered during the Administrative Hearing. The Hearing Officer may also elect to refer the matter to a Panel Hearing based on uncovered information.

At the conclusion of the hearing, the Hearing Officer may make a determination and assign sanctions. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Officer will either find the student Responsible for at least one of the alleged violations or Not Responsible for the alleged violations. Where the Hearing Officer has insufficient evidence to make a determination, they may elect to make “No Finding”. In those cases, the Hearing Officer retains the right to reopen the matter should new or additional evidence become available.

The Hearing Officer has the discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision. Where a student fails to attend an Administrative Hearing, the Hearing Officer retains the right to rule *in absentia*.

The Hearing Officer will generally provide a written decision letter to the Respondent within fifteen (15) business days. Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination. As such, the Hearing Officer may provide a response outside of this timeframe.

The Director of Community Standards and Title IX or designee retains the sanctioning authority for both Administrative Hearings and Panel Hearings. The Director of Community Standards and Title IX, at their discretion, may modify the assigned sanctions to promote fairness and to better meet the needs of the student. The Director of Community Standards and Title IX may adjust or extend any due dates associated with the assigned sanctions.

## **C. Panel Hearing**

The Hearing Board is organized to provide the student community an opportunity to serve the university by upholding its behavioral expectations of the Code of Student Conduct (excluding sexual misconduct violations). The Office of Community Standards and Title IX, at its discretion, will refer cases that may result in suspension or dismissal to the hearing board for adjudication. A student may refuse a hearing board referral and request an administrative hearing by making this request in writing to the Office of Community Standards and Title IX.

Board hearings shall have jurisdiction over all violations of all university-wide, non-academic regulations. The board shall be composed of three members, one student and two faculty/staff members, one of whom will act as the chairperson.

Any student engaging in the conduct process can request a Panel Hearing before a Hearing Board in place of an administrative hearing; however, board hearings are based on availability and cannot be assured. Students may request a board hearing through the submission form on the Office of Community Standards & Title IX website: [www.jsu.edu/community-standards](http://www.jsu.edu/community-standards). Board hearings may have a greater level of unavailability during summer sessions, final exams, or when classes are not in session. The chairperson of the hearing board will be designated by the Director of Community Standards and Title IX or designee.

**Hearing Officer.** The Director of Community Standards and Title IX or designee shall serve as the Hearing Officer. The Hearing Officer should attend and advise the Hearing Board at all hearings. The Hearing Officer may ask questions as appropriate.

The Hearing Officer or Hearing Board shall have discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision.

The primary responsibility for maintaining order lies with the Hearing Officer, Hearing Board advisor, or Hearing Board chairperson. However, all members of the Hearing Board have a duty to assure an orderly and fair proceeding. It is the duty of the Hearing Officer or Hearing Chairperson to make sure that presentations to the board are relevant and that issues raised by complaint, appeal, or petition are reasonably developed and addressed.

It is also the duty of the Hearing Officer or board advisor to manage the logistics of the hearing; to coordinate schedules, paperwork, and reports with the Director of Community Standards and Title IX; to speak for the body in all exchanges with counsel, parties, and others (except when the bodies are engaged in general conference with their advisor present); to control the proceedings and maintain order; to instruct persons before the body on the appropriate procedures of that hearing body; to declare the rulings and orders of the hearing body; to ensure proper completion and filing of all papers; and to perform other duties as necessary.

A conduct system can be effective only to the extent that the cooperation of all participants assures an orderly and fair exchange of information. All parties appearing before the various hearing bodies are expected to show consideration for one another so that the fact finding, and analysis may proceed in a reasoned and reliable way. The Hearing Chairperson or administrative Hearing Officer shall have the authority to remove any participant (including advisors and witnesses) from the hearing or to inform any disorderly and disruptive person(s), that if their behavior does not subside, such acts may result in disciplinary action against the offenders.

**Findings.** A simple majority vote by the Hearing Board will determine the findings. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Board may find the student Responsible for at least one of the alleged violations or Not Responsible for the alleged violations. If a student is found 'Responsible' by the Hearing Board, the Director of Community Standards and Title IX will communicate to the student the Board's findings and the imposed sanction(s).

Apart for matters handled under JSU's Gender-Based and Sexual Misconduct Policy, the Director of Community Standards and Title IX or designee retains the sanctioning authority for both Administrative Hearings and Panel Hearings. They are not required to accept any recommendation offered by the Hearing Board.

**Confidentiality.** In cases resolved by a Hearing Board, confidence is placed in the character and judgement of the board members, and they should hear, examine, and consider all information relevant to the specific issues before the body. Members should feel free to require counsel of the board advisor, the university, the complainant, or the respondent to explain information presented. Members are expected to commit themselves diligently and in good faith to the business of the board and to disqualify themselves, if necessary. Finally, members are reminded that all matters before the hearing board concerning identifiable individuals are strictly private and cannot be revealed.

### **Special Procedures for Alleged Violations of Sexual Misconduct**

Referrals for alleged violations of Sexual Misconduct will be resolved by specific policies and procedures unique to other forms of resolution described in the comprehensive JSU Sex-Based Harassment and Misconduct Policy. If the Sex-Based Harassment and Misconduct Policy does not apply, by definition or alleged conduct, the procedures for all other misconduct will be followed to address the behavior.

### **Special Procedures for the International House Program**

To facilitate the prompt adjudication of disciplinary cases, a special Hearing Committee may be appointed to hear the case upon the recommendation from the Director of Community Standards and Title IX or designee.

Special procedures exist for any student with allegations of misconduct who are also members of the International House Program. After a student undergoes the disciplinary process with the Office of Community Standards & Title IX or Hearing Officer and if a student is found responsible, they may also be given sanctions by the International House Conduct Advisory Board.

## **X. Recognized Student Groups and Organizations Policies**

Student groups and organizations are expected to maintain appropriate standards of conduct that are commensurate with those expected of individual students. Student groups and organizations may be charged with violating the University's Code of Conduct without regard to whether members of such groups or organizations are individually charged with violations arising from the same occurrences. Noncompliance with the University Code of Conduct by a JSU student organization while participating in non-university sponsored activities off campus may be subject to the disciplinary process.

### **A. Risk Management Policy**

#### **Alcohol and Drugs\***

In any activity or event sponsored or endorsed by the organization, including those that occur on or off organizational premises:

- A. The organization, members and guests must comply with all federal, state, provincial and local laws. No person under the legal drinking age may possess, consume, provide, or be provided alcoholic beverages.
- B. The organization, members and guests must follow the federal law regarding illegal drugs and controlled substances. No person may possess, use, provide, distribute, sell, and/or manufacture illegal drugs or other controlled substances while on organizational premises or at any activity or event sponsored or endorsed by the organization.
- C. Alcoholic beverages must either be:
  - a. Provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
  - b. Brought by individual members and guests through a bring your own beverage ("BYOB") system.

*The presence of alcohol products above 15% alcohol by volume ("ABV") is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.*

- D. Common sources of alcohol, including bulk quantities, which are not being served by an insured and licensed third party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).
- E. Alcoholic beverages must not be purchased with organizational funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).
- F. An organization must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.
- G. An organization must not co-host or co-sponsor an event with a bar, event promoter, or alcohol distributor: however, a chapter/organization may rent a bar, restaurant, or other licensed and insured third-party vendor to host a chapter/organization event.



- H. Attendance by non-members at any event where alcohol is present must be by invitation only, and the organization must utilize a guest list system. Attendance at events with alcohol must not exceed local fire or building code capacity of the chapter/organizational premises or host venue.
- I. Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “big/little” events or activities, “family” events or activities, and any ritual or ceremony.
- J. The organization, members or guests must not permit, encourage, coerce, glorify, or participate in any activities involving the rapid consumption of alcohol, such as drinking games.

### **Assault/Battery**

In any activity or event sponsored or endorsed by an organization, including those that occurs on or off organizational premises or JSU property, no member or guest shall engage in assault and battery, as defined by state law and JSU policy.

### **Firearms, Explosive and Incendiary Devices and Other Weapons**

The organization and its members must comply with all federal, state, provincial, local law and JSU policy as it relates to firearms, explosives, incendiary devices, or other weapons.

Firearms, explosive or incendiary devices are generally prohibited from organizational property and JSU property and at all organizational activity and events. An organization may only use otherwise prohibited items at an organizational activity or event by getting prior approval from the Dean of Students or Assistant Dean of Students and by utilizing the services of a licensed and insured business or professional (i.e., licensed, and insured gun range).

### **Hazing**

The term “hazing” means any intentional, knowing, or reckless act committed by a person, whether individually or in concert with other persons, against any individual or group of individuals, regardless of affiliation, whether or not committed on organizational property or JSU property, for the purpose of recruiting, joining, initiating, admitting, affiliating, or for the purpose of retaining membership in an organization that causes an individual or group of individuals to do any of the following regardless of a person’s willingness to participate:

- a. Be coerced to violate federal, state, provincial, local law or JSU policy.
- b. Be coerced to consume any food, liquid, alcoholic liquid, drug, or other substance in any non-customary manner which subjects the individual or group of individuals to a substantial risk of emotional or physical harm which includes but is not limited to sickness, vomiting, intoxication, or unconsciousness.
- c. Endure brutality of a physical nature, including but not limited to, whipping, beating, paddling, branding, dangerous physical activity, or exposure to elements or endure threats of such conduct that results in mental or physical harm.
- d. Endure brutality of mental nature, including but not limited to, activity adversely affecting the mental health or dignity of an individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment or endure threats of such conduct that results in mental or physical harm.
- e. Endure any other activity which adversely affects the health and safety of an individual, including but not limited to the disruption of academic performance or class attendance, required designated driving programs, line ups, calisthenics, or personal, physical, or financial servitude.

### **Sexual Misconduct**

The organization and its members must comply with all federal, state, provincial, local law, and JSU policy related to sexual misconduct. This includes, but is not limited to, definitions around consent, sexual misconduct, sexual harassment, domestic violence, dating violence, stalking, and sexual exploitation. Please refer the JSU’s Gender-based and Sexual Misconduct policy for additional guidance.

The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at any organizational activity or event is prohibited.

### **Retaliation**

The organization and JSU prohibits retaliation against any individual, members, and non-members, for reporting, inquiring, or cooperating with a report around a violation of organizational or JSU policy.

Retaliation is any action, statement, or behavior that is designed to punish an individual for filing a report, cooperating with an investigation, seeking guidance regarding a concern, or to deter one from taking such action.

## **B. Medical Amnesty Policy**

A bystander or a reporting individual acting in good faith that seeks **immediate and appropriate medical assistance** for a person in need related to the use or consumption of alcohol, drugs, or to another medical emergency, **may not be subject** to the Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

### **Steps to Medical Amnesty.**

- Call 911, so appropriate emergency personnel (police, fire, and ambulance) can respond.
- Remain with the individual needing treatment and cooperate with emergency officials, as long as it is safe to do so.
- Notify and meet with appropriate university officials after the incident and cooperate with any university investigation that may ensue.

An organization may be eligible for mitigation of charges related to organizational policies. To be eligible for this potential mitigation, the organization will be required to meet in person or by phone with university officials. An organization may benefit from this policy more than once; however, repeated use of the policy may receive stricter scrutiny. For additional guidance, please refer to your organization's crisis management plan.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

## **C. Good Samaritan Amnesty Policy**

A bystander or a reporting individual acting in good faith that discloses any **incident of violence**, including hazing, domestic violence, dating violence, stalking, or sexual assault, to university officials or law enforcement **may not be subject** to the Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

An organization may be eligible for mitigation of charges related to organizational policies. To be eligible for this potential mitigation, the organization will be required to meet in person or by phone with university officials. An organization may benefit from this policy more than once; however, repeated use of the policy may receive stricter scrutiny.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

## **D. Social Activities Policy**

Student Organizations can plan social activities throughout the calendar year as long as they are in compliance with the University's Alcohol and Drug Policy. Organizations should observe the period beginning 24 hours prior to the first final exam until the conclusion of the last final exam as "Exam Preparation Week." Organizations are prohibited from having any social activities during this time period.

## **E. On-Campus Social Policy for Non-Residential Facilities**

Recognized student organizations may request use of on-campus non-residential facilities to host social functions. The following guidelines must be followed by each organization in order for the organization to remain in good standing with the university:

1. All on-campus social events must be non-alcoholic unless approval is granted by the Dean of Students; \*.
2. Social events include any parties, mixers, or events that run into hours after 10 p.m.
3. All organizations must either have an advisor present or have obtained security through the Department of Public Safety for the duration of the event.
4. Should security be requested by the Department of Public Safety, guest lists must be utilized at the entrance door of all social events. The guest list must at least be a sign-in sheet for all attendees if there is no alcohol present\*. Attendees must have identification to verify their full name.
5. The guest list must be present when the event begins and must be available for submission to the Department of Public Safety. The guest list is not required for submission to Department of Public Safety prior to the social event.
6. At least one member of the organization must supervise the entrance during the entire social event.
7. At any time, the Department of Public Safety has the authority to immediately close the social event.
8. Security through the Department of Public Safety must be requested at least 10 working days prior to the social event.

\*If alcohol has been approved for the event, organizations must follow requirements of the alcohol and drug policy.

## **F. Student Group and Organization Procedures**

Recognized Student Groups or Organizations are expected to abide by all the policies of the university and any local/state/federal/international laws. Alleged violation of university policy or law could result in disciplinary intervention to address the Student Organization behavior.

In situations where a National Organization exists to support the JSU chapter of a student group or organization, they will be contacted and may be engaged in university action, subject to National Headquarters determination. Because Student Organization misconduct is particularly unique, the Office of Community Standards & Title IX and Dean of Students Office has recognized various methods to adjudicate and/or address alleged misconduct, as listed below:

**Dismissal/drop the case-** this occurs when the university begins an investigation but determines the incident or alleged misconduct may be more appropriately addressed through the individual student conduct process,

**Informal Resolution-** this occurs when the student group or organization recognizes their responsibility in the misconduct initially and the alleged misconduct is not severe enough to warrant a group suspension or dismissal. Through this process, the University, Student Group Leadership and National Headquarters (when appropriate) will engage in a mediation to determine how the student group can correct or restore the behavior and/or harm done to the community.

**University Recognized Governing Body-** this occurs when the university determines the alleged misconduct may be more appropriately addressed through peer accountability. A university recognized governing council or board may have university approved internal disciplinary procedures that create an opportunity for peer

accountability. In these cases, the procedures outlined by the university recognized governance will be followed as outlined in their bylaws.

**Formal Hearing-** this occurs when the investigation into the alleged misconduct reflects a more likely than not responsible finding that could result in student group suspension or dismissal. Another instance would permit this adjudication if the student group chose to not move forward with an informal resolution adjudication when offered to them by the Office of Community Standards and Title IX and/or Dean of Students Office. When a Formal Hearing is the determined form of adjudication for alleged student group or organization misconduct, the following procedural assurances are afforded to the student group/organization:

1. Group/Organization President will receive notification of the alleged violation and the date, time, and place of any meeting or hearing on the alleged violation(s),
2. During the formal hearing, Group/Organization President may be accompanied by an advisor (one) of the student's choosing and at the student's own expense. Advisors may only consult with the student and are not permitted to speak on the student's behalf or address the Hearing Officer(s),
3. Where the alleged student organization is part of a university-recognized governing body, the Judicial Officer will function as a liaison for the Director of Community Standards and Title IX and the responding organization. If the Judicial Officer is a member of the responding organization, another Council Officer from a different organization will act as the liaison. The Office of Community Standards and Title IX and/or Dean of Students Office, aim to increase transparency and collaboration with the university recognized governing body.
4. Group/Organization President may request access to any written information that may be used during the formal hearing as permitted under the Family Educational Rights and Privacy Act (FERPA). Access may be provided to materials in advance of a meeting/hearing upon written request to the Office of Community Standards & Title IX. Information may be redacted to protect the identities of individuals to protect the integrity of the reports made and investigation confidentiality promised.
5. Group/Organization President can introduce documents, call witnesses, and present information during their hearing. The opportunity to call witnesses is accompanied by the obligation to provide the name of and rationale for each witness in writing, at least two business days in advance of a meeting or hearing to the Hearing Officer(s). In cases where retaliation is a legitimate safety concern, the Office of Community Standards and Title IX or Dean of Students Office may limit the President's opportunity to call or examine witnesses. The presentation of information by the President is not unlimited. The Hearing Officer may, at any time, direct the President to move on from irrelevant or redundant witnesses, documents, facts, or arguments,
6. Group/Organization President will receive a finding of "Responsible", "Not Responsible", or "No Finding" based on the preponderance of the information and to be notified of such decision in writing. The burden of proof is a 'more likely than not' standard,
7. Group/Organization President may appeal the decision of a formal hearing in accordance with University Appeal procedures, which are outlined under section XV, Appeal Procedures of the Code of Conduct.

#### **Duty to Cooperate**

After a recognized student group/organization receives notification of allegations and/or investigation, any student with any association with the identified group/organization shall not discuss the investigation or any related incidents with the intent of impeding the investigation. Any student with association with the identified group/organization is expected to comply with the request of the Office of Community Standards or Dean of Students office to attend an interview/meeting and any reasonable request for information. For more information regarding this duty to cooperate, please refer to University Policy No: III:18 which can be located at the following link: [http://www.jsu.edu/busaffairs/polprocman/pdf/III\\_18.pdf](http://www.jsu.edu/busaffairs/polprocman/pdf/III_18.pdf)

#### **Special Procedures for alleged Hazing Misconduct**

The following is a list of procedures that are provided to any university recognized student organization immediately following the report of alleged hazing activity, as defined by the student Code of Conduct, section XI. Any reported hazing allegations are validated prior to moving forward with these procedures.

1. Leadership of the recognized student organization will be notified of the following:

- a. Alleged charges of hazing and any other misconduct, if applicable. These initial charges are based on the narrative of the referral received.
- b. Investigation is being pursued and all members of the organization are expected to cooperate.
- c. Interim suspension of the recognized student organization; pending investigation of the allegations. Interim suspension generally refers to any and all organizational operations and will stand throughout the university's investigation unless otherwise notified by the Director of Community Standards & Title IX, or designees.
- d. Notice of communication shared with National Organization if a national affiliation exists.
2. Interviews with all alleged involved parties (i.e.: witnesses, victims, alleged violators, etc.) will take place and be determined based on initial incident referral. Additional alleged involved parties may be identified throughout the interview process and will, therefore, be added to the interview list. If a national affiliation exists, a representative from that National Organization may be present in all interviews.
3. At the conclusion of the investigation, leadership of the organization will be notified of the updated alleged charges based on additional information discovered through the investigation, and when the organization's hearing will be scheduled. The organization's hearing is an opportunity for the organization's representative to share any information they may have that relates to the charges and share a claim of responsibility on behalf of the organization.
4. Leadership of the organization will be notified of a decision determined by the university, based on the same threshold as all non-academic conduct cases, the preponderance of information (i.e.: more likely than not). This decision will include a comprehensive list of the alleged charges and whether the organization is found responsible or not responsible for each violation. If there are any responsible findings, sanctions will be listed and required of the organization. The organization must meet all the sanction requirements in order to continue to be recognized by the university.
5. The organization has the right to appeal the decision made by the university by following the appeal procedures outlined in section XV of the Student Code of Conduct. Appeals must be submitted through an online submission form located on the Office of Community Standards website: [jsu.edu/community-standards](http://jsu.edu/community-standards). All appeals must be submitted within five (5) business days of the decision date.
6. A letter of good standing may be issued to the organization at the conclusion of all the completed sanctions.

