

**Jackson State University**  
**Student Handbook**  
**2010 - 2011**



**Judicial Services**



# JSU CORE VALUES

**TRADITION-** the University believes that its role as a historically black university inspires and exemplifies positive societal change.

**ACCOUNTABILITY-** the University believes in the principled exercise of leadership and the sanctity of the public trust.

**LEARNING-** the University believes in an experimentally enhanced learning environment where teaching, researching, and service are integrated and mutually reinforcing.

**NURTURING-** the University is committed to creating a community, which affirms and welcomes persons from diverse backgrounds and experiences and supports the realization of their human potential.

**SERVICE-** the University responds to the needs of society to the best of its ability and expects its graduates to do likewise.

**RESPONSIBILITY-** the University believes in and accepts its duty to enhance each generation's capacity to improve the human condition.



## **UNIVERSITY POLICIES RELATING TO STUDENTS**

### **STUDENT RIGHTS AND RESPONSIBILITIES**

As an academic community, Jackson State University exists for the pursuit of learning and truth, for the development of students as scholars and citizens, and ultimately, for the well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. The University's responsibility for creating and maintaining an atmosphere conducive to these freedoms is shared by students, faculty, administrative personnel, and trustees.

The University community accepts its responsibilities to develop policies and procedures to safeguard these freedoms within the framework of the University's and Board of Trustees' policies and bylaws. As integral members of the University community, students exercise responsibility while developing their capacity for critical thinking and engaging in a sustained and independent search for truth. Students are expected at all times to exercise their freedoms in a manner that does not infringe upon the rights and freedoms of others.

Students shall not be deprived of life, liberty, or property without due process. Although every student has rights and freedoms guaranteed by the U.S. Constitution, these cannot be enjoyed, exercised, or protected in a community, which lacks order and stability. It is therefore, each student's responsibility to adhere to standards of conduct as prescribed by the university, the Board of Trustees for Institutions of Higher Learning (IHL), and by local, state, and federal laws.

Each student is entitled to the essential rights common to all institutions of post-secondary education which include the following:

### **STUDENT PARTICIPATION IN INSTITUTIONAL GOVERNANCE**

As constituents of the university community, students (individually and collectively) are free to identify and address issues relative to institutional policy and matters of general interest to the student body. The Jackson State Undergraduate Student Government Association represents undergraduate students in institutional governance, whereas the Graduate Student Association represents graduate students. Both undergraduate and graduate students are engaged in the policy formulation process through their respective government associations, and are invited to recommend additional policies for consideration and adoption.

### **CITIZENSHIP**

Students at Jackson State University are both private citizens and members of the University community. As U.S. citizens, students enjoy the same freedom of speech, peaceful assembly, and right of petition that other citizens enjoy. As members of the University community, they are expected to follow University rules and regulations outlined in the *Code of Conduct* and in the *Student Handbook*. Faculty members and administrative officials ensure that institutional powers are not employed to inhibit the intellectual and personal development of students exercising their rights both on and off the campus.

### **SPEECH AND EXPRESSION**

Students will be free to discuss questions of interest and to express opinion. Public expression of students or student organizations reflects the views of those making the statement and not necessarily those of the university community. The University retains the right to provide an educational environment that is safe and orderly for students, faculty, and staff.

## **FREEDOM OF INQUIRY AND EXPRESSION**

Students and chartered student organizations are free to examine and to discuss all questions of interest to them and to express opinions publicly and privately in a responsible way. They are free to support causes by orderly means including any means of peaceful assembly or advocacy, which do not infringe upon the rights or freedoms of others.

## **GUEST SPEAKERS**

In accordance with the Campus Speakers Policy, chartered student organizations may invite persons of their own choosing for campus appearances. Such invitations must be submitted to the Associate Vice President for Student Life for review and approval before arrangements for the campus visit are finalized with the guest. Guest appearances must not interfere with the university's regular instructional, research, and service activities and programs. Except for ceremonial occasions, invited speakers should be prepared to participate in reasonable public activities. Such public discussions may include classroom visits, attendance at receptions and related functions, media appearances, and participation in community activities, programs and projects.

Invited speakers are accorded the full courtesy and protection appropriate to a university community. Individuals or groups who engage in actions designed to obstruct or in any way to prevent the presentation are subject to discipline, and to financial responsibility, in the event of damage to property or person.

The institutional control of campus facilities and the integrity of the academic environment is not to be used as a device of censorship. Sponsorship of guest speakers does not imply approval or endorsement of the views expressed, either by the sponsoring organization or the institution.