This disciplinary process is designed to follow the same philosophy of all non-academic disciplinary procedures outlined in the student code of conduct, section XI, Student Group and Organization Procedures. Sanctions that accompany responsible findings are typically educationally minded and focused with the intention of those found in violation to better understand the impact of their choices and learn from any mistakes or misunderstandings that may have taken place. A more comprehensive but not exclusive list of sanctions can be found in the student code of conduct, section XIV.

## **Unusual Circumstances**

### ***Interim Measures***

Regardless of the adjudication method, university-issued interim measures may be necessary. In recognized student group/organization alleged misconduct circumstances, where the health, safety, or well-being of any individual student, group of students, or university community in question, interim action may be issued to a student group/organization. Interim action will typically be communicated with a notice of investigation. Interim action may be revoked if the initial concern for health, safety or well-being of individuals, groups, or university community are determined to no longer be a concern. For more information regarding possible interim measures, refer to section XIX, Interim Measures, of the Code of Conduct.

### ***Return after Suspension***

If a recognized student group/organization was suspended for any period of time, the following procedures are followed for that group/organization to be permitted to return to JSU recognized status:

1. The group/organization must submit a written request to return to campus which includes their intent of returning to recognition with corrected action.

2. The group/organization may be required to meet with the Director of Community Standards and Title IX and the Dean of Students Office to discuss the submitted request and any terms and conditions associated with an approved request. The university is dedicated to transparency and collaboration in order to ensure the successful return of a student group/ organization to campus.
3. Approval or Denial of the request generally will be provided within thirty (30) days from the Dean of Students Office. If approval is granted, the group/organization may return to recognized status at the time determined in their notification of approval.

***Special Adjudication Procedures***

In unique or severe circumstances, there may be one investigation conducted to serve two adjudication methods and allow for student involvement parallel to university administrator involvement. Student group/organization leadership will be notified if these special adjudication procedures are being utilized.

**XI. Sanctions**

The Office of Community Standards and Title IX may take any action it deems necessary for the reasonable operation of Jacksonville State University. The following sanctions may be imposed upon any student or a student organization that has been found responsible for a violation(s) of the Code of Student Conduct. The Director of Community Standards and Title IX may impose additional sanctions, not listed below, as they deem fit.

1. Warning- Notice that any continuation or repetition of wrongful conduct in the indefinite future may be cause for further disciplinary action.
2. Educational Sanction- An order requiring the student or student organization to perform mandated service, or to participate in an educational program or activity, including but not limited to, an educational seminar, a treatment program for alcohol or drug use/abuse, or other program/task designed to assist the student in learning more about how their behavior impacted themselves and/or the community.
3. Sanctions outlined by the International House Programs-document that outlines the guidelines for living in the International House. These sanctions are determined and outlined by the International House Conduct Advisory Board.
4. Disciplinary Probation- A period during which a student must behave in a manner acceptable to the university. Under the status of disciplinary probation, a student is encouraged to seek advice and counsel from appropriate university officials. Conditions of probation may be set forth which restrict the student’s participation in co- curricular activities. Violation of the terms of probation, or additional incident(s) of misconduct while on probation, may result in suspension or dismissal.
5. Restitution- Repayment to the university for damages resulting from a violation of the Code of Student Conduct. Restitution sanctions that involve theft, misappropriation of university funds, or damage to university property, will be charged to the student’s account and may be referred to the Office of Internal Audit, Enterprise Risk Management. Any unpaid debt may result in a hold being placed on a student’s account, collection procedures, and responsibility for any associated collection costs and fees.
6. Facilitated discussion- Informal facilitated conversation between the Respondent and other impacted parties to resolve conflict, to formulate an action plan, and to decide whether and how to implement change.
7. Fines- Violations of the alcohol and drug use policy, smoking policy, and tampering with fire safety equipment may result in a fine.

8. Loss of Privileges- The withdrawal of a privilege, use of a service, participation in a program or organization, event, or activity for a specific period of time. The loss of privileges may prohibit a student or student organization from participating in co-curricular activities, continuing in a degree program, being present in or using certain campus facilities or services, and/or prohibit a student from enrolling in a class or classes.
9. Termination of Recognition- An order terminating university recognition of a registered student organization for a specific or indefinite period of time.
10. No Contact Order – No contact orders are designed so that students involved in a campus conduct process do not have any communication with each other to help minimize further altercations between those involved. Students who receive no contact orders are directed to refrain from contacting an identified individual using ANY means. This includes, but not limited to, comments, words, or gestures in person, through postal mail, email, social networking sites, or by having others (friends, acquaintances, family members, etc.) act on the student’s behalf. Any order of no contact will remain in place until both parties agree in writing to cancel the order, pending final approval by the Office of Community Standards and Title IX.
11. Compliance with National Headquarters corrective action – Recognized student group/organization is required to comply with any and all corrective action outlined by their associated National Headquarters.
12. Social Probation – Typically associated with student groups/organizations; social probation is understood as the group/organization is not allowed to host any events or programs social in nature, including but not limited to, socials, mixers, bands, DJ’s, or any other activity that might seem to have the group/organization violating the guidelines or social probation.
13. Suspension- Any action which excludes the student from registration, class attendance, residence in university- owned or managed housing, and use of university facilities for a specified period of time. The privilege of this action unless specific written permission, otherwise obtained from the conduct officer. Suspension typically includes a trespass from all university property during the designated suspension timeframe. Should a student who is suspended be found on university property, further disciplinary action may be warranted.
  - i. A suspension may be deferred on the timing of the semester (i.e., end of semester). This decision is at the discretion of the Sanctioning Officer and will only be considered if the student’s presence on campus is deemed not to be a threat. Should the student be readmitted, further incident(s) of misconduct will result in additional suspension periods or dismissal from the university. Additionally, the failure to observe the terms and conditions of a suspension may cause the extension of the suspension period or further disciplinary action.
  - ii. A suspension will take place once the appeal timeframe or process is complete. In the event of a suspension, students are encouraged to consult with Student Accounts and the University Registrar regarding possible tuition and fee refunds. The Office of Community Standards and Title IX has no authority in financial matters.
  - iii. Furthermore, a notation may be placed on a student’s transcript indicating a disciplinary suspension. After a completion of the term of the suspension and any other sanctions, the suspension transcript notation will be removed. Upon completion of the period of suspension and fulfillment of all disciplinary requirements, the student must comply with all academic admission standards in effect in order to register.
14. Deferred Suspension- This sanction is a suspension that is delayed pending specified behavioral performance. A definite period of observation and review occurs during a deferred suspension. If a student is again found responsible of violating the Code of Student Conduct, the suspension will take place immediately, without appeal.

15. Dismissal- The permanent loss of the privilege of registration, class attendance, and residence in university owned or managed housing. The privilege to use university facilities or property is also permanently withdrawn by this action. A student who has been dismissed is not eligible for readmission. Any student who is dismissed will not be entitled to any refund of tuition or fees. A notation will be placed on a student's transcript indicating disciplinary dismissal. Dismissal typically includes a trespass from all university property. Should a student who is dismissed from the university be found on university property, further disciplinary action may be warranted.
16. Additional Sanction- Any sanction deemed appropriate to rehabilitate a student or student organization.

## **XII. Appeal Procedures**

The following appeal procedures are outlined and considered following the outcome of a case after a decision regarding responsibility is determined. The procedures outlined below are applicable for both individual students and recognized student groups/organizations. The purpose of an appeal is to ensure all parties that the original findings of fact, the reasoned integration of them, and the imposition of sanctions or other solutions are consistent with university policies and procedures.

A Respondent or Complainant may submit an appeal. Any persons desiring an appeal will submit within five (5) business days (or in the case of reason #1 below, 30 days) from the date of the decision, a written statement outlining the specific issues and rationale for the appeal. Requests for an appeal will only be considered for one or more of the following:

1. **Information not previously available.** Information not available at the hearing which, had it been available, would in all reasonable likelihood have produced a different finding(s).
2. **Procedural error.** Procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to, failure to adhere to guidelines as outlined in the Code of Student Conduct or perceived Hearing Officer bias (or bias by a board member) based on factors other than the Hearing Officer's decision and rationale for such decision.
3. **Inconsistent Finding or Sanction.** The finding and/or sanction is inconsistent with the weight of the information. The sanction is either too lenient or too severe and does not fit the violation and totality of the circumstances. Discontentment with a particular finding is not a valid reason for appeal.

All appeals must be based on the grounds for appeal as stated above. The responding party to the appeal will receive a copy of the submitted appeal and will have five (5) business days to submit their response to the Appeals Officer. The responding party to the appeal may submit one (1) request for an extension to the Appeals Office within the five (5) day period. Generally, the Appeals Panel will adjudicate the appeal within (15) business days of receipt of the complete appeal of the appealing party.

To submit an appeal, the student or student group/organization pursuing the appeal must submit an appeal submission form found on the Office of Community Standards & Title IX website: [jsu.edu/community-standards](http://jsu.edu/community-standards). An appeal will not be considered unless this form is submitted.

If the sanction(s) imposed includes a housing suspension, or university suspension or dismissal, these sanctions will not be imposed until the appeal decision is rendered, however, depending on the nature of the violations, certain restrictions may apply, and/or some privileges may be revoked on an interim basis.

### **Appeals Panel**

The Vice President for Student Affairs or designee of Title IX Coordinator will function as the Appeals Officer and will ensure that appropriately trained university officials are appointed to the Appeals Panel.

The Appeals Panel will be comprised of three university officials. Panel decisions shall be made by a simple majority vote. No member may abstain from voting.



The Appeals Panel will first determine if the student or student organization has grounds for appeal based on the criteria above. It is the sole responsibility of the appealing student to provide information to support the grounds for an appeal. The appeal must include a full statement of asserted information to support one or more bases of the appeal (listed above). If there is insufficient information to support one or more of the bases for the appeal, the appeal must be denied.

The Appeals Panel may review any relevant material related to the case including: (a) the record made before the hearing body; (2) all pertinent documents, including the audio recording of the hearing, witness statements, incident reports, prior violations, and sanctions against the student.

If there are grounds for an appeal, the Appeals Panel may:

1. Affirm the original finding and sanction.
2. Affirm the original finding and request that the Sanctioning Officer submit a more appropriate sanction.
3. Send the case back to the Hearing Officer to correct procedural errors or factual deficits.
4. Reverse or modify the original finding and dismiss any or all findings of responsibility. Dismissal will only occur if there is insufficient information to support a finding of responsibility.
5. Reverse the original finding and remand the case to a new hearing.

The Appeals Officer will communicate the results of the appeal to the appealing party by electronic mail. Students and organizations are only afforded one level of appeal of a determination by the Hearing Officer or Hearing Board. In addition, the process only allows for one appeal per appealing student or organization. An appealing party may not submit multiple appeals on different bases.

Students who file an appeal will typically be notified of the decision within fifteen (15) business days of the appeal review. However, the Office of Community Standards and Title IX reserves the right to extend this timeline as needed to complete the appeal. Students can submit one appeal per conduct case.

#### **Special Procedures for Alleged Violations of Sexual Misconduct**

Referrals for alleged violations of Sexual Misconduct will be resolved by specific policies and procedures, unique to other forms of resolution, described in the comprehensive JSU Sex-Based Harassment and Misconduct Policy. If the Sex-Based Harassment and Misconduct Policy does not apply, by definition or alleged conduct, the procedures for all other misconduct will be followed to address the behavior.

***Special University Programs.*** Students found responsible for violating the Code of Student Conduct may be subject to additional scrutiny if they are enrolled in a university program with additional rules of conduct or program rules. The Director of Community Standards and Title IX may notify the head of the department or program of a finding. For these purposes, it is understood that students participating in the Fast Start Academy, the International House program, the nursing program, the social work program, and ROTC have agreed to oblige by additional code of conduct.

### **XIII. Holds on Student Records**

An administrative hold may be placed on a student's university account for the following reasons:

- The student is accused of violations that could result in a suspension or expulsion.
- The student fails to schedule an appointment with the Hearing Officer by the date specified in correspondence sent to the respondent.
- The student fails to attend a scheduled meeting with the Hearing Officer.
- The student fails to comply with a reasonable directive by a university official and/or the Hearing Officer.
- The student fails to complete an assigned sanction(s) by the specified deadline.
- The student is sanctioned with a 'hold on student account.' This typically occurs until all sanctions are completed or a suspension or expulsion is imposed.

In cases involving students who are graduating, a hold may be placed that will delay the awarding of a diploma. This may not hinder the ability for a student to participate in commencement activities, pending approval from the Office of Community Standards and Title IX. To have the hold removed, a student should contact their Hearing Officer or the Office of Community Standards and Title IX.

#### **XIV. Discipline Records**

Jacksonville State University maintains a record of students who have been found in violation of university policies and regulations. Student conduct records are maintained separately from the student's official academic records, except in cases involving suspension or dismissal. In these cases, the Registrar's Office is notified of students' temporary or permanent dismissal.

Information about the status of a student's conduct records will be handled in compliance with the provisions of the Family Education Rights and Privacy Act (FERPA). In accordance with these provisions, no information will be released to external authorities or to others outside the conduct system, unless the student has provided written permission authorizing such release. In other circumstances, the student's records may be released to third parties, only as authorized by subpoena or court order. In most cases, the student is notified of the subpoena or court order at the last known address prior to releasing the information.

#### **XV. Additional Resources**

##### **A. Hotlines and Online Resources for Crisis Intervention, Support, and Referrals**

##### **1. Sexual Violence & Relationship Violence**

- Legal Momentum: <https://www.legalmomentum.org/>
- Pandora's Project: <http://www.pandys.org/lgbtsurvivors.html>
- LGBTQ Domestic Violence Project: <http://www.glbtqdv.org/>
- RAINN: <https://www.rainn.org/get-help>
- Safe Horizons: <http://www.safehorizon.org/>

Please note that these hotlines are for crisis intervention, resources, and referrals. They are not reporting mechanisms. Disclosure on a call to a hotline does not provide any information to the university.

##### **2. Relationships**

- Love is Respect: [www.loveisrespect.org](http://www.loveisrespect.org)
- Break the Cycle: [www.breakthecycle.org](http://www.breakthecycle.org)
- One Love Foundation: <https://www.joinonelove.org/>
- Iwannaknow: [www.iwannaknow.org](http://www.iwannaknow.org)
- Day One: [www.dayoneny.org](http://www.dayoneny.org)
- TwoOfUs: [www.twoofus.org](http://www.twoofus.org)
- Futures Without Violence: [www.futureswithoutviolence.org](http://www.futureswithoutviolence.org)

##### **3. Men**

- 1 in 6: [www.1in6.org](http://www.1in6.org)
- Male Survivor: [www.malesurvivor.org](http://www.malesurvivor.org)
- Men Can Stop Rape: [www.mencanstoprape.org/](http://www.mencanstoprape.org/)
- National Domestic Violence Hotline: 800.799.SAFE (7233)
- The Movember Foundation: <https://us.movember.com/>

##### **4. LGBTQ**

- LGBTQ National Help Center: 888.843.4564, [www.glbthotline.org](http://www.glbthotline.org)

- The Trevor Project: [www.thetrevorproject.org](http://www.thetrevorproject.org)
- FORGE: <http://forge-forward.org/>
- The Fenway Institute: <http://fenwayhealth.org/>
- Trans Lifeline: 877.565.8860, <https://www.translifeline.org/>

## 5. Mental Health

If you are having thoughts of suicide, please reach out to the National Suicide Prevention Lifeline for help. They are available 24/7 by phone at 1.800.273.8255 and by chat. Please view the additional crisis prevention resources below:

- Active Minds: <https://www.activeminds.org>
- Boys Town Crisis and Suicide Hotline: 800.448.3000
- Half of Us: [www.halfofus.com](http://www.halfofus.com)
- S.A.F.E. Alternatives: 800.DONT.CUT (366.8288)
- Self-Injury Outreach and Support: [www.sioutreach.org](http://www.sioutreach.org)
- Substance Abuse & Mental Health Services Administration (SAMHSA): 800.662.4357, [www.samhsa.gov](http://www.samhsa.gov)
- National Eating Disorder Association (NEDA): 800.931.2237, [www.nationaleatingdisorders.org](http://www.nationaleatingdisorders.org)
- Crisis Text Line (Confidential Reporting)  
Text HOME to 741741 for free, 24/7 crisis support in the US

## B. Alcohol and/or Substance Use

The use and/or abuse of illegal drugs, tobacco, and alcohol carries possible health risks to the individual user as well as the campus community and community at large. Substance use risk reduction strategies are an important way to keep our campus healthy and safe. Please do not hesitate to seek help if you are a victim of a crime, even if you have violated the University's Alcohol and/or Drug Policies. You will be treated with dignity and care throughout the reporting process, regardless of the circumstances of the assault.

### Alcohol and Risk Reduction\*

#### What to know

- Do the math:
  - o one drink = 12 oz. of regular beer
  - o one drink = 4 to 5 oz. of wine
  - o one drink = 1.5 oz. of hard alcohol
- Binge- or problem-drinking is defined as consuming five or more drinks on one occasion.
- Any amount of alcohol can impair judgment—more so under certain conditions.
- Our body metabolizes approximately one alcoholic drink per hour—there is no way of speeding it up.
- Drinking while engaging in sexual behavior can increase risk for sexual assault, transmitting STIs and unplanned pregnancies.
- Alcohol is a drug—it is an addictive substance that changes our brain chemistry and can cause chemical dependency.

#### How to be safe

- When you go to a party, go with a group of friends. Arrive together, watch out for each other, and leave together. Make sure at least one member of the group remains sober and will look out for others.
- If you choose to drink, know your limits, and stick to them. Have one drink with alcohol and the next one without alcohol.
- If someone has passed out, do not leave them alone. Turn them on their side and call 911, do not assume they will “just sleep it off”.
- Trust your instincts about uncomfortable situations. Be aware of your surroundings at all times.
- Don't allow yourself to be isolated with someone you do not know or trust.

- State your limits clearly. Do not be afraid to say “No” and/or walk away if you are feeling pressured or coerced, or even just uncomfortable.
- Educate yourself about Date Rape Drugs. Do not leave your beverage unattended or accept a drink from an open container. Do not drink anything with an unusual taste or appearance. If someone acts extremely drunk after only one or two drinks, they may have been drugged. Call 911 or take them to the hospital.

### **Plan ahead**

- Eat before you drink anything
- Ask a friend to keep an eye on you
- Set a limit on how many drinks you’re going to have
- Never leave your drink unattended
- Prepare to say no if you’re offered drinks by others

Credited: Sindecuse Health Center, Western Michigan University. [www.mwich.edu](http://www.mwich.edu)

### **Alcohol and/or Substance Abuse and Abusive Relationships\***

If you are in an abusive relationship, drugs and alcohol can make an unhealthy situation worse. Abusive partners may get a person drunk or high to increase their vulnerability. Emotions may be stronger or change quickly, and a bad situation may escalate more quickly. It may be harder to take action to escape a bad situation (because you/your ride are unable to drive, it’s difficult to remember your safety plan, etc.).

Further, abusive partners frequently do not accept responsibility for their actions and blame drugs or alcohol for their unhealthy behavior. Drugs and alcohol do affect a person’s judgment and behavior, but they are not a reason for violent behavior. Watch out for these common excuses:

- “I didn’t mean what I said. I was drunk.”
- “I would never hit you sober.”
- “Drinking turns me into a different person. That’s not who I really am.” It’s important to remember that when a person is intoxicated or under the influence of drugs, their actions still reflect their personality. If someone is violent when they are drunk or high, it’s probably just a matter of time until they are abusive when they’re sober.

Credited: Love is Respect. [www.loveisrespect.org](http://www.loveisrespect.org).

### **Addiction\***

Addiction is another very serious health risk associated with the use of alcohol or other substances. Addiction is a primary, progressive, chronic, and potentially fatal disease. Some people think addiction is about a lack of willpower — that someone with a drug or alcohol problem simply doesn’t want to get better and could easily quit if they really tried. That couldn’t be further from the truth. Addiction is far more complex and less forgiving than many people realize.

Signs and symptoms of addiction may include:

- Drinking or using substances for the relief of withdrawal symptoms
- Increased tolerance or reverse tolerance (drug sensitization)
- Feeling guilt, shame, or remorse (as a result of behavior while under the influence of alcohol or other drugs)
- Anxiety, depression, or other mental health diagnosis
- Concern from family and/or friends about drinking or drug use
- Decline in work performance or loss of interest in hobbies and daily activities
- Inability to remember what happened when drinking (blackouts)
- Financial difficulties including making sacrifices for the purchase of drugs
- Having problems with the law through increasingly risky behaviors and impaired judgment
- Denial or not being aware that a problem exists

- Much time dedicated to the use of a substance (obsession)
  - Use that continues despite known health problems that have developed from use
- Credited: Start Your Recovery. <https://startyourrecovery.org/> 26.

## Resources & Hotlines

Below are some on- and off-campus resources.

- Title IX Coordinator (Jasmin Nunez)  
301 Angle Hall  
256.782.5769
- Counseling Services (Confidential Reporting)  
147 Trustee Circle  
256.782.5475
- JSU Health Center (Confidential Reporting)  
1701 Pelham Road South, Jacksonville, AL 36265  
256.782.5310
- Department of Public Safety  
Salls Hall  
Forney Avenue, NW  
256.782.5050
- The Gordie Center. <https://gordie.studenthealth.virginia.edu>
- Start Your Recovery, [www.StartYourRecovery.org](http://www.StartYourRecovery.org)
- CAGE Questionnaire, A Screening Test for Alcohol Dependence, <https://counsellingresource.com/quizzes/drug-testing/alcohol-cage/>
- College Drinking- Changing the Culture, <https://www.collegedrinkingprevention.gov/>
- National Institute on Alcohol Abuse and Alcoholism, <https://www.niaaa.nih.gov/alcohol-health>
- National Helpline for Substance Abuse Referral Services 1.866.684.6303
- National Clearinghouse for Alcohol and Drug Info 1.800.SAY.NO.TO (729.6686)
- Referral Services 1.877.726.4727
- Poison Control Info 1.800.336.6997

## C. Harassment

Tips:

- **Speak up at the time.** You want the harasser to know you find their behavior offensive or unwelcome. State clearly that you don't like what was said or done and you want that behavior to stop.
- **Tell someone about it.** Even if you are not sure you will report the incident, tell someone what happened. Discuss it openly with others. Find out if others have been harassed by the same person.
- **Keep records.** Keep a diary or log of what is happening to you. Include dates, places, direct quotes, and names of other people that were present. Save any letters, cards, or notes sent to you. Let someone read your records. Keep everything in a safe place.
- **Get a witness.** Ask someone to watch you when the harasser is around. Most advances are made when the harasser thinks no one is watching.
- **Seek advice or counseling.** Students often feel powerless, angry, guilty, or fearful when they are subjected to harassment. There are often concerns about personal safety, loss of privacy and the threat of possible retaliation if the situation is reported.

Harassment undermines the self-confidence, well-being and peace of mind of the individual who is offended, and it damages the spirit of trust and collegiality that is central to our university community. No matter when or where the harassment occurred, support and referral resources are available at the university.

#### **Additional Resources**

- Title IX Coordinator (Jasmin Nunez)  
301 Angle Hall  
256.782.5769
- Counseling Services (Confidential Reporting)  
147 Trustee Circle  
256.782.5475
- Department of Public Safety  
Salls Hall  
Forney Avenue, NW  
256.782.5050
- “Fighting Harassment at School and Work.” AC Online,  
<https://www.affordablecollegesonline.org/college-resource-center/workplace-campus-harassment/>

#### **D. Sexual Assault Reduction**

Sexual violence risk reduction is an important part of the university’s efforts to eliminate sex and gender-based misconduct. Often, however, attempts to educate students by discussing risk-reduction tips can be perceived as taking on a victim-blaming tone. With no intention to set such a tone, and with affirmative recognition that those who commit acts of sexual violence are and should be held responsible for their actions, these tips are offered in an effort to help students reduce their risk of experiencing non-consensual sexual contact or activity.

1. Make your limits known as early as possible.
2. If you find yourself in a position where another is exceeding your permissible limits by being sexually aggressive, tell the aggressor “NO” clearly and firmly.
3. Try to remove yourself from the physical presence of any sexual aggressor.
4. Call for help or find someone nearby and ask for help.
5. Take affirmative control of your alcohol intake or drug use. Drugs and alcohol lower your normal inhibitions and may make you vulnerable to one who views you as drunk or high and gives that person and opportunity to take advantage of the situation.
6. Friends take care of friends! Take care of your friends and ask that they take care of you. A friend will challenge you if you are about to make a mistake, just as you should challenge them in a reverse situation. You should respect each other when they do.

If you are the initiator of sexual behavior, you owe respect to your potential partner. These suggestions may help reduce the risk of you being accused of sexual misconduct.

1. Clearly communicate your intentions to your prospective sexual partner and give them a chance to relate their intentions and expectations to you.
2. Understand and respect all personal boundaries.
3. Do not make assumptions about consent, about one’s sexual availability, about whether they are attracted to you, about how far you can go or about whether they are physically or mentally capable of giving consent. If there are questions, if you are uncertain, or if there is ambiguity, you do not have consent.
4. Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension, and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline or boundaries for sexual behaviors with which they are comfortable.
5. Do not take advantage of someone’s drunkenness or drugged state, even if they did it to themselves. Intoxication, even if voluntary, can negate the effectiveness of consent and cause a sexual encounter to be without consent and potentially illegal.

6. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Consent obtained through coercion is not deemed effective and may cause any contact to be considered non-consensual and potentially illegal. Do not abuse that power.
7. Understand that consent has limits and consent to some forms of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
8. Prior sexual relations with someone should not be assumed that the individual has or will consent to current or future sexual activity.
9. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

### **Additional Resources**

The most important thing a victim of sexual assault or domestic violence can do is tell someone whether that be the police, a friend, a rape crisis center, a counselor, a family member, or a staff member. Do not isolate yourself, don't feel guilty, don't blame yourself and don't just ignore it. Sexual assault, whether by a stranger or by someone you know, is a violation of your body and your trust. The organizations and departments listed below can provide or arrange for immediate support and response including assistance with personal safety concerns.

- Title IX Coordinator (Jasmin Nunez)  
301 Angle Hall  
256.782.5769
- Counseling Services (Confidential Reporting)  
147 Trustee Circle  
256.782.5475
- RMC/JSU Health Center (Confidential Reporting)  
JSU South Complex  
1701 Pelham Road South, Jacksonville, AL 36265  
256.782.5310
- Department of Public Safety  
Salls Hall  
Forney Avenue, NW  
256.782.5050
- Jacksonville Police Department  
911 Public Safety Drive SW  
Jacksonville, AL 36265  
256.435.1075 or 911
- Calhoun County Sheriff's Office  
400 West 8th Street  
Anniston, AL 36201  
256.236.6600 or 911
- Rape Response (Emergency/Trauma) (Confidential Reporting)  
Sexual Assault Nurse Examiner facility offers exams 24 hours a day, 7 days a week  
Birmingham, AL  
205.323.7273
- Northeast Alabama Regional Medical Center (Emergency/Trauma) (Confidential Reporting)  
400 East 10th Street (south on Highway 21/Quintard Avenue; one block east on 10th Street)  
Anniston, AL 36207  
256.235.5121
- 2nd Chance, Inc. (Confidential Reporting)  
Shelter and Support  
Crisis Line: 256.236.7233 Office: 256.236.7381
- Alabama Coalition Against Domestic Violence (Confidential Reporting)  
Hotline: 1.800.650.6522
- One Love Foundation (Confidential Reporting)

- [https://www.joinonlove.org/learn/help\\_a\\_friend/](https://www.joinonlove.org/learn/help_a_friend/)  
Text LOVEIS to 22522 to text with a peer advocate regarding unhealthy relationships
- Crisis Text Line (Confidential Reporting)  
Text HOME to 741741 for free, 24/7 crisis support in the US
- National Sexual Violence Crisis Hotline (Confidential Reporting)  
1.800.656.HOPE (4673)

## **E. Stalking**

Stalkers can be unpredictable and dangerous. Whether through in-person or through the use of technology, stalkers use a variety of strategies to invade the lives of their victims. Most stalkers use multiple tactics and can escalate their behavior(s) at any time. You have no control over the stalker's behavior and are not responsible for what they do. However, it can be useful to think of steps you might take to keep yourself and loved ones safe. This process is called safety planning.

Though victims can make safety plans on their own, it is often helpful to work with a trained professional such as an advocate, victim assistance provider, or even a law enforcement officer. You can find these people in local domestic violence and rape crisis programs, victim assistance programs within state and county prosecutors' offices, and in police departments. For help locating someone trained in safety planning in your area, contact Victim Connect (855.4.VICTIM/855.484.2846). The guidance below is intended for general informational purposes only and is not designed to replace a personalized safety plan created with the assistance of a professional. The suggestions below are also not exhaustive. You are the expert on your own life, and you know best what options might be possible or feasible.

### ***Safety Planning: Basic Considerations***

- Trust your instincts. Many victims of stalking feel pressured by friends or families to simply ignore the stalker's behavior or "just tell them off." Stalkers are dangerous and your fear is justified.
- Your safety plan should evolve, change, and adapt as the stalking situation changes.
- As much as possible, don't only plan around what has already happened – also think about what might happen next (for example, "if X happens, I will do Y")
- Consider or try to anticipate how the stalker may react to any changes you may make, so you can further plan for your safety. Stalkers often escalate their behavior when the victim reacts (for example, if you block them on social media, they might start showing up at your home).
- Victims must balance their need to live normal lives with their concerns over safety. Only you can decide what tradeoffs are realistic and appropriate for you.

### ***General Safety Strategies – Consider:***

- Working with a local domestic violence shelter or victim services program to develop a safety plan.
- Notifying the police, especially if you feel you are in any immediate danger. You can explain to the police why some actions that might seem harmless (like the stalker driving by your house or leaving you a gift) are causing you fear.
  - Ceasing any further communication with the stalker. Many stalkers perceive any contact, even negative contact, to be a reinforcement (more information on this below).
- Keeping a log of every stalking incident

Credited. SPARC. <https://www.stalkingawareness.org/>

### **Additional Resources.**

- Community Standards and Student Ethics (Jasmin Nunez)  
301 Angle Hall  
256.782.5769
- Counseling Services (Confidential Reporting)  
147 Trustee Circle  
256.782.5475



- Department of Public Safety  
Salls Hall  
Forney Avenue, NW  
256.782.5050
- Stalking and Harassment Assessment and Risk Profile (SHARP).
- Stalking Prevention Awareness & Resource Center (SPARC) <https://www.stalkingawareness.org/>
- Victim Connect. [Victim.connect.org](http://Victim.connect.org) (855.4.VICTIM/855.484.2846).

## **F. Risk Assessment and Risk Reduction**

While you can never completely protect yourself from crime, there are some things you can do to help reduce your risk of harm.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Make sure your cell phone is with you and charged and that you have taxi money.
- Do not allow yourself to be isolated with someone you do not trust or someone you don't know.
- Lock doors, including car doors, and when in the vicinity of your car, have your key ready in your hand.
- Before entering an Uber, Lyft, or taxi make sure the child safety lock is off.
- When you go out, have a plan, including transportation home. Go with others, arrive together, check in with each other and leave together.
- Drink Responsibly. Try not to leave any beverages unattended or accept drinks from someone you do not know or trust. If you are drinking alcohol, know your limits and how much you can consume without losing control or awareness of what's going on around you.
- Have a buddy system. Do not be afraid to let a friend know if something is making you uncomfortable or if you are worried about you or your friend's safety.
- Previous consent does not imply current consent - No means no.
- Do not prop outside or suite doors open. Always lock your room door.
- Report lost I.D. cards immediately to your Residence Advisor (RA) and Department of Public Safety.
- Do not open the door if you do not know the person. Report any suspicious persons or activities to the RA or University Police immediately.
- Think twice about what you put on Facebook. When you use social media to share where you are or where you are going, friends can find you, but others may be able to track you as well. Use common sense and ask yourself -- would you give this information to a stranger? If not, then don't share it online.
- Your safety takes priority over someone else's hurt feelings.
- Get yourself to a safe place. Call 911 or local Police. University Police 256.782.5050

## **XVI. Revisions to the Code of Student Conduct**

This Code shall take effect May 15, 2023. It is the general duty of all persons affiliated with the University Conduct System to advise the Director of Community Standards and Title IX of modifications that should be considered in order to improve the fairness and effectiveness of the system. The Director of Community Standards and Title IX, in consultation with university administration will bear the responsibility for identifying and considering any proposed revisions to the Code of Student Conduct.

Jacksonville State University reserves the right to make changes to the Code of Student Conduct as deemed appropriate.

## Student Self Reporting

### Purpose

Jacksonville State University is committed to maintaining a safe campus. The timely identification of persons that pose a potential risk to other members of the JSU community is essential in that effort.

### Policy

A student must disclose any arrest, charge, or conviction for any of the criminal offenses designated below (state, federal or municipal)—excluding minor traffic violations that do not result in an arrest, injury, or risk of injury to others—that occur after the student is first admitted to the university. Disclosure shall be made within five (5) business days of the subject event and should be made to the Director of Community Standards and Title IX, Suite # 301A, Angle Hall, 256.782.5769, on a form to be promulgated by that office. This disclosure obligation applies whether the subject event occurred inside or outside the State of Alabama and regardless of whether the university is in session at the time. Reportable offenses shall include any felony offense or any misdemeanor offense involving danger to another, moral turpitude, or the illegal possession / use / distribution of illegal drugs or prescription medication. Reportable offenses include but are not limited to the following:

- Murder
- Burglary
- Criminal Solicitation
- Robbery
- Conspiracy
- Theft
- Assault
- Receiving Stolen Property
- Reckless Endangering
- Forgery
- Vehicular Assault
- Issuing a bad check (negotiating a worthless check)
- Unlawful Imprisonment
- Unlawful use of a credit card
- Kidnapping
- Endangering the welfare of a child
- Interference with custody
- Hate Crime
- Arson
- Illegal carrying of a concealed deadly weapon
- Any offense in which the main component deals with a sexual offense, including any offense involving child pornography
- Illegal Possession of a deadly weapon instrument
- Illegal use of a deadly weapon or dangerous
- Domestic violence
- Any offense dealing with the illegal possession, use, sale, distribution or trafficking of controlled substances, illegal drugs, or prescription medication
- Violation of a protection from abuse order
- Making a terrorist threat
- Driving a vehicle or operating a watercraft under the influence of alcohol or drugs
- Leaving the scene of an accident
- Resisting arrest or attempting to elude a law enforcement official
- Stalking

Failure to comply with this disclosure obligation may be deemed a violation of the Student Code of Conduct.

*The Director of Community Standards and Title IX is responsible for this policy.*

## Intellectual Property and Fair Use Policy

### Purpose

The purpose of this policy is to provide guidelines for the determination of the rights of Jacksonville State University and its faculty, administration, staff, and students (“University Member” or “Member of the University”) with regards to copyrights, patents and other intellectual property, and income of any nature derived therefrom, where work thereon was instituted after October 1, 1988.

### Policy

This policy covers all materials, inventions, ideas and work copyrighted, patented or registered by administrative officers and employees, faculty, staff, students, and third-party vendors and contractors of Jacksonville State University under the Copyright and Patent Laws of the United States, and/or other protective federal and state statutes or common law legal rights and interest, when the work product was developed during the period of time that the individual was employed by, a student of or fulfilling contractual or other applicable legal obligations to JSU. Also included under this policy are guidelines for fair use of copyrighted material.

Intellectual property as that term is used herein shall be broadly interpreted to include all products of human intelligence and creation recognized by law as being protectable as such, and shall include, but not necessarily be limited to, copyrightable works, patented inventions, designs, and trademarks. Examples include:

1. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, and survey instruments.
2. Lectures and unpublished lecture notes.
3. Digital, video, and audio works.
4. Computer programs and documentation.
5. Processes, machines, and articles of manufacture.
6. Designs, concepts, logos, trademarks, trade dress and the like.
7. Any concept, process, or discovery leading to an invention.

Ownership of, rights in, equity in, or use of intellectual property may be determined through:

1. Individual effort.
2. University assisted individual efforts (directly, by use of university property or facilities, or while engaged in work during normal duty hours).
3. Externally sponsored efforts.
4. University assigned efforts; and
5. Fair Use.

### **Individual Efforts (An individual’s efforts outside of and without support of the university):**

This policy recognizes that a member of the university is entitled to ownership of or rights in intellectual property derived from individual creative works if no significant use of university property or facilities is involved or the university provides no support for the work.

#### **1. University Assisted Individual Efforts:**

Materials, designs, concepts, inventions, or works produced by employees of the university shall be subject to copyright, patent, or registration by the employee and/or university as co-authors if the production cost is specifically shared by the employee and the university.

In cases where the university assistance is less than fifty percent of the costs of production, as determined by the university utilizing accepted accounting principles and procedures, the individual employee shall retain the copyright or patent and the university may share in the division of royalty or other income up to the total reimbursement costs of university assistance. In cases in which the university assistance is fifty percent or greater, the university shall retain the copyright or patent and the division of royalty or other income shall be based on percentage of sponsorship. Routine use (defined as use that does not exceed that which would ordinarily occur in the normal discharge of the university member’s obligations to JSU) of the library, electronic resources, equipment, office space, facilities, supplies and personnel shall not, for the purpose of this policy, constitute university assistance.

#### **2. Externally Sponsored Efforts:**

Rights to materials and inventions subject to copyright, patent, registration rights, or other legal protection as Intellectual Property developed as a result of work supported partially or fully by an outside agency through a contract or grant shall be determined in accordance with the terms of the contract or grant. In those cases where Intellectual Property rights are vested in the university or are shared by agreement between the sponsor and the university, the producer(s) (university member(s) responsible for the work) may share in the income within the provisions of this policy.

3. **University Assigned Efforts**

Materials, inventions, or other works (Intellectual Property) produced by Members of the University subject to patent, copyright, registration, or legal protection as such, shall be exclusively owned by the university, if the university assigned the employee to produce the specific materials, invention, or works. Sharing of royalty or other income with the author or inventor may be authorized by the University President as an incentive to encourage further development of copyrightable, patentable work, or Intellectual Property. A faculty member's general obligation to produce scholarly and creative works and/or the receipt of professional development leave, unless there is specific agreement to the contrary, does not constitute university assigned efforts as defined in this policy.

4. **Fair Use:**

Within the provisions of and compliance with the “Technology, Education, and Copyright Harmonization” (TEACH) Act of 2002, the Copyright and Fair Use Policy of Jacksonville State University provides an accurate guideline for teachers and faculty members concerning the rules regarding the use of copyrighted works in non-profit educational organizations. This federal legislation redefined the privileges of educators to use digital media in their lectures and presentations.

Although there are many complex revisions to the copyright law as it applies to educational use, this guide provides methods of implementation for every department of the university.

It is necessary for educators at the university to recognize that many of the resources used to teach students are protected by copyright laws, as virtually any “work of original authorship” is, and in which the author(s) and/or publishers have property rights and economic interests. While the copyright owner has the right of duplication and privilege of public display, teachers frequently unknowingly violate these policies when they distribute certain paper handouts in class or upload clips of video and music to a website thinking that academic use and fair use are synonymous, which they are not.

The first step in copyright awareness begins with the policy of fair use, a complex issue even for those who work with it frequently, because many nuances make every copyright law and application relative to a given situation subjective to individual interpretations. The basis foundation of copyright law is that the right to copy, distribute, perform, or display any creative work belongs solely with the owner, who may not necessarily be the author; however, fair use makes it possible for teachers to utilize these copyrighted materials without violating the owner’s rights under a set of general guidelines, which form the basis for the application of the university’s “fair use” policy. These guidelines are as follows:

**Fair Use Guidelines-**

**Factor #1**

**Purpose and Character**

The purpose and character of use can be divided into separate categories based upon institutional and use considerations.

Favor Fair Use – Non-profit, educational personnel.

Support Fair Use – News reporting; parody; criticism; commentary. Against Fair Use – Commercial usage.

The first category lists use that weigh in favor of Fair Use while the last, commercial usage, defines what clearly may require permission from the owner if permission has not been specifically or generally granted. For example, non-profit use within the auspices of education makes a very good case *in favor* of Fair Use. If an instructor engages in a project that is non-profit and also involves criticisms of the copyrighted work, the case for Fair Use is strengthened, as qualities from the second category enhance teachers’ rights as users. Even if the user plans to profit from a copyrighted work, qualities from the second category might keep the user inside the scope of Fair Use.

These categories are mere indicators of what can be considered legal privileges of Fair Use because owners and users have always had a difficult time deciding on the proper system of balance. If there is any doubt regarding the legality of one’s actions, it is always a good idea to seek permission from the copyright owner. Consulting the university’s legal counsel is also recommended.

**Factor #2 Nature of Work**

The type of work one uses can also determine how Fair Use rules are applied. Favor Fair Use – facts; published works.

Against Fair Use – unique expressions; unpublished works.

Collections of pure facts and published works tend to side with Fair Use, while dealing with works that are either the result of unique thought or remain unpublished are riskier. Unpublished works are more protected because they remain out of the public domain; however, teachers are allowed to use collections of published facts fairly safely because government copyright policies encourage the dissemination of facts to the public.

#### **Factor #3 Quantity**

The fair amount used of a copyrighted work is just as subjective as the previous two factors. According to the “Classroom Guidelines” portion of the amendment to the U.S. Copyright Act, teachers should refrain from copying more than 1000 words of any given document. Another dynamic aside from the quantity taken is the value of the portion in relation to the whole work. Is the copied portion considered the “heart” of the material? If so, the copying privileges become more limited.

#### **Factor #4**

##### **Market Effect**

The last factor in the test addresses the effects of the use on the market value of the work. Essentially, the evaluation is made through comparing the widespread use of the action and how it affects the success of the work as published material. In court cases, judges tend to analyze the first three factors before letting this fourth factor become relevant. If the first three factors indicate the use is likely fair, the judge will not allow the fourth factor to supersede those three. Situations in which the original work goes out of print are more likely to give a teacher the right of Fair Use than where a work is currently in the marketplace, for sale and from which the copyright owner could be expected to derive income or value.

#### **5. Course Packs:**

Below are basic suggestions for including copyrighted materials in student course packs:

-*Books*- limit excerpts to single chapters

-*Journals*- limit to single articles

-*Charts/Graphs*- depending on the size of the excerpt, limit to several at a time

\*\* As always, include any copyright notices on the works themselves and be sure to appropriately cite the sources.

#### **6. Images:**

**TEACHERS:** Teachers should determine if the image being digitized (or converted into a computer-read format) is available online or for sale at a reasonable price.

**YES-** if the copyrighted image is available, teachers should seek to negotiate a contract for the image before using it.

**NO** - if the copyrighted image is NOT available, the digitized pictures should be smaller thumbnail images, and student access to these images should be restricted after the end of the term.

**STUDENT USE** - According to Fair Use, students are able to use the downloaded images for personal use and in preparation for academic work.

#### **7. Multimedia Works:**

According to the guidelines from the Conference on Fair Use (CONFU), students and faculty members may incorporate other copyrighted works into audio/visual presentations under certain restrictions. Fair Use allows the presenter to utilize the copyrighted work in the presentation and perform or display this work as long as it is being given in an academic setting. However, the multimedia presentation containing the copyrighted work may NOT be distributed or copied without appropriate permission.

#### **8. Music-**

The Music Library Association has established several rules for handling musical works in the classroom. The proper and improper uses are listed below:

##### **Permissible Uses**

1. An emergency copy may be made for an imminent performance, given that the replacement copies shall be ordered in due time.
2. For academic purposes other than performance, single or multiple copies of excerpts of works may

be made, but in no case more than 10 percent of the whole work. The number of copies shall not exceed one copy per pupil.

3. Printed copies that have been purchased may be edited or simplified provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist.
4. A single copy of recordings of performances by students may be made for evaluation or rehearsal purposes and may be retained by the educational institution or individual teacher.
5. A single copy of a sound recording (such as a tape, disc, or cassette) of copyrighted music may be made from sound recordings owned by an educational institution or an individual teacher for the purpose of constructing aural exercises or examinations and may be retained by the educational institution or individual teacher. (This pertains only to the copyright of the music itself and not to any copyright that may exist in the sound recording.)

**Prohibitions**

1. Copying to create, replace, or substitute for anthologies, compilations, or collective works.
2. Copying of or from works intended to be "consumable" in the course of study or of teaching such as workbooks, exercises, standardized tests and answer sheets and like material.
3. Copying for the purpose of performance, except as in #1 under "Permissible Uses."
4. Copying for the purpose of substituting for the purchase of music, except as in #1 and #2 under "Permissible Uses."
5. Copying without inclusion of the copyright notice, which appears on the printed copy. *From The Music Library Association (<http://www.musiclibraryassoc.org>)*

**9. Reserve Copies**

In compliance with the Fair Use Guidelines for Electronic Reserve Systems, instructors should always list the appropriate citations and notices when placing an item on reserve. Reserve materials should be limited to single articles or chapters and, in general, small portions of entire works. Also, instructors should only make copies of materials that are already owned legally by either the library or the instructor. There should be limited access to the reserves given only to students enrolled in the class during that academic period. Materials will be removed from reserve at the end of the semester. Instructors should seek permission from the copyright owner for repeated use of the same copyrighted reserve material.

**10. Distance Education:**

The issues of copyright protection within Distance Education focus primarily on the duplication and distribution of works. While Section 110 of the federal copyright law allows educational performances of copyrighted works, there is a legal gap between what can be displayed in the classroom and how these materials can be transmitted.

The law (17 U.S.C. §110) treats materials utilized in classroom instruction (§110(1)) and that used in providing distance education (online instruction) (§110(2)) differently. The following chart may help understand the distinctions.

SECTIONS OF COPYRIGHT LAW, U.S. CODE 17		
	Face-to-Face Instruction: 17 U.S.C. §110 (1)	Course Transmission (Distance Education): 17 U.S.C. §110 (2)
<b>Eligibility</b>	Nonprofit, Educational	Accredited, Nonprofit, Educational, Governmental
<b>Activity</b>	Face-to-face	Digital transmission
	Teaching	controlled by, or under the actual supervision of the instructor;
<b>Works Covered</b>	All works	Nondramatic literary & musical works and limited portions of other works; display of all works

<b>Limitations</b>	Lawfully obtained Copy; purpose is instructional not entertainment	Lawfully obtained copy; available to students no longer than class session; made by or under supervision of the instructor; display of work in an amount comparable to typical classroom setting.
<b>Where</b>	Classroom or similar place devoted to instruction	An integral part of a transmitted class session; part of systematic mediated instructional activity; directly related to the teaching content
<b>Who</b>	Students and teachers	Students and teachers

Guidelines for digitally transmitting copyrighted material in a distance education setting are as follows:

- Licenses**- With any copyrighted work that may be transmitted, checking the license is necessary to view any restrictions or privileges that are applicable.
- Quantity**- The keys to any ambiguity in Fair Use are *small parts* and *limited access*. Copyrighted works transmitted over a network should be used sparingly if there is not a license agreement established. The safest copyrighted materials to be used are those that have been purchased, licensed, or loaned to a teacher library or institution.

### Limited Use for Media Materials

1. Motion media. 10%- or 3-minutes Text. 10% or 1,000 words
  2. Music, Lyrics, and Music Video. 10% BUT no more than 30 seconds from an individual work.
  3. Illustrations and Photographs. Hard, because fair use usually precludes the use of an entire work. May use in one educational multimedia work: no more than 5 images by a single artist or photographer; no more than 10% or 15 images from a published collective work.
  4. Numerical data sets. 10% or 2,500 fields or cell entries from a copyrighted database or data table.
- Citation**- When transmitting copyrighted material, it is necessary to cite the correct sources on the material itself. Failure to cite the material puts the instructor out of the reach of Fair Use.
  - Transmission**- The transmission of copyrighted material should be done over a secure network with limited access to the data. Academic classroom settings or other places designated for instruction are the only eligible sites that can legally receive such data.
  - Permission**-
    - a. Permission to utilize a copyrighted work should be established when an instructor intends to distribute material from the course that contains copyrighted material.
    - b. Access becomes unrestricted: An institution intends to offer a course that contains the performance of copyrighted works to non- employees.
    - c. 15-day limit: An institution wishes to retain the recorded or copied class session that contains the performance of a copyrighted work for more than the 15-day limit. After the 15 days, a copy may be put on reserve in the library for on-site use only.

The following chart should assist in understanding the policy above. In the event of a conflict between the following and the language of the policy, written language governs.

→	Individual Efforts-No University Support	Individual Efforts-University Assisted	Externally Sponsored Efforts	University Assigned
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FACULTY	Producing individual owns rights.	University contributes less than 50% of costs, producing individual owns subject to recoupment of costs from royalties. Where university contributes 50% or more of costs, the university owns the IP and royalties are divided pro rata based upon percentage of sponsorship.	Determined in accordance with terms of the applicable contract or grant.	Conclusively presumed owned by the university. The President, on recommendation of the appropriate Vice-President may execute a royalty sharing agreement to be negotiated. Royalty sharing may be used as an incentive to encourage further development of a product or work.
ADMINISTRATORS & STAFF	Producing individual owns rights.	University contributes less than 50% of costs, producing individual owns subject to recoupment of costs from royalties. Where university contributes 50% or more of costs, the university owns the IP and royalties are divided pro rata based upon percentage of sponsorship.	Determined in accordance with terms of the applicable contract or grant.	Conclusively presumed owned by the university. The President, on recommendation of the appropriate Vice-President may execute a royalty sharing agreement to be negotiated. Royalty sharing may be used as an incentive to encourage further development of a product or work.
STUDENTS	Producing individual owns rights.	University contributes less than 50% of costs, producing individual owns subject to recoupment of costs from royalties. Where university contributes 50% or more of costs, the university owns the IP and royalties are divided pro rata based upon percentage of sponsorship.	Determined in accordance with terms of the applicable contract or grant.	Conclusively presumed owned by the university. The President, on recommendation of the appropriate Vice-President may execute a royalty sharing agreement to be negotiated. Royalty sharing may be used as an incentive to encourage further development of a product or work.
EXTERNAL THIRD PARTIES	Intellectual property produced under contract or agreement with parties to produce or assist in its development or production shall be presumed to be the exclusive property of the university subject only to the terms of any contract to the contrary.			

*The Provost and Vice President for Academic Affairs is responsible for this policy.*

### **Inclement Weather Policy**

Jacksonville State University is primarily a self-contained campus with many residential students requiring a variety of support services, regardless of the weather. Therefore, the university does not completely close because of severe weather conditions. Decisions to close all nonessential university operations, to include classes, will be made by the President, or a designee. In the interest of safety and in recognition of the difficult driving conditions that occur in certain areas, the university permits a liberal makeup policy for commuter students who cannot attend classes during times of extreme weather conditions.

### **Jacksonville State University Noise Policy**

Jacksonville State University is committed to providing our students an atmosphere pursuant in obtaining an education. Each member of our community is expected to be reasonable concerning noise, music, and other sounds that may interfere with the comfort, repose, health, peace, or safety of persons with reasonable sensibilities on university property and the surrounding community.



What is considered noise by some may not be considered noise by others; therefore, we are expected to act in a compliant manner when approached by law enforcement or university officials. Jacksonville State University has created the following policy concerning noise. (City Ordinance O-482-07)

**A.)** No person shall participate, cause, or excite any disturbance, excessive noise, or contention in or near any building or other property owned or operated by the university.

**B.)** Quiet hours are in effect from 8:00 P.M. to 8:00 A.M. seven days a week in and around university Residence Halls and Apartments

**C.)** All music containing offensive and vulgar language is strictly prohibited in all outdoor activity programs on university property. Any outdoor activity where music is played containing offensive and vulgar language will immediately be cancelled by the Department of Public Safety.

**D.)** Persons may request in writing to use sound amplifying equipment at outdoor activity programs. However, the university reserves the right to specify where and when such amplification equipment may be used. Permission and specification for use of sound equipment on campus must be obtained from the Dean of Students. Sound amplification must comply with the noise ordinance of the City of Jacksonville. Sound amplification must not obtain offensive or vulgar language.

**E.)** The Department of Public Safety will respond to noise complaints on Campus. If noise is deemed excessive, the University Police will request the individual or person in charge of an event to reduce the noise volume. If complaints continue, the University Police may cancel the event and the individual or person in charge is subject to criminal prosecution under the noise ordinance of the City of Jacksonville. Students found in violation are also subject to the judicial process for violation of the student code of conduct.

### **Sound Amplification Equipment**

Various outdoor student activity programs require the use of sound amplification equipment. However, the university reserves the right to specify where and when such amplification equipment may be used. Permission and specification for use of sound equipment on campus must be obtained from the Dean of Students. Sound amplification must comply with the noise ordinance of the City of Jacksonville.

## **Jacksonville State University Alcohol and Other Drug Policy**

### **Purpose**

The purpose of the Jacksonville State University (JSU) Alcohol and Other Drug Policy is to promote student responsibility, respect for the community and self, and to establish a university community that is safe, healthy, and conducive to academic endeavors. While students must define their own values and make their own choices, the university expects all its members to comply with both JSU Policy and federal, state and local laws as they apply to alcohol and other drugs. Furthermore, the university recognizes the harmful effects of alcohol abuse, illicit and illegal drug use and prohibited prescription drug practices such as pharma shopping, selling prescription drugs or using prescription drugs other than as prescribed.

### **Outline of Policy Topics**

The JSU Alcohol and Other Drug Policy will address the following topics:

1. Jurisdiction of the University
2. Alcohol Policy for Students
3. Other Drugs Policy for Students
4. Assistance for Alcohol and/or Drug Abuse
5. Summary of Federal, State and Local Alcohol and Other Drug Laws

### **Jurisdiction of the University**

Jurisdiction of the University is generally considered to include student conduct which occurs on, near, or off university property and/or student conduct which has an adverse effect on the university, the members of the university community, or the fulfillment of the university's mission. We expect all our students to uphold our policies and federal, state, and local laws anywhere they go as long as they are a student with JSU or have a relationship with the university.

### **Alcohol Policy for Students**

Jacksonville State University has established the following policy in regard to alcohol use by students.

1. Alcohol possession and consumption on campus is permitted only for students of legal age (21).
2. It is unlawful and a violation of University Policy to use or possess identification that makes an individual appear older or misrepresents an individual as someone else.
3. The consumption of alcohol stronger than 15% alcohol by volume or 30 proof is not permitted on campus.
4. It is prohibited to serve, provide, or knowingly allow alcohol to individuals under 21.
5. It is prohibited to serve alcohol to someone who is visibly intoxicated or to pressure someone to consume alcohol.
6. It is prohibited for minors to transport, possess, consume, or serve alcohol.
7. Common source and “tap” systems are prohibited. This includes, but is not limited to, kegs, beer balls, punch bowls, and punch served out of a cooler or another unusual container.
8. Drinking games and any activities that encourage rapid consumption of alcohol are prohibited.
9. Consumption in student rooms should neither infringe on the rights of other students to study nor negate any normal activity.
10. Persons may not transport or consume open containers of alcoholic beverages in public areas.  
\*Public areas include hallways, foyers, stairwells, bathrooms, lounges, or other public areas including outdoor university grounds (e.g., Residential Parking Lots, The Quad, Dillon Field etc.).
11. Full responsibility for compliance with policies and laws belongs to all students.
12. Student groups and organizations are expected to abide by the Risk Management Policy, found in the Code of Student Conduct, for any activity or event sponsored or endorsed by the organizations, including those that occur on or off campus or organizational premises.

### **Drug Policy for Students**

The following define the university’s policies regarding drug use.

1. Jacksonville State University prohibits illegal drugs on university property and at university events.
2. Students may not be in illegal possession of any controlled substance. Possession means that such substances are on one’s person, in one’s living environment, automobile or known hiding location.
3. Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. The use and/or distribution of legal medication outside the parameters of the medical authorization is prohibited.
4. Illegal drug paraphernalia, use, possession, sale, distribution, trafficking, and manufacturing are prohibited.

### **Assistance for Alcohol and/or Drug Abuse**

The University offers an array of services for students who require help with alcohol and/or drug use issues.

Students needing confidential assistance responding to alcohol and/or drug abuse problems are encouraged to speak with a counselor from Counseling Services, 147 Trustee Circle, 256.782.5475.

Another confidential resource is the JSU Health Center, 256.782.5310.

Besides individual sessions, Counseling Services provides educational programming through New Pathways, a psycho-educational program that includes both individual assessment and group participation, Collegiate Recovery Community (CRC), and Alcoholics Anonymous and Narcotics Anonymous.

### **Summary of Federal, State and Local Alcohol/Other Drug Laws**

The following is a brief summary of some of the laws JSU students must adhere to relating to alcohol and other drugs:

1. *Aiding Underage Possession/Consumption of Alcohol*: It is unlawful to aid a person under the age of 21 in obtaining alcohol, including falsely representing the person is not a minor.
2. *Unlawful Possession, Receipt, Manufacture, or Distribution of Controlled Substances (Including Marijuana)*: It is unlawful to knowingly sell, manufacture, possess supplies to create controlled substances, deliver, bring into the state, receive or be in possession of controlled substances. This includes illegally obtaining prescription drugs and marijuana. Trafficking to persons under 21, or on premises in which a person younger than 18 is present or resides, or in close proximity to a school or college results in significantly enhanced penalties, as does a drug offense that results in the death or bodily injury of a person.
3. *Driving Under the Influence (DUI)*: It is illegal for any person to operate a motor vehicle while under the influence of alcohol. The State of Alabama considers anyone with a blood alcohol content of .08 or higher as under the influence and .02 or higher for someone under the age of 21.
4. *Improper Identification*: It is a criminal offense to use false identification to obtain alcohol.

5. *Minor in Possession*: In the State of Alabama, it is illegal for any person under the age of 21 to purchase, consume or possess any alcoholic beverage of any kind.
6. *Open Beverage*: It is unlawful to have an open container of alcohol in public places on campus, including Dillon Field.
7. *Open House Party*: In the State of Alabama, it is illegal for a person in control of a residence to allow a party to continue if alcohol or controlled substances are possessed or consumed by persons under age 21 and the adult knows this and fails to take reasonable action to prevent it.
8. *Alabama Dram Shop Act*: Individuals who are injured by a person who received alcohol contrary to Alabama law have cause of action for civil damages against the person who provided the alcohol to the underage minor or caused the individual to become intoxicated or furnished a controlled substance to that person.
9. *Alabama Civil Damages Act*: A person may be liable for damages under civil law to a parent or guardian of a minor if that person unlawfully sells or furnished spirituous liquors to their minor child.
10. *Public Intoxication*: It is unlawful for a person to appear in a public place under the influence of alcohol, narcotics, or other drugs to a degree that she/he endangers her/himself or another person or property, or by boisterous and offensive conduct annoys another person in her/his vicinity.

### **Violations of This Policy or Laws Outlined in this Policy**

Violations of this policy or laws listed will certainly result in university disciplinary action which, if found responsible, could result in any or all of the following (this list is not exhaustive):

1. Required education or workshops
2. Housing suspension
3. Fines
4. Loss of privileges
5. Separation from the University; temporarily or permanently
6. Probation or registration holds

Violations of the laws listed in this policy could lead to university or local law enforcement action, which could lead to any and/or all of the following:

1. Court appearances
2. Criminal history and background created or extended
3. Fines
4. Jail time
5. Loss of privileges (license, etc.)
6. Workshop or assessment requirements by law
7. Further disciplinary charges from the University

*For questions or concerns regarding this policy, please contact the Office of Community Standards & Title IX*

## **Policies of Non-Discrimination**

### **A. Notification of Non-Discrimination Pursuant to Title VI**

Jacksonville State University has filed with the Federal Government an Assurance of Compliance with all requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964 and the Regulation issued thereunder, to the end that no person in the United States shall, on the grounds of age, religion, race, color, sex, handicap, veteran status, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity sponsored by this institution. Under this Assurance, this institution is committed not to discriminate against any person on the grounds of race, color, sex, handicap, veteran status, or national origin in its admission policies and practices or any other policies and practices of the institution relating to the treatment of students and other individuals, including the provision of services, financial aid and other benefits, and including the use of any building, structure, room, space, material, equipment, facility, or other property. Any person who believes himself/herself or any specific class of individuals, to be subjected to discrimination prohibited by Title VI or the Act and Regulation issued thereunder may, by himself/herself or a representative, file with the United States Commissioner of Education or with this institution, or both, a written complaint.

**B. Notification of Non-Discrimination on the Basis of Disability**

In compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, Jacksonville State University does not discriminate on the basis of handicap. This requirement, not to discriminate in educational programs and activities, extends to employment by the university and admission thereto.

Inquiries concerning the application of Section 504, the ADA, and the implementing regulations may be referred to the Section 504 and ADA Coordinator, Elizabeth Morrow, or the Director of Disability Resources, Dr. Sean Creech.

**C. Notification of Non-Discrimination on the Basis of Sex**

Jacksonville State University does not discriminate on the basis of sex in the educational programs or activities which it operates. Jacksonville State University is required by Title IX of the Education Amendments (PL92-318) of 1972 and Department of Education regulations to implement Title IX, Prohibition of Sex Discrimination in Educational Programs and Activities Receiving Federal Financial Assistance, not to discriminate in such a manner. This requirement not to discriminate in educational programs and activities extends to employment by the university and to admission thereto. Inquiries concerning the application of Title IX and the implementing regulations may be referred to the Chief Diversity Officer/Title IX Coordinator, Jacksonville State University, 102 Angle Hall, or Director, United States Office for Civil Rights.

*Grievance Procedures:*

A student who wishes to initiate a grievance or complaint involving sex discrimination should confer first with the faculty member, administrative person, or student directly involved. If the matter is not resolved and the student wishes to appeal beyond the accused faculty member or administrative person, he or she may go to the department head, then the dean of the college, if applicable, and finally, to the appropriate vice president. If the accused is another student, the person with the grievance may bring a charge of personal abuse to the University Director of Community Standards and Title IX, 301A Angle Hall. After exhausting the informal remedies, the student may institute a formal written complaint. The formal procedure for handling such complaints may be obtained from the Vice President for Student Affairs.

**Sex-Based Harassment and Misconduct Policy  
Including Grievance Procedure**

**PURPOSE**

Jacksonville State University (JSU) is committed to maintaining a safe, inclusive campus community where all can feel secure and free from sexual harassment, discrimination, and misconduct in the classroom, social environments, recreational environments, residential environments, and the workplace. With this in mind, all members of the JSU community are expected to adhere to the requirements of the law, to the standards set forth in this policy, and to other codes of conduct.

This policy further intends to provide for proper recourse for those individuals whose rights may have been violated; it outlines appropriate procedures for investigating and determining the outcome of any such report and/or complaint. This policy provides the enforcement procedures used in implementing this policy, while balancing the rights of complainants, respondents, and witnesses.

**NOTICE OF NON-DISCRIMINATION**

Jacksonville State University does not discriminate on the basis of sex in the educational programs or activities that it operates. JSU is required, by Title IX of the Education Amendments of 1972 and Department of Education regulations to implement Title IX, not to discriminate in such a manner. This requirement to not discriminate in educational programs and activities extends to employment by the university and to admission thereto. Questions regarding Title IX and the implementing regulations may be referred to JSU's Title IX Coordinator and/or the Department of Education, whose information is provided below.

**ROLE OF TITLE IX COORDINATOR AND TITLE IX TEAM**

The Title IX Coordinator is the employee who oversees the university's centralized review, investigation, and resolution of reports of sexual misconduct, sex-based discrimination, and/or sex-based harassment (including incidents of sexual assault, stalking, dating violence, and domestic violence). The Title IX Coordinator also coordinates JSU's efforts to comply with the responsibilities contained in the Title IX regulations and other applicable statutes, including but not limited to the Violence Against Women Act and the Campus Sexual Violence Elimination (Campus SaVE) Act.

The Title IX Coordinator is the clearly designated option for reporting sexual harassment, discrimination and/or misconduct to initiate JSU response obligations. The up-to-date contact information for this individual/office will always be available online at [www.jsu.edu/titleix](http://www.jsu.edu/titleix). The current contact information is as follows:

Title IX Coordinator  
Jacksonville State University  
Angle Hall, Suite 301-A  
700 Pelham Road North  
Jacksonville, AL 36265  
256.782.5769  
[TitleIX@jsu.edu](mailto:TitleIX@jsu.edu)

Any person may report any conduct that is prohibited by this policy (whether or not the person reporting is the person alleged to be the victim of said conduct), in person, by mail, by telephone, or by electronic mail, using the contact information listed above for the Title IX Coordinator or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by completing the "Report a Concern" form at [www.jsu.edu/titleix](http://www.jsu.edu/titleix), using the telephone number or electronic mail address or by sending mail to the office address listed above for the Title IX Coordinator. For more information regarding reporting, please refer to the "Reporting" section below.

The Title IX Coordinator is supported by the Title IX team. Members of this interdepartmental team include the Title IX Coordinator, the Deputy Title IX Coordinators, investigators, hearing panel members and appeal officers. The Title IX team is comprised of campus volunteers who assist in various ways with the investigations, resolutions, and appeals processes. A list of team members will always be available online at [www.jsu.edu/titleix](http://www.jsu.edu/titleix).

While all members of the campus community are expected to contribute to creating and maintaining a safe campus environment in accordance with this policy, the Title IX Coordinator and/or the Deputy Title IX Coordinators are the only JSU employees who have the authority to formally institute corrective measures on behalf of JSU. Therefore, reports should be made directly to one of these individuals.

Inquires or complaints concerning the application of Title IX may be referred to JSU's Title IX Coordinator (using the contact information above) and/or the U.S. Department of Education's Office for Civil Rights (using the information below):

**Office for Civil Rights (OCR) U.S. Department of Education  
Headquarters**

400 Maryland Avenue, SW Washington, DC  
20202-1100  
Customer Service Hotline: 800.421.3481  
Fax: 202.453.6012  
TTY: 877.521.2172  
E-Mail: [OCR@ed.gov](mailto:OCR@ed.gov)  
Website: <http://www.ed.gov/ocr>

**Office for Civil Rights, Region IV Atlanta Office**

U.S. Department of Education 61 Forsyth  
Street S.W.

Suite 19T10  
Atlanta, GA 30303-8927  
Telephone: 404.974.9406  
Fax: 404.974.9471  
E-Mail: [OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov)

## **PRIVACY AND CONFIDENTIALITY**

JSU is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, sex-based discrimination and/or sex-based harassment, including sexual violence, stalking, dating violence, or domestic violence. All university employees who are involved in the University's Title IX response, including investigators, hearing panel members, and appeal panel members receive specific instruction about respecting and safeguarding private information.

Please note that privacy and confidentiality have distinct meanings under this policy.

- A. Privacy** generally means that information related to a report will only be shared with a limited group of individuals. The use of this information is limited to those individuals who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the coordination of supportive measures. While not bound by confidentiality, these individuals will be discreet and will respect and safeguard the privacy of all individuals involved in the process.
- B. Confidentiality** means that information shared by an individual with a designated campus or community professionals (including pastoral counselors and professional counselors and licensed social workers) cannot be revealed to any other individual without the express permission of the individual.
- a. Pastoral Counselors:** A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
  - b. Professional Counselors and Licensed Social Workers:** A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

These individuals (identified in this policy as “confidential resources”) are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or as otherwise required by law, such as in the case of child abuse of a minor or vulnerable adult. Conversations with confidential resources do not constitute reports to the university and do not initiate any university response under this policy.

- **On-Campus Confidential Resources** include, but are not limited to:
    - JSU Counseling Services
    - Employee Assistance Program (JSU employees may access confidential assistance through this program)
  - **Off-Campus Confidential Resources** include, but are not limited to:
    - 2nd Chance, Inc
    - Rape Response crisis center
- C. Medical Providers:** An individual who has experienced a physical assault or trauma may also seek assistance from a medical provider. In general, the disclosure of private information contained in medical records is protected and will not be disclosed. Furthermore, individuals seeking medical care after a sexual assault have the right to request that a sexual assault advocate be present and to request that law enforcement pursue or not pursue a criminal charge. Neither campus nor community medical providers will notify JSU of the report; therefore, it is the responsibility of the individual to contact the Title IX Coordinator or any Deputy Title IX Coordinator in order to pursue any action or seek supportive measures

under this policy.

- a. **On Campus Medical Providers** include, but are not limited to:  
RMC/JSU Health Center
- b. **Off Campus Medical Providers** include, but are not limited to:
  - Northeast Alabama Regional Medical Center in Anniston, Alabama
  - Stringfellow Memorial Hospital in Anniston, Alabama
  - Gadsden Regional Medical Center in Gadsden, Alabama
  - Riverview Regional Medical Center in Gadsden, Alabama
  - St. Vincent's St. Clair in Pell City, Alabama
  - UAB Hospital in Birmingham, Alabama
  - Children's of Alabama Hospital in Birmingham, Alabama

**D. Clery Annual Security Report:** In certain situations, anonymous statistical information must be reported by all institutions of higher education. The information contained in the Clery Annual Security Report (ASR) tracks the number of Clery-reportable offenses occurring at campus locations or university-sponsored programs and does not include the names or any other identifying information about the person(s) involved in the report.

**E. Timely Warning:** If a report discloses a criminal incident that represents a serious and continuing threat to JSU students and/or employees, the university may issue a campus wide timely warning or notification (which may take the form of an e-mail, text, or other electronic communication to community members) to protect the health or safety of the community and to heighten safety awareness. A timely warning may include a campus wide notification for a report of different type of incidents (including incidents involving sexual assault, stalking, dating violence and domestic violence). JSU reserves the right to send campus wide notifications on any report.

**Other Required Reporting:** There are also other limited situations where anonymous statistical information is required. The information contained in these reports will provide very limited numbers and will not include the names or other identifying information about any person (s) involved in the report.

**F. Request for Confidentiality:** Whenever possible, JSU will pursue a course of action consistent with the reporting party and/or complainant's request. Anytime there is a request that an individual's name or other identifiable information to not be shared with another party, the Title IX Coordinator (and all members of the Title IX team) will balance this request with the dual obligation to provide a safe and non-discriminatory environment for all JSU community members and to remain true to principles of fundamental fairness that require notice and an opportunity to respond before disciplinary action is taken against a respondent. The Title IX Coordinator, in consultation with one or more other members of the Title IX team, will evaluate requests for confidentiality. During this evaluation the Title IX Coordinator may consider, among other factors, the seriousness of the conduct, the respective ages of the parties, whether there have been other complaints or reports of harassment or misconduct against the respondent, the existence of independent evidence, and the rights of the respondent to receive notice and relevant information before disciplinary action is sought.

**Release of Information:** Unless otherwise required by law, at no time will anyone on the JSU Title IX team release the name of the complainant, any witness, or the respondent to the general public without the express consent of that individual.

## **PROHIBITED CONDUCT**

### **SEXUAL HARASSMENT**

Jacksonville State University prohibits sexual harassment. Sexual harassment includes any of the following conduct that is based on sex:

- **Quid pro quo harassment:** An employee of JSU conditioning the provision of an aid, benefit, or service of JSU on an individual's participation in unwelcome sexual conduct.

- Unwelcome conduct determined by a reasonable person (in the shoes of the complainant) to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to JSU's educational programs or activities.
- Sexual assault as defined within this policy.
- Dating violence as defined within this policy.
- Domestic violence as defined within this policy; and/or
- Stalking as defined within this policy.

It should be noted that sexual harassment can occur between individuals who are known to one another or have an intimate or sexual relationship, or it may involve individuals who are not known to one another.

## SEXUAL HARASSMENT

- May be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May occur in the classroom, in the workplace, in residential settings, or in any other setting; and/or
- May be committed in the presence of others or when the parties are alone.

## SEXUAL ASSAULT

Jacksonville State University prohibits sexual assault, which is defined as any sexual act (forcible or nonforcible) directed against another person, without the consent of the person, including instances where the complainant is incapable of giving consent, if that sex act meets the definition of one of the following:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification.
- Incest: Sexual intercourse between persons who are related to each other as:
  - Parent or child.
  - Stepparent or stepchild, while the marriage creating the relationship exists.
  - Sibling; or
  - Aunt/uncle or nephew/niece.
- Statutory rape: Sexual intercourse with a person who is under the age of 16.

## STALKING

Jacksonville State University prohibits stalking, which is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

A "course of conduct" refers to a pattern of behavior of two or more acts, including, but not limited to, acts in which the respondent directly, indirectly, or through a third party/parties-by any action, method, device, or mean-follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

Stalking can include cyber-stalking, a particular form of stalking in which technological means are used. These methods can include the use of the Internet, e-mails, social media, blogs, landlines, cell phones, text messaging, Global Positioning System (GPS), spyware on a person's computer or other device, or other similar devices or forms of contact.



## DATING VIOLENCE

Jacksonville State University prohibits dating violence, which the Clery Act defines as violence (including but not limited to sexual or physical abuse or the threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

- The existence of a such a relationship shall be determined based on the reporting party's statement and with consideration of:
  - The length of the relationship,
  - The type of relationship, and
  - The frequency of interaction between the persons involved in the relationship.

## DOMESTIC VIOLENCE

Jacksonville State University prohibits domestic violence, which the Clery Act defines as a felony or misdemeanor crime of violence (including, but not limited to, sexual or physical abuse or the threat of such abuse) committed by:

- A current or former spouse or intimate partner of the complainant.
- A person with whom the complainant shares a child in common.
- A person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner.
- A person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the violence occurred; or
- Any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the violence occurred.

## RETALIATION

No one is allowed to retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under this policy. Retaliation can be any act or attempt to retaliate or seek retribution against any individual or group of individuals involved in the report, investigation, and/or resolution of any allegation of sex-based misconduct, harassment, or discrimination. Forms of retaliation can include intimidation, threats, coercion, or discrimination, or preventing participation in JSU's activities or proceedings.

## OTHER CAMPUS CODE VIOLATIONS

When potential violations of other university policy/policies occur in conjunction with an alleged violation of this policy, proceedings under this policy may be carried out prior to, simultaneously with, or following other conduct proceedings on campus.

## CONSENT AND RELATED DEFINITIONS

**CONSENT:** A clear, knowing, and voluntary decision by each participant to engage in mutually agreed-upon sexual activity. Anything less than clear, knowing, and voluntary consent should be considered a "No!" It is the responsibility of the initiator of any sexual activity to obtain their potential partner's consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. The following are essential elements of consent:

- **Affirmative:** Consent does not always have to be verbal, but there should be some affirmative words and/or actions that indicate a clear willingness to engage in the proposed sexual activity or contact.
  - A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
  - Please note that relying solely upon non-verbal communication can lead to a misunderstanding or false conclusion as to whether consent was sought or given.
  - If at any time during the sexual activity or contact, an individual is no longer an engaged participant, all parties should stop and clarify verbally the other's willingness to continue before continuing such activity.
- **Coherent:** An individual must be able to recognize exactly what is happening (i.e., understand the

who, what, when, how, where) in order to consent. An individual who is incapacitated and/or incoherent is considered unable to give consent.

- **Alcohol and Other Drugs:** Alcohol and drugs may impair a person’s decision-making capacity, awareness of the consequences, and ability to make informed judgments. This applies even when voluntarily ingested. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. If there is any doubt as to the level or extent of the other person’s intoxication and/or impairment and/or incapacitation, the prudent course of action is to forgo or cease any sexual contact or activity.
- **Incapacitation:** A mental or physical state in which individuals are unable to make a rational, reasonable decision because they lack the ability to understand the consequences of their actions. Incapacitation may be caused by the lack of consciousness, being asleep, being involuntarily restrained, or any other mental or physical state in which an individual lacks the ability to knowingly choose to participate in a sexual activity. An individual who is incapacitated is considered unable to give consent.
- **Willing:** Consent must be gained without force, coercion, deception, threats, pressure, or manipulation from any other person.
  - **Force:** The use or threat of physical violence, intimidation, or coercion to overcome an individual’s freedom of will choose whether or not to participate in sexual activity. Such action would cause a person to fear for their physical or psychological well-being. For the use of force to be demonstrated, there is no requirement that a complainant resist the sexual advance or request. However, resistance by the complainant will be viewed as a clear demonstration of non-consent.
  - **Coercion:** The use of pressure that compels another person to initiate or continue sexual activity against their will. Coercing an individual into engaging in sexual activity violates this policy in the same way as physically forcing someone into engaging in sexual activity.
- **Ongoing:** Consent must exist from the beginning to the end of each sexual activity or each form of sexual contact. Either party may withdraw consent at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity.
- **Mutual:** All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
  - Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to sexual activity with any other person.
  - Even in the context of a relationship, consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity each time such activity occurs.
  - The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

AGE FOR CONSENT: Persons under the age of sixteen (16) are deemed incapable of consenting under Alabama law. Sexual intercourse with anyone under the age of sixteen (16) is prohibited by this policy, as noted in the definition of “sexual assault” above.

## **OTHER DEFINITIONS**

### **ACTUAL KNOWLEDGE**

Notice of the occurrence of conduct prohibited by this policy or notice of the allegation(s) of the occurrence of conduct prohibited by this policy to the JSU Title IX Coordinator or any JSU Deputy Title IX Coordinator. However, if the JSU Title IX Coordinator or a JSU Deputy Title IX Coordinator is the respondent in the case, then the report would need to be made to an individual (the Title IX Coordinator or any Deputy Title IX Coordinator) who is not the respondent.

#### BUSINESS DAY(S)

Monday through Friday (8:00 a.m. – 4:30 p.m.), excluding any day (or time) when the institution is closed.

#### COMPLAINANT

An individual who has been reported to be the victim of conduct that is prohibited by this policy. Any individual can be a complainant, regardless as to whether such individual is a student, faculty member, another JSU employee, or other person with or without any affiliation with JSU. An individual may be a complainant even where no formal complaint has been filed and no grievance process is pending.

#### EDUCATIONAL PROGRAM OR ACTIVITY

Locations, events, or circumstances over which Jacksonville State University exercises substantial control over both the respondent and the context in which the prohibited conduct/behavior occurs. This includes any building owned or controlled by a student organization that is officially recognized by JSU. However, an educational program or activity does not simply depend on the geographic location.

#### EMPLOYEE

Any faculty or staff member, including but not limited to members of the administration and instructional staff.

#### EVIDENCE

The available body of facts or information from any source, such as documents, objects, or witnesses, that causes a person to believe that something is true or untrue.

- Inculpatory evidence: Evidence that shows or tends to show a person's is responsible for a policy violation.
- Exculpatory evidence: Evidence that tends to justify, excuse, or show that that a person is not responsible for a policy violation.

#### FORMAL COMPLAINT

A document submitted by a complainant, a complainant's parent, or legal guardian (if a parent or legal guardian has the right to act on behalf of the complainant) or signed by the Title IX Coordinator alleging a violation of this policy against a respondent and requesting that the university investigate the allegation of sexual harassment.

- At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in a JSU educational program or activity.
- A formal complaint can be submitted to the Title IX Coordinator or one of the Deputy Title IX Coordinators. Please see the "Reporting" and/or "Role of the Title IX Coordinator and Title IX Team" section(s) for additional information.

#### PRIVATE BODY PARTS

Refers to the breast(s) or chest, genitals, buttocks, groin, or mouth.

#### REPORTING INDIVIDUAL

The person who reported the conduct or potential violation to the Title IX office. At times this may be the complainant but may be another individual who makes the report to the Title IX office.

#### REPORT/ INFORMAL REPORT

A report that is made that allows for supportive measures but does not require a full investigation and will not result in formal discipline against the alleged individual.

#### RESPONDENT

An individual who has been reported to be the perpetrator of conduct that is prohibited by this policy. Any

individual can be a respondent, regardless as to whether such individual is a student, faculty member, another JSU employee, or other person with or without any affiliation with JSU. An individual may be a complainant even where no formal complaint has been filed and no grievance process is pending.

## RESOURCES

Jacksonville State University is committed to treating all members of the community with dignity, care, and respect. Any individual who experiences or is affected by sex-based misconduct, harassment, or discrimination, whether as a reporting party, complainant, respondent, witness or third party, will have equal access to support and counseling services through the university. Interim measures are also available to all parties.

JSU recognizes that deciding whether to make a report, either to the Title IX office or to law enforcement, and choosing how to proceed can be difficult decisions. The University encourages all individuals affected by sexual harassment or misconduct to seek the support of campus and community resources. These professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources on and off campus, regardless of when or where the incident occurred. JSU is committed to providing a comprehensive and integrated prevention, education, and awareness program that attends to the multifaceted dynamics of sexual harassment, sexual violence, dating violence, domestic violence, and stalking. The University strives to create a non-discriminatory and harassment-free living, learning, and working environments for all members of the JSU community, including students, staff, faculty, and visitors.

**Emergency Support and Response Services in the Event of Sex-Based Violence:** JSU encourages anyone who has experienced an incident of sexual violence, dating violence and/or domestic violence to seek assistance from a medical provider and/or law enforcement as soon as possible after the incident. This is the best option to provide physical safety, emotional support, and medical care to anyone impacted by sexual violence, domestic violence, and/or dating violence. It is also the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. Assistance is available from JSU UPD and/or the Jacksonville Police Department year-round, 24 hours a day, 7 days a week.

**[Jacksonville State Department of Public Safety](#): 256.782.5050**

**[Jacksonville City Police Department](#): 256.435.6448 or 911**

**Protection from Abuse Orders:** For information regarding protection from abuse orders and assistance in applying for a protection from abuse order, please contact a Victim Services Officer (VSO) at the Calhoun County District Attorney's Office at 256.231.1770.

### **Medical Resources in the Event of Sexual Violence/Domestic Violence/Dating Violence/Stalking:**

A medical provider can provide emergency and/or follow-up medical services. The initial medical exam can have two goals: first, to diagnose and treat the full extent of any injury, or physical effect (e.g., stitches for a cut, a cast for a broken arm, concussion protocol for a head injury, prevention of sexually transmitted illnesses, or possibility of pregnancy after a sexual assault) and second, to properly collect and preserve evidence. There is a limited window of time; the exact amount of time depends on the injuries and/or evidence that will need to be collected, but ideally, evidence would be collected as quickly as possible. Taking the step to gather evidence immediately does not commit an individual to any particular course of action. However, the decision to seek timely medical attention after an incident that causes physical harm and gather any evidence will preserve the full range of options to seek resolution under this policy and/or through the pursuit of criminal prosecution.

An initial medical exam after a sexual assault may include testing and prophylactic treatment for HIV/AIDS,

STIs, and pregnancy; a thorough physical examination, which includes the genital and/or anal area; and a blood draw.

There is a limited window of time (typically up to 72 hours) following an incident of sexual assault to preserve physical and other forms of evidence. On campus, the JSU Health Center can provide medical care to students and employees during their regular business hours; however, the JSU Health Center is not equipped for forensic examinations. Anyone has the option-and is encouraged- to go to the Northeast Alabama Regional Medical Center in Anniston or Rape Response in Birmingham for care and to have evidence collected. Regional Medical Center is located in Anniston, Alabama and provides forensic exams through its Emergency Department. Rape Response is a standalone SANE (Sexual Assault Nurse Examiner) program located in Birmingham, Alabama that provides care and forensic exams to those not suffering from life-threatening injuries. Please call the Rape Response hotline at 205.323.7273 if you are in need of SANE services.

Note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examination paid for or administered. Individuals are encouraged to let hospital personnel know if they do not want their insurance policyholder to be notified about access to these services.

The Alabama Crime Victims' Compensation Fund may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. In the state of Alabama, the cost of a forensic rape exam can be billed directly to the Alabama Crime Victims' Compensation Commission (ACVCC) or, if the victim chooses, to their private insurance. No cost is incurred if the bill is directly submitted to ACVCC. For additional information regarding ACVCC, you may call 800.541.9388 or visit their webpage at <https://acvcc.alabama.gov/>.

### **Confidential Support**

- **On-Campus Confidential Support** include, but is not limited to:
  - **Counseling Services**
  - **Employee Assistance Program (EAP)**
- **Off-Campus Confidential Support** include, but is not limited to:
  - **2<sup>nd</sup> Chance, Inc.**
  - **RAINN**
  - **National Domestic Violence Hotline**

### **Private Resources and Reporting Options**

In addition to the confidential resources listed above, JSU community members have access to a variety of resources provided by the university. The professionals listed below are trained to support individuals affected by sexual harassment, sexual violence, stalking, domestic violence, dating violence, or other forms of sex-based misconduct, harassment, or discrimination and to coordinate with the Title IX Coordinator consistent with the university's commitment to a safe and healthy educational and work environment. The Title IX Coordinator, Deputy Title IX Coordinators, and Department of Public Safety (DPS) employees can:

- Provide information regarding the university's policies and procedures.
- Assist in accessing other support services.
- Help arrange for supportive measures or remedies.

While not bound by confidentiality, these resources will maintain the privacy of an individual's information to those individuals who "need to know" in order to assist in the active review, investigation, or resolution of the report.

### **REPORTING**

Any complainant is encouraged to report any sex-based misconduct to the Title IX Coordinator (or any Deputy

Title IX Coordinator). JSU only has jurisdiction to take disciplinary action against a respondent who is a current student or employee. However, JSU can provide supportive measures in some cases, even if the incident did not occur on our campus or was not alleged to have been perpetrated by a JSU student or employee.

The Title IX Coordinator is specifically charged with coordinating the initial assessment; initiating the investigation; responding to allegations of sex-based misconduct, harassment, or discrimination; addressing its effects; and preventing its recurrence.

At the time a concern is brought to the attention of the Title IX Coordinator (or any Deputy Title IX Coordinator), a complainant does not have to decide whether to file a formal complaint. Choosing to make a report and deciding how to proceed after making the report can be a process that occurs over time.

In every report under this policy, the university will undertake good faith efforts to make an immediate assessment of any risk of harm to the complainant, reporting individual, or to the broader campus community and will take reasonable steps necessary to address those risks. In this process, the university will balance the complainant's interests with the university's obligation to provide a safe and non-discriminatory environment for all members of the university community.

While all employees can report sexual harassment and should do so, most employees do not have the authority to formally institute corrective measures on behalf of JSU. In fact, the Title IX Coordinator and/or the Deputy Title IX Coordinators are the only JSU employees who have the authority to formally institute corrective measures on behalf of JSU; therefore, reports should be made directly to one of these individuals.

While reports can be received from anyone with knowledge of an incident, formal complaints can only be submitted by a complainant (who is participating in or attempting to participate in a JSU educational program or activity), a complainant's parent or legal guardian (if the complainant has a parent or legal guardian who has the legal right to act on behalf of the complainant) or signed by the Title IX Coordinator. In situations where the Title IX Coordinator signs a formal complaint, it should be noted that the Title IX Coordinator is not assumed to be the complainant or otherwise a party under this policy.

**Reporting to and Coordinating with Law Enforcement:** JSU encourages individuals to pursue criminal action for incidents of sexual harassment, sexual violence, stalking, domestic violence and dating violence that may also be crimes under Alabama criminal statutes. To the extent permitted by law, the university will assist a complainant, at the complainant's request, in contacting law enforcement and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law.

Further, if the UPD is made aware of an incident or alleged incident that could violate this policy, the UPD will inform the Title IX Coordinator, at which time the Title IX Coordinator will begin an initial Title IX review (as discussed below) and may attempt to contact the person who made the report to the UPD and/or the complainant in an effort to meet and discuss supportive measures and determine if the complainant desires to file a formal complaint.

The university's policy, definitions, and standard of proof may differ from Alabama criminal law. For more information regarding Alabama criminal offenses, please visit the University Policy Department's web page at [www.jsu.edu/police/](http://www.jsu.edu/police/). A complainant may seek resolution through the university's complaint process, may pursue criminal action, may choose one but not the other, or may choose both. Neither law enforcement's decision whether or not to prosecute a complaint nor the outcome of any criminal prosecution are determinative of whether a violation of this policy has occurred. Proceedings under the university's policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus. Individuals are not required to file a criminal complaint.

In an effort to cooperate with law enforcement, the Title IX office may agree to defer its Title IX fact-gathering until after the initial stages of a criminal investigation. The University will nevertheless communicate with the complainant regarding their Title IX rights, procedural options, and the implementation of interim measures to assure safety and well-being. The University will promptly

resume its Title IX fact-gathering as soon as appropriate.

Individuals seeking more information about filing a criminal report, may contact the Department of Public Safety directly at 256.782.5050. No one is required to file a criminal complaint.

**Anonymous Reporting:** Any individual may make an anonymous report concerning a potential violation of this policy. An individual may report the incident without disclosing their name, identifying the respondent, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the university's ability to respond to an anonymous report may be limited.

Jacksonville State University's anonymous reporting system is hosted by Maxient, a protected record keeping database specially designed for the maintenance of conduct records. This service does not allow the university any access regarding the person making the report, nor does it allow us to communicate with the person making the report for further information. Therefore, it is important that the reporting party include as much information as possible when making an anonymous report.

The Title IX Officer will receive the information contained in the anonymous report and will determine any appropriate response or action, including individual or community remedies, as appropriate. In consultation with the Department of Public Safety, the Title IX Coordinator will determine if the anonymous report provides sufficient information to submit a Clery crime report.

**To report anonymously online, go to [www.jsu.edu/titleix](http://www.jsu.edu/titleix), select the "Reporting a Concern" tab and click "Report an Incident."** However, please note that this link is not an emergency response service, and a response may not be immediate. If you require immediate or emergency assistance, please contact the Department of Public Safety at 256.782.5050 or dial 911.

**Reporting Considerations: Timeliness of Report and Location of Incident:** The university does not limit the time frame for reporting. However, if the respondent is no longer a student or employee or is not a member of the JSU community, the university may not be able to take disciplinary action against the Respondent.

An incident does not have to occur on campus to be reported to the university. For example, off-campus conduct that is likely to have a substantial adverse safety effect on JSU or any member of the JSU community may possibly be addressed under this policy.

**Amnesty for Alcohol and Other Drugs:** Jacksonville State University seeks to remove barriers to reporting. An individual who reports sexual harassment or misconduct addressed in this policy (including domestic violence, dating violence, stalking, and sexual assault) to the Title IX Coordinator, either as a complainant or as a third party, will not be subject to disciplinary action by the university for their own personal consumption of alcohol or drugs at or near the time of the incident.

Further, the JSU Code of Student Conduct includes a "Medical Amnesty Policy," which also provides for medical amnesty in certain situations.

**Good Samaritan Amnesty:** Jacksonville State University encourages students to offer help and assistance to others in need. Sometimes students are hesitant to offer assistance to others, for fear that they may get in trouble themselves (e.g., an underage student who has been drinking might hesitate to help an alleged victim of sexual misconduct). A bystander or other person acting in good faith who discloses sexual harassment or misconduct addressed in this policy (including domestic violence, dating violence, stalking, and sexual assault) to the Title IX Coordinator, either as a complainant or as a third party, will not be subject to disciplinary action by the university for their own personal consumption of alcohol or drugs at or near the time of the incident.

Further, the JSU Code of Student Conduct includes a “Good Samaritan Amnesty” policy, which also provides for good Samaritan amnesty in certain situations.

**False Reports:** JSU takes the accuracy of information very seriously, as an allegation of sexual harassment, sexual violence, stalking, domestic violence or dating violence may have severe consequences. Knowingly making a false report or complaint under this policy-or knowingly providing false, distorted, or intentionally misleading information during an investigation-may result in disciplinary action up to and including dismissal from the university or termination of employment. A good-faith complaint that results in a determination that the evidence is not sufficient to support a formal charge or constitute a violation of this policy is not considered to be a false report.

When an individual is found to have fabricated an allegation or given false, distorted, or misleading information during the course of an investigation with malicious intent or in bad faith, that individual may be subject to disciplinary action. Falsification, distortion, or misrepresentation of information before a university official, staff member, and/or judicial body is a violation of the Code of Student Conduct and other university policies.

**Reports Involving Suspected Child Abuse:** Alabama law requires that certain people (including but not limited to any employee of a public institution of higher education) make a report when a person under the age of 18 is known or suspected to be a victim of child abuse or neglect. That report must be made to a law enforcement officer or to the Department of Human Resources. Said report must be reported orally, either by telephone or direct communication immediately, followed by a written report.

This requirement extends to confidential resources as outlined in this policy, including counselors and licensed social workers.

### **SAFETY MEASURES/ SUPPORTIVE MEASURES/ ACCOMMODATIONS**

Upon receipt of a report, the university will offer reasonable and appropriate supportive measures/accommodations. The Title IX Coordinator will attempt to address concerns regarding safety for all individuals involved and the university.

To the extent possible, the university will endeavor to maintain as private any supportive measures provided to either party (complainant and/or respondent).

The Title IX Coordinator (or the Deputy Title IX Coordinator for employees, if both parties are employees and either party is a student) will coordinate the effective implementation of all supportive measures; therefore, all supportive measures should be requested by contacting the Title IX Coordinator using the contact information located in this policy and/or at [www.jsu.edu/titleix](http://www.jsu.edu/titleix).

**Range of Safety/ Supportive Measures/Accommodations:** These measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant and/or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Furthermore, supportive measures can be provided at any stage of the process and do not require a responsible finding to implement.

These measures are designed to restore or preserve equal access to the university’s educational program or activities, without unreasonable burden to other party-including measures designed to protect the safety of all parties or JSU’s educational environment-or deter further violations. These measures can be offered regardless of whether the reported conduct occurred outside JSU’s program or activities. The following are examples of supportive measures that the Title IX office may consider, but the exact supportive measures that may be implemented in any particular case will be determined on a case-by-case basis:

- Providing access to counseling services and assistance in setting up an initial appointment (on or off campus).
- Providing access to medical services and assistance in setting up an initial appointment (on or off campus).
- Rescheduling of exams and assignments (in conjunction with appropriate faculty).
- Providing alternative course completion options (with the agreement of the appropriate faculty).



- Changing a class schedule, including the ability to take an incomplete, drop a course without penalty, or transfer sections (with the agreement of the appropriate faculty).
- Changing jobs assignment.
- Limiting an individual or organization's access to certain university facilities or activities pending resolution of the matter.
- Providing a voluntary leave of absence.
- Extensions of deadlines or other course-related adjustments.
- Modifications of work or class schedules.
- Campus escort services (e.g., providing an escort to ensure safe movement between classes, parking lots and/or activities).
- Mutual restrictions on contact between the parties.
- Changes in work or housing locations.
- Providing academic support services (such as tutoring).
- Assisting with transportation needs.
- On-Campus residence lock change.
- Increased security and monitoring of certain areas of the campus; and
- Any other measure that can be tailored to the involved individuals (students or employees) to achieve the goals of this policy.

**Emergency Removal:** In certain situations, an individual may need to be removed from the campus environment on a temporary basis. The procedure for removal is different depending on whether the individual is a student or not.

A student respondent may be removed from Jacksonville State University based on alleged conduct that could constitute a violation of this policy on an emergency basis if necessary. Due to the impact that an emergency removal can have on a student's access to JSU's educational programs and activities, a student respondent will only be subject to an emergency removal, if it is determined to be necessary by the Title IX Coordinator after completing an individualized safety and risk analysis and determining that an immediate threat to the physical health or safety of any student or other individual arising from a violation of this policy justifies the emergency removal. Before the Title IX Coordinator makes such a decision regarding an emergency removal, the Title IX Coordinator must consult with at least one other member of the Title IX team and reach a consensus with that member regarding the removal. If a respondent is removed from JSU, that respondent will be provided written notice of this decision in person or via e-mail to their stu.jsu.edu e-mail address. Written notice will include how to proceed if the respondent desires to appeal the decision for emergency removal.

A non-student employee respondent may be placed on administrative leave during the pendency of any investigation regarding a violation of this policy, after consultation between Human Resources and the Title IX Coordinator. This administrative leave may be with or without pay and/or benefits.

## **GRIEVANCE PROCEDURE**

**Overview of Procedural Options (Student, Staff, Faculty):** While procedures will differ based on whether the respondent is a student, staff, or faculty member, JSU will endeavor in good faith to administer these policies and procedures fairly and impartially.

The Title IX Coordinator and/or the Deputy Title IX Coordinators are the only JSU employees who have the authority to formally institute corrective measures on behalf of JSU. Therefore, reports should be made directly to one of these individuals.

**Conflict of Interest/ Bias:** The Title IX Coordinator, investigator(s), and/or decision-maker(s) must be free from any conflict of interest or bias for or against any party involved in the case. Furthermore, if an informal resolution process is facilitated, the person designated to facilitate that process must also be free from any conflict of interest or bias for or against any party involved in the case. Therefore, if at any point during an investigation, a party believes the coordinator, informal facilitator, investigator(s), and/or decision maker(s) has a conflict of interest, the party shall make the [Title IX Coordinator](#) or aware of the potential conflict or bias in writing (via e-mail or written letter) and request that another individual(s) be assigned. No retaliation will be

permitted based on said notice and request.

**Advisor:** Each party will be given the opportunity to be accompanied to any meeting, interview, or proceeding by an advisor of their choice. However, neither party's advisor will be able to advocate or otherwise actively participate in said meetings, interviews, or proceedings except to question the other party during the hearing. At the request of either party, JSU will provide either party with an advisor who is familiar with the JSU Sex-Based Harassment and Misconduct Policy and grievance procedure. Each party must have an advisor to question the other party during the hearing. Therefore, if either party does not have an advisor to serve in that role at that time, JSU will appoint an advisor to serve in that capacity at that time.

**Support Person:** In addition to an advisor, each party is also allowed to be accompanied to any meeting, interview, or proceeding by a support person of their choice. However, the support person is present solely for support and is not an active participant in said meeting, interview, or proceedings. If this support person is distracting or disruptive during the meeting, interview, or proceeding, JSU may, in its discretion, terminate or restrict the support person's ability to participate in future proceedings.

**Initial Title IX Review:** Once a report is received, the university will initiate an immediate assessment of any risk of harm to individuals or to the campus community and will begin taking steps necessary to address those risks. These steps may include supportive measures/accommodations discussed above.

Thereafter, further action may be initiated depending on a variety of factors, such as the complainant's thoughts on pursuing a formal complaint, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

As part of the initial assessment of the facts, the university will:

- Assess the nature and circumstances of the allegation.
- Respond to and address immediate physical safety and emotional well-being.
- Notify the complainant of the options to contact law enforcement, seek medical treatment, and mental health treatment.
- Notify the complainant of the importance of preservation of evidence.
- Assess the reported conduct for the need for a timely warning under the Clery Act.
- Provide the complainant with information about resources (on and off campus).
- Notify the complainant of the range of available supportive measures.
- Provide the complainant with an explanation of the procedural options, including informal resolution and formal resolution options.
- Assess for pattern evidence or other similar conduct by the respondent.
- Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding; and explain to the complainant the university's policy prohibiting retaliation.

**How to File a Report or Formal Complaint:** To file a formal complaint, the complainant (or complainant's parents or legal guardian if the parents or a legal guardian have a legal right to act on behalf of the complainant) must meet with the Title IX Coordinator or one of the Deputy Title IX Coordinators. A meeting can be arranged via e-mail or telephone and can occur on campus or at a mutually agreed-upon location off campus. Every effort will be made to meet in person; however, in some circumstances, this meeting can occur via video conference. During said meeting, the complainant will be given the opportunity to request any accommodations needed, will be given the opportunity to review the policy and procedures, and will be given the option of filing an informal report or formal complaint. The differences between these options will be explained, and the complainant will be allowed to ask any questions regarding the options. The complainant will be allowed additional time to consider all options and will not be required to make a decision at the time of said meeting. The complainant can notify the Title IX Coordinator and/or one of the Deputy Title IX Coordinators at any time in the future if any/additional accommodations are needed or if the complainant decides to pursue a formal complaint.

Notice to the Title IX Coordinator and/or any of the Deputy Title IX Coordinators ensures that JSU is aware of the issue and can work to address it appropriately. As such, if one of the Deputy Title IX Coordinators receives any information regarding any misconduct described in this policy, that Deputy Title IX Coordinator is required to immediately (within 12 hours) contact the Title IX Coordinator and provide the Title IX Coordinator with all the information that Deputy Title IX Coordinator has regarding the situation.

**Formal Complaint Requirement:** A complainant must be participating in or attempting to participate in a JSU educational program or activity at the time of filing a formal complaint. Examples of individuals who may be considered as a complainant attempting to participate in a JSU educational program or activity may be an alumna/alumnus who intends to apply for admission to work toward another degree, an alumna/alumnus who intends to remain involved with alumni programs/activities, an individual who is on a leave of absence, or an individual who has left school due to sexual harassment with an expressed desire to re-enroll if there is an appropriate response to the sexual harassment.

**Formal Grievance Process:** Formal disciplinary action against a respondent may only be taken through the formal grievance process. Because the relationship of students, staff, and faculty to the university differs in nature, the procedures that apply when seeking formal disciplinary action necessarily differ somewhat as well. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an opportunity to be heard, and an opportunity to respond to a formal complaint under this policy.

**Student Respondent:** For a report against a student, disciplinary action may be taken by a hearing panel of three trained individuals.

**Employee Respondent:** For a report against a staff member, disciplinary action may be taken by the Director of Human Resources after a full investigation and a separate hearing by a panel of three trained individuals.

### **Timeline for Investigations/Hearings/Decisions/Sanctions/Appeals:**

To the extent possible: 1) Investigations will be completed, and an investigative report will be provided to the hearing panel members within 60 business days from the filing of the formal complaint; 2) Hearings will be completed within 20 business days from the date that the investigation report is provided to the hearing panel members. The decision letter will be provided to each of the parties within three (3) business days of the hearing. All appeals (from either party) will be filed no later than 4:30 p.m. on the 7th business day after the hearing (e.g., if a hearing was held at 2:00 p.m. on Tuesday, and the university was closed only on Saturday and Sunday, the appeal would need to be filed no later than 4:30 p.m. on the Thursday the week after the hearing). The other party will have an opportunity to provide a written statement in support of or challenging the outcome but said statements must be provided no later than five (5) business days after the appeal request form is submitted. All appeals will be reviewed by the appeal panel members, and a decision on any appeal filed will be issued to each party (either in person or via jsu.edu) within 30 business days of the hearing date.

If an extension of any of these time frames is requested by either party or is, for good cause, needed, the Title IX Coordinator will provide written notice to each of the parties, explaining the reason for the delay.

Informal resolution will temporarily pause/delay the running of the period of time set forth above. For more information about informal resolution, please see the “Informal Resolution” section.

**Consolidation:** If the Title IX Coordinator believes that it would be appropriate, then formal complaints under this policy against more than one respondent, by more than one complainant against one or more respondents, or by one party against the other party- where the allegations (of violations of this policy) arise out of the same facts or circumstances-may be consolidated for investigation and/or hearing and/or appeal purposes. Where a grievance process involves more than one complainant or more than one respondent, references in this section to a singular “party,” “complainant,” or “respondent” include the plural, as applicable.

If the cases are consolidated for purposes of an investigation and/or hearing, the investigator(s) may

issue a single investigative report.

**Presumption:** JSU will presume that a respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

**Standard of Evidence:** JSU uses a “preponderance of the evidence” standard when determining responsibility for any violation of this policy. This requires a showing of evidence that is over 50% or indicates that the information provided leads the hearing panel to decide that “more likely than not” the person is “responsible” for the violation. In a situation where the panel finds that the evidence in a case is “equal” or “level,” the preponderance-of-the-evidence standard would result in a finding of not responsible. The preponderance-of-the-evidence standard is lower than the standard of “beyond a reasonable doubt,” which is used in criminal court cases.

This standard of evidence applies regardless of whether the respondent is a student or employee (staff or faculty).

**Burden of Proof:** Throughout the grievance process, the burden of proof and the burden of gathering evidence sufficient to meet the standard of evidence (including determining responsibility and the existence of consent) rests on the university, not on the parties.

However, it is important to note the following:

- The university cannot access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity (or assisting in that capacity), and which are made or maintained in connection with the provision of treatment to the party, unless the university obtains the party’s voluntary, written consent to do so for a grievance process. (When legally required, then the university must obtain the voluntary, written consent of the party’s parent or legal guardian.)
- The university will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- There will be no restriction on the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- The parties will have the same opportunities to have an advisor and a support person present during any meeting or hearing.
- Any time a party’s participation is invited or expected, that party will be provided notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with the party. That party will also be provided sufficient time for the party to prepare to participate. If a hearing, interview or meeting is scheduled and the party who is to participate does not feel they have been provided sufficient time to prepare to participate, that party should contact the Title IX Coordinator (preferably via e-mail to [TitleIX@jsu.edu](mailto:TitleIX@jsu.edu)); request that the meeting, interview, or hearing be rescheduled and provide additional dates and times when the party is available to participate.

**Notice of Investigation:** Upon receipt of a formal complaint, written notice will be provided to the respondent (a copy of which will be provided to the complainant). This notice will generally be provided via an e-mail to each party’s jsu.edu e-mail account. Attached to said e-mail will be the notice/letter of investigation, a copy of JSU’s policy and procedure, and a copy of the rights for said individual during the process.

This notice will be provided to the respondent at least 24 hours before the proposed initial interview time. However, if this does not provide the reporting party with sufficient time to prepare a response before the initial interview, the reporting party should e-mail the Title IX Coordinator, request that the initial interview be rescheduled and provide additional dates and times when the party is available to participate.

**Amended Notice of Investigation:** If, in the course of an investigation, there is a decision to investigate allegations that are not included in the initial notice of investigation, an amended notice of investigation will be provided to the parties.

**Informal Resolution:** This is a resolution option that allows corrective action to be taken without formal disciplinary action against the respondent. Corrective action under an informal resolution could include educational programming or training, direct confrontation of the respondent, or facilitated discussions between the complainant and/or respondent and/or witnesses. However, the university will never compel a complainant to engage in an informal resolution process or directly confront the respondent and/or particular form of informal resolution.

Once a formal complaint is filed, an informal resolution may be a potential resolution option. This option can be pursued at any time prior to 24 hours before the scheduled start time of the disciplinary hearing. If either party would like to discuss the option of informal resolution, then that party can contact the Title IX Coordinator and discuss the informal resolution they would propose. If the Title IX Coordinator determines that said proposal may be a viable option for resolution, then the Title IX Coordinator will discuss the proposal with the other party. If an agreeable resolution is determined after each party has had an opportunity to consult with the Title IX Coordinator, then the Title IX Coordinator will prepare the informal resolution agreement and give each party the opportunity to sign said agreement.

If the informal resolution agreement is signed by the complainant, the respondent, and the Title IX Coordinator, then the investigation and resolution process will be placed on hold to allow the terms of the informal resolution agreement to be fulfilled.

Once the terms of the informal resolution agreement are fulfilled in a timely manner and as specified in the agreement, the Title IX Coordinator will e-mail the complainant and the respondent to notify them that the terms have been fulfilled and the case is being closed.

The Title IX Coordinator's first priority must be maintaining the safety of the parties involved and the campus as a whole. The Title IX Coordinator reserves the right to not sign/approve the informal resolution agreement for any reason. Furthermore, the Title IX Coordinator cannot sign/approve any informal resolution agreement involving an employee's prohibited conduct directed toward a student.

If the agreement is not signed by either party or the Title IX Coordinator, the case will continue forward. If both parties sign the agreement, but all terms of the agreement are not fulfilled in a timely manner and/or as specified in the agreement, the case will continue forward.

If a case continues forward, the parties maintain all of their rights to due process and to be heard and the case continues forward as if the informal resolution did not exist. The exception is that the informal resolution can be mentioned in any hearing as a reason for a delay in the resolution of the case.

**Dismissals:** There are certain situations (listed below) that require or permit dismissal of a Title IX case under this policy. If at any point during the process the case is dismissed, both parties will be notified of said dismissal, the reason for said dismissal and if the case has been referred for review under any other policy or code of conduct. Furthermore, either party will have the opportunity to file an appeal of the dismissal decision. An appeal must be filed no later than 4:30 pm on the 4th business day after receiving notification of dismissal (e.g., if the notification of dismissal was e-mailed to the parties at 2:00 p.m. on Tuesday and the university was closed only on Saturday and Sunday, the appeal would need to be filed no later than 4:30 pm on Monday the week after the notification of dismissal). Either party may file an appeal regarding the dismissal decision.

Required Dismissal: The case will be dismissed under this policy and referred for review and potential charges under other policies or codes of conduct if at any point during the process it is determined that the conduct or behavior alleged in the formal complaint:

- Would not violate this policy even if proven.
- Did not occur in a JSU educational program or activity (as defined above); or
- Did not occur against a person in the United States.

Potential Dismissal: The case may be dismissed under this policy and referred for review and potential charges under other policies or codes of conduct if at any point during the process:

- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein.

- The respondent is no longer enrolled in or employed by Jacksonville State University; or
- Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

**Investigation:** When a report is received and the Title IX Coordinator determines that, based on all information known about the behavior, the location of the incident, and the other elements are present to allow the university to move forward under this policy, the university may initiate a formal investigation. The Title IX Coordinator will designate a trained investigator(s) who has specific training and experience investigating allegations of sexual harassment, sexual violence, stalking, domestic violence and dating violence. Any investigator(s) assigned will be impartial and free of any conflict of interest.

Parties and witnesses are strongly encouraged to provide all evidence and contact information for any potential witness(es) as early as possible in the process. This will assist in completing the investigation as promptly as possible. Please note that new evidence may not be introduced at the hearing without the agreement of the other party; therefore, it is important to provide all of the information and evidence during the investigation.

**Preliminary Investigative Report:** Once the investigation is complete, a preliminary investigative report will be created that will fairly summarize the relevant evidence.

Each party will be notified (via their jsu.edu e-mail address), and each party's advisor (who has been identified by the party) will be notified (at the e-mail address provided by the party for the advisor). In said notification e-mail, the party and that party's advisor will be invited to meet with the investigator(s), where they will be provided with a hard copy of the preliminary investigative report and all evidence. During the meeting, the investigator(s) will seek to answer any questions the parties may have regarding the investigation. The investigator(s) will verify that there are no additional witnesses that need to be interviewed nor any additional evidence that needs to be examined. The investigator(s) will discuss any requested changes to the preliminary investigative report. The parties are encouraged to make corrections and provide appropriate context. The investigator(s) will invite the parties to provide a written response and/or will invite each party to meet with the investigator(s) and/or review the evidence and/or report as frequently as needed. This initial meeting to receive the report and evidence should be held as quickly as possible after the initial notification and invitation to meet. Each party is allowed to submit a response, which the investigator(s) will consider prior to completion of the investigative report, but that response would need to be provided to the investigator(s) within ten (10) days.

**Final Investigative Report:** Once the parties' requested changes have been addressed in the investigative report, then the investigator(s) send notification to each of the parties explaining that the final investigative report is ready for review and schedule any meeting that the parties request at this time. Any meeting to discuss the final investigative report should be scheduled as quickly as possible, as any suggested changes to the final investigative report will need to be provided within ten (10) business days of receiving notification that the final investigative report has been completed.

Once the parties' have had an opportunity to review the final investigative report, then the final report will be provided to the Title IX Coordinator, who will begin preparing for the hearing.

**Reviewing Documents and/or Evidence:** The investigative report and all documents that are able to be provided will be provided to the parties (and their advisors) at least ten business days before the hearing. However, originals of documents will need to be retained in the Title IX office or UPD custody. Therefore, to review originals simply follow this review procedure.

To the extent required and permitted by law, The Title IX Coordinator will make available the evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. This will be available for inspections and/or review by either party and their advisors during the normal university operating hours, so long as it is scheduled at a mutually agreed-upon time, at least 24 hours in advance. To schedule said inspection and/or review, please e-mail the Title IX Coordinator at [titleix@jsu.edu](mailto:titleix@jsu.edu) to request a time to inspect and/or review said evidence. Please provide the Title IX Coordinator with at least three (3) different times on three (3) different dates on which you are available to allow for the inspection and/or review to be scheduled at a

time that is equally convenient for the Title IX Coordinator and the requesting party.

Privacy is generally of great concern to the parties in these matters. Therefore, the Title IX team will endeavor in good faith to maintain the privacy of the parties, including the reports, evidence, and other materials involved in these matters. As such, the Title IX team also requests that the information not be shared with anyone else except as needed for purposes of preparing for the hearing.

There are certain situations where a party does not want to have possession of the documents or evidence and/or does not want their advisor to have possession of the documents or evidence. If a party does not want to (or does not want their advisor to) receive the evidence and documents, then they will need to complete a form with the Title IX office. Even if this form is completed, then the party will still be allowed to review the documents and evidence, at any point, in the Title IX office.

All evidence and reports will be made available to each party at the hearing and each party will have the opportunity to refer to such evidence during the hearing, including for purposes of questioning any/all parties and witnesses.

**Hearing Panel:** The hearing panel will consist of three (3) hearing panel members who are designated by the Title IX Coordinator, who is tasked with ensuring that each hearing panel member has the appropriate training regarding allegations of sexual harassment, sexual violence, stalking, domestic violence and dating violence. Any hearing panel member assigned will be impartial and free of any conflict of interest. Neither the Title IX Coordinator nor the investigator(s) on the case can serve as a member of the hearing panel.

The Title IX Coordinator will be responsible for scheduling the hearing and providing the investigative report to the hearing panel members for review. The Title IX Coordinator will also be available on the day of the hearing to assist with logistical matters.

**Pre-Hearing Details:** Preparing for a hearing that will include three hearing panel members, two parties, two advisors, support persons, and potentially three (or more) locations requires a great deal of planning and preparation. In an effort to make the hearing proceedings more efficient and less hectic for everyone involved, we ask for the parties' assistance in providing their preferences and requests in advance.

**Witness Scheduling:** If either party wants the university to schedule a particular person to address the hearing panel to answer questions, then that party should provide the Title IX Coordinator with the name and contact information for that witness so that arrangements can be made for that witness to be available for said hearing. (For example, if a party wants the university to make a non-party faculty member come to the hearing to answer questions, then arrangements will need to be made to ensure availability on the day of the hearing.)

**Evidence:** If either party wants the university to make additional copies or otherwise ensure that a particular piece of evidence is available in a certain form at the hearing, then that party should provide that information to the Title IX Coordinator with appropriate notice so that arrangements can be made for that evidence to be available in the preferred form. (For example, if a piece of evidence is housed in the evidence locker at UPD, then additional scheduling will be required for that evidence to be viewed in person.)

**Requested Witness Order/Schedule:** If either of the parties and/or witnesses have a preference regarding the order of witnesses or parties based on schedules or other preference, then that party and/or witness should make their preferences known to the Title IX Coordinator at least three (3) days before the hearing date to allow for the Title IX Coordinator to coordinate the attendance of each witness at the appropriate time. This particular order will not be able to be guaranteed as there are several people and schedules involved. (For example, if a witness desires to answer questions as the first person due to a class schedule conflict later in the day, then we will do our best to accommodate that request. If we are unable to accommodate such a request, then the Title IX Coordinator will work with the witness to provide an excuse or other appropriate assistance.)

**Impact Statements:** Impact statements are statements that are provided regarding the impact of the case

on the party and that may provide to the panel members the party's thoughts on a fair sanction.

- Impact statements are only read by the panel members if there is a finding of "responsible."
- In order to make these statements available to the panel members in the event of a "responsible" finding, the statements should be provided by each of the parties to the Title IX Coordinator before the hearing time. It is recommended that these statements be provided to the Title IX Coordinator at least 24 hours before the beginning of the hearing but said statements will be accepted by the Title IX Coordinator up to 1 hour before the hearing time.
- Impact statements must be provided to the Title IX Coordinator in a sealed envelope.
- If, after the entire hearing, the panel returns a finding of "not responsible," then the envelope will never be opened and will be shredded by the Title IX Coordinator. In the event of a "not responsible" finding (after the appeal, if an appeal is filed), the Title IX Coordinator will contact the party or parties who provided the impact statement(s) to let the party or parties know that the statements are to be shredded and can shred these statements in the presence of the party who provided the statement to prove that the envelope was never opened and was never read by any of the panel members.
- If, after the entire hearing, the panel returns a finding of "responsible," then the Title IX Coordinator will provide the statements (in their sealed envelopes) to the panel members for their consideration regarding sanctioning. The panel members will then open the statements in the presence of all members of the panel and consider these statements during their deliberations regarding sanctioning.

### **Hearing:**

**Recording:** All hearings will be recorded by JSU to allow for a proper record of the proceedings. This recording will be available for inspection and review by the parties using the same procedure for review of original documents and evidence described above.

**Location:** The hearing will be scheduled for an appropriate location that will allow for a comfortable atmosphere for each of the parties. When selecting a location, the privacy of the participants will be considered.

**Virtual Attendance:** JSU may, in the exercise of its discretion, require that any/all questioning and/or the entire hearing occur with the parties and/or any witnesses located in separate locations with technology enabling the panel members and parties to simultaneously see and hear the party and witness answering the questions.

**Participation/Lack of Attendance:** The panel members will not draw an inference about the determination regarding responsibility based solely on a party or witness's absence at the hearing or refusal to answer any questions. However, if any party or witness does not participate in the hearing (including answering all relevant questions by each party or advisor), then their previous statements will not be able to be considered by the hearing panel members.

**Evidence and Reports:** All evidence and reports will be made available to each party at the hearing and each party will have the opportunity to refer to such evidence during the hearing, including for purposes of questioning any/all parties and witnesses.

**Procedure/Process for the Hearing:** The hearing will begin with a brief introduction and overview of the procedure for the hearing. Each of the parties will be given the opportunity to make a short (up to 5 minutes in length) statement during the hearing. Once that statement has been concluded, the other parties will be allowed to ask any relevant questions to that party.

Then questioning of each witness and party will begin. The witnesses and parties will submit to



questioning in the order selected by the decision makers, following this questioning order:

- Panel members will ask questions first.
- Respondent will ask questions second.
- Complainant will ask questions third.
- Respondent will have another opportunity to ask questions fourth.
- Complainant will have another opportunity to ask questions fifth.
- Hearing panel members will have another opportunity to ask any remaining questions sixth.
- Then, the hearing will move forward with the next witness.
- After the last witness, the hearing panel members will explain the process of how and when to expect the decision document will be delivered, and the hearing will dismiss.
  
- **Questioning the Other Party:** Each party will have an opportunity to ask the other party and any witnesses all relevant questions and follow-up questions, including questions challenging credibility. However, questions to the other party will be asked by the questioning party's advisor.
- If either party does not have an advisor present at the hearing, JSU will provide that party with an advisor (at no cost to the party/parties), who is familiar with the JSU grievance process.
  
- **Decorum:** These proceedings require that all persons present, including the parties, their advisors, any support persons, witnesses, and hearing panel members maintain appropriate decorum and participate respectfully and non-abusively throughout the proceedings.
- Abusive language and/or behaviors that disrupt the hearing will not be tolerated.
- Badgering any witness, including either party, is forbidden.
- Each party, advisor, and support person will remain seated in their designated seat throughout the proceedings, except during breaks.
- Conferring with one another loudly in such a way that the hearing is disrupted is prohibited.
  
- **Relevant Questions:** The chairperson of the hearing panel must determine whether any question is relevant before the questioned individual responds. To accomplish this, there will be a "pause" in the proceedings after each question BEFORE the answering party provides the answer. This pause will allow the chairperson (with or without input from the other panel members) to determine if the question is relevant before the answer is provided. This will require patience, but it is an important element of the hearing process.
- The determination as to whether the question is relevant or not will be made by chair of the hearing (with or without input from the other panel members) by applying logic and common sense.
- Duplicative and/or repetitive questions may be deemed to be irrelevant.
- If any questions are excluded as not relevant, the chairperson of the hearing panel will explain to the party/the advisor who sought to ask the question why the question is due to be excluded.
- Questions requesting information regarding the following will be deemed non relevant:
  - Information protected by a legally recognized privilege (such as attorney-client privilege, medical provider privilege, etc.).
  - Any party's medical, psychological, or similar records (unless the party has given voluntary, written consent).
  - Party or witness statements that have not been subjected to cross- examination at a live hearing.
  - Evidence about a complainant's prior sexual history unless said sexual history evidence or question is offered:
    - To prove that someone other than the respondent committed the conduct alleged in the formal complaint; or

- To demonstrate specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. (This exception only applies to situations where consent is an issue at the hearing).

**New Evidence:** All evidence should be provided during the investigation phase. If either party attempts to present new evidence at the hearing, the hearing will end, and the case will be sent back for further investigation. In the event that the other party agrees to allow for the new evidence to be presented, the hearing will break for at least 30 minutes to allow the new evidence to be properly reviewed before the hearing resumes.

**Credibility Assessments:** The panel members will make credibility assessments of all parties and witnesses. However, these assessments will not be based on a person’s status as a complainant, respondent, or witness.

**Decision:** After the hearing process is complete, the panel members will deliberate and make a finding of either “responsible” or “not responsible” based on a preponderance of the evidence. The panel will use a disciplined, unbiased evaluation of admissible, relevant evidence to reach this decision.

**Sanctioning:** If, after the entire hearing, the panel members make a finding of “responsible,” then they will be provided with a copy of the impact statements. These statements are statements provided by one or both parties to the Title IX Coordinator in a sealed envelope before the beginning of the hearing. After fully reading the impact statements, then the panel members will be responsible for making a decision regarding the appropriate sanction. Again, the sanctioning determination does not need to be unanimous, but must be agreed upon by at least two of the three panel members.

**Decision Letter:** The panel members will provide a written decision letter to each of the parties (via their jsu.edu e-mail address) within three (3) business days of the hearing. If the hearing panel members find the respondent responsible for a violation of the policy, the decision letter will also include the sanction decided upon by the panel members.

This letter will be signed by the panel members and then provided to the Title IX Coordinator, who will e-mail the letter to each of the parties and their advisors.

### **Potential Sanctions:**

The following are a list of potential sanctions that can be implemented upon a finding of responsible after a proper investigation and hearing:

**Warning-** Notice, in writing, that any continuation or repetition of prohibited conduct for a specific or indefinite period of time may be cause for further disciplinary action.

**Educational Sanction-** Requiring the individual to perform mandated service, or to participate in an educational program or activity, including but not limited to an educational seminar, a treatment program, or another program/task designed to manage the behavior, understand why the behavior was inappropriate, and/or assist the individual in learning more about how their behavior impacted themselves and/or the community.

**Disciplinary Probation-** A period during which an individual must behave in a manner acceptable to the university and comply with specific terms. Under the status of disciplinary probation, an individual is encouraged to seek advice from appropriate university officials. Conditions of probation may be set forth that restrict the individual’s participation in specific activities. Violation of the terms of probation or additional incident(s) of misconduct while on probation may result in suspension or dismissal.

**Facilitated Discussion-** Informal facilitated conversation between the respondent and other impacted parties to resolve conflict, to formulate an action plan, and/or to decide whether and how to implement change.

Loss of Privileges- The withdrawal of a privilege, use of a service, participation in a program or organization, event, or activity for a specific period of time. The loss of privileges may prohibit an individual from participating in co-curricular activities, continuing in a degree program, being present in or using certain campus facilities or services, and/or prohibit an individual from enrolling in a class or classes.

Formal Performance Improvement Plan- A plan designed to improve the individual's performance in the future. This can include terms that require completion of certain tasks, programs, or other behavior modification items that is specifically designed for the individual.

Termination of Employment- An individual may be terminated from their employment with the university and/or be prohibited from applying for employment with the university for a specific amount of time. This will be recorded in the employee's file.

No Contact Order – No contact orders are designed so that individuals involved in a conduct process do not have any communication with each other to help minimize further altercations between those involved. Individuals who receive no contact orders are directed to refrain from contacting an identified individual using ANY means. This includes but is not limited to comments, words, or gestures in person, through postal mail, e-mail, social networking sites, or by having others (friends, acquaintances, family members, etc.) act on the individual's behalf. Any order of no contact will remain in place until both parties agree in writing to cancel the order, pending final approval by the Title IX Coordinator.

Suspension- Any action that excludes an individual from class attendance, residence in university-owned or managed housing, and use of university facilities for a specified period of time. This action results in loss of privilege unless there is specific written permission, otherwise obtained from the Title IX Coordinator. Suspension typically includes a trespass from all university property during the designated suspension timeframe. Should an individual who is suspended be found on university property, further disciplinary action may be warranted.

- i. A suspension may be imposed in any increment (weeks, months, academic year, or calendar year) but must be specific as to when the individual will be allowed to return to the educational program or activity, including whether the individual may be allowed to participate in online activities or not.
- ii. A suspension may be deferred based on the timing of the semester (e.g., end of semester). This decision is at the discretion of the panel members and will only be considered if the individual's presence on campus is deemed not to be a threat. Should the individual be readmitted, further incident(s) of misconduct may result in additional suspension periods or dismissal from the university. Additionally, the failure to observe the terms and conditions of a suspension may cause the extension of the suspension period or further disciplinary action.
- iii. A suspension will take place once the appeal time frame or process is complete. In the event of an academic suspension, individuals are encouraged to consult with Student Accounts and the University Registrar regarding possible tuition and fee refunds. The panel members will make no determination regarding potential refunds.

Deferred Suspension- This sanction is a suspension that is delayed pending specified behavioral performance. A definite period of observation and review occurs during a deferred suspension. If an individual is again found responsible of violating any (or a specific) code of conduct, the suspension will take place immediately, without appeal. The expectation will be addressed fully in a sanctioning document.

Dismissal- The permanent loss of the privilege of registration, class attendance, employment, and/or residence in university owned or university-managed housing. The privilege to use university facilities or property is typically also permanently withdrawn by this action. An individual who has been dismissed is not eligible for readmission or reemployment. Any individual who is dismissed will not be entitled to any refund of tuition or fees. Dismissal typically includes a trespass from all university

property. Should an individual who is dismissed from the University be found on university property, further disciplinary action may be warranted.

Transfer of Work Assignment- The temporary or permanent transfer from one work assignment and/or location to a different work assignment and/or location.

Delay of Tenure Track Progress- The temporary or permanent delay of tenure track progress.

Revocation of Tenure- The temporary or permanent loss of tenure.

Assignment to Different Supervisor- The temporary or permanent reassignment to alternative supervisor.

Demotion- A change in employment status to reflect of loss of a promotion.

Denial of Pay Increase- The loss of an opportunity for a pay increase that would have ordinarily been provided.

Loss of Pay Grade- A decrease in pay and/or benefit for a specific amount of time.

Restriction of Stipends, Research, and/or Professional Development Resources- A general or specific restriction placed on an employee's ability to receive stipends, research resources, and/or professional development resources.

Enhanced Supervision, Observation, or Review- A general or specific enhancement of supervision, observation, or review for employees.

**Remedies:** If there is a finding of “responsible,” the panel and/or the Title IX Coordinator can address remedies. Remedies are individualized services that are designed to restore or preserve equal access to JSU’s educational programs or activities. These may include the same or similar individualized services that are described in the “Supportive Measures” section. However, these remedies need not be non-disciplinary nor non-punitive and need not avoid burdening the respondent.

Remedies may include:

- Counseling.
- Extensions of deadlines or other course-related adjustments.
- Modifications of work or class schedules for either party.
- Campus escort services.
- Restrictions on contact between the parties.
- Changes in work or housing locations for either party.
- Leaves of absence.
- Increased security and monitoring of certain areas of campus; and
- Other similar measures.

The Title IX Coordinator will be responsible for the effective implementation of these remedies. Any remedies that are provided to the complainant will not be disclosed to the respondent unless said remedies directly affect the respondent, and disclosure is required for effective implementation.

**Appeals:** An appeal may be filed by either party or both parties. An appeal can be filed based on the decision of responsibility or the lack thereof, the sanction imposed, and/or the restoration or preservation remedies imposed. Any appeal must be filed by completing the appeal request form. This form is available electronically at [www.jsu.edu/titleix](http://www.jsu.edu/titleix), or a hard copy can be completed in the Title IX Coordinator’s office. Any such appeal must be filed no later than 4:30 p.m. on the 7th business day after the hearing (e.g., if a hearing was held on 2:00 p.m. on Tuesday, and the university was closed only on Saturday and Sunday, the appeal would need to be filed no later than 4:30 p.m. on the Thursday, the week after the hearing).

Appeal Grounds:

- Procedural Irregularity: Procedural irregularity that affected the outcome of the matter (e.g., a failure to objectively evaluate all relevant evidence or an erroneous relevance determination that affected the outcome).
- New Evidence: New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and/or
- Conflict of Interest/ Bias: The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

If an appeal is filed, the Title IX Coordinator will notify the other party in writing (via jsu.edu e-mail address) and attach a copy of the appeal that has been filed by the other party.

Each party will have the opportunity to submit a written statement in support of, or challenging, the outcome. Said statement must be e-mailed to [titleix@jsu.edu](mailto:titleix@jsu.edu) no later than five (5) business days after the appeal request form is submitted.

All relevant documents, including the appeal request form and written statements responding to said appeal, will be placed in a packet for the appeal panel members.

All appeals will be reviewed by a separate appeal panel. These appeal panel members will not include any members of the original hearing panel or any investigator(s) that is involved with the case. After reviewing the appeal documents, a decision on any appeals filed will be issued to each party (either in person or via jsu.edu e-mail) within twenty (20) business days of the hearing date.

**Parties' Bill of Rights:** All members of the Jacksonville State University community have the right to:

- Make a report to the Department of Public Safety and/or local law enforcement.
- Make a report to the Title IX Coordinator and/or any Deputy Title IX Coordinator.
- Have disclosures of sexual harassment (including disclosures of domestic violence, dating violence, stalking, and sexual assault) treated seriously.
- Decide about whether or not to disclose a crime or violation and participate in the title ix process and/or criminal justice process free from pressure by the university.
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
- Be treated with dignity, receive from the university courteous, fair, and respectful health care and counseling services, and to be referred to other health care and/or counseling resources if the needed services are not available on campus.
- Have access to an appeal of any determination; and
- Be accompanied by an advisor and/or support person of choice who may assist and advise the party throughout the conduct process, including during all meetings and hearings related to such process.

### **RESPONSIBILITY**

The Title IX Coordinator is responsible for implementation and application of this policy.

### **EVALUATION**

This policy will be reviewed at least every five (5) years by the Title IX Coordinator.