## **OFF-CAMPUS SPEAKERS**

The freedom of speech and assembly guaranteed by the First and Fourteenth Amendments to the United States Constitution shall be enjoyed by the students and faculties of the Institutions of Higher Learning of the State of Mississippi as respects the opportunity to hear off-campus or outside speakers on the various campuses. Free discussion of subjects of either a controversial or non-controversial nature shall not be curtailed. However, there is no absolute right to assemble or to make or hear a speech at anytime or place regardless of the circumstances, content of speech, purpose of assembly, or probable consequences of such meeting or speech.

## **ASSEMBLY AND DEMONSTRATION**

Students are free to organize and to associate for the promotion of their common interests. Assembly and Demonstration (just as Speech and Expression) within the public places of the institution are permitted, subject to reasonable time, place, and manner restrictions. Such restrictions are provided for the maintenance of order, and are applicable to local, state, and federal laws. Approval from the Associate Vice President for Student Life or his/her designee is required for assembly and demonstration. The Associate Vice President for Student Life designates areas for assembly and demonstration. Persons or groups engaged in these activities must adhere to regulations governing the use of the designated areas.

## **PUBLICATION AND DISTRIBUTION**

Students are free to publish and to distribute their ideas in the form of newspapers, newsletters, leaflets, handbills, and the like, subject to time, place and manner restrictions. Publications are disseminated in the designated free expression area(s) on the campus.

## **STUDENT MEDIA**

Student publications will maintain their integrity of purpose as vehicles of free inquiry and free expression in a University community. The editorial freedom of students, editors, and managers involves the corresponding obligation to be governed by the canons of responsible journalism. These entail the responsibility to avoid libel, undocumented allegations, techniques of harassment and innuendo and so forth. At the same time, the following provisions safeguard editorial freedom. Student publications are free of censorship and advance approval of copy.

## **DISCRIMINATION**

Students have the right to be free from all forms of discrimination. Jackson State University does not discriminate on the basis of race, creed, color, gender, sexual orientation, age, religion, national or ethnic origin, disability, or veteran status in its educational programs, activities, admissions or employment practices.

## **SEARCH AND SEIZURE**

Students have the right to secure their personal possessions against invasions of privacy and unreasonable search and seizure, subject to restrictions imposed by the Associate Vice President for Student Life and the Department of Public Safety. However, the University reserves the right to enter occupied residence hall rooms for health and safety inspections, in cases of emergency, and when entry is granted by authorities of the criminal justice system.

## **PRIVACY**

Students have the right to confidentiality of information relating to personal views, beliefs, and political associations that may be obtained by administrators, instructors, counselors, advisors, and officials of the university in the course of their work.

## **CONFIDENTIAL RECORDS**

Student educational records are considered confidential and may not be released without the written consent of the student. Educational records include those records that contain information directly related to a student that are maintained as official working files by the university. Examples include transcripts, personnel records, and disciplinary records. University employees have access to student information only for legitimate use in the completion of their position responsibilities.

Some information is considered public (sometimes called *Directory Information*) and can be released without the student's permission; however, the student may opt to consider this information confidential. Directory information includes name, address, and telephone, date of attendance, degrees received, major program, height and weight of athletes.

The university may release records in compliance with a court order or subpoena but only after notifying the student or parent(s) of dependent students.

Student requests to withhold *Directory Information* may be submitted to the Office of Registrar and to the Housing Department relative to residence hall information.

## **FREEDOM FROM RETALIATION**

The faculty member (whether in the classroom or in individual conference) fosters relevant free discussion, inquiry, and expression. A student is free to take reasonable exception to the information offered in any course of study and to reserve judgment about matters of opinion without threat of undue censure by the faculty member. Information about student views, beliefs, and political associations which the faculty member acquires in the course of their work as instructor, advisor, and counselor is considered confidential.

Faculty members are required to inform students of the content and requirements of each course and the criteria by which student performance is to be evaluated. A student is responsible for learning the prescribed content of the course in which he or she enrolls. The faculty member evaluates student performance in the classroom solely on an academic basis and not on a student's philosophies or conduct in matters unrelated to academic performance.

A student who contends to have encountered a prejudiced academic evaluation may use the University's Student Grievance Procedure as a means of seeking redress. (*See Undergraduate or Graduate Catalog*). Academic honesty is a primary responsibility of the student. Students found guilty of academic dishonesty will incur sanctions as prescribed by the University's undergraduate or graduate student judicial system.

#### **FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA) OF 1974**

To comply with the requirements of the Family Education Rights and Privacy Act of 1974, Jackson State University periodically announces publicly the policies and procedures implementing the act. Additional information is available within the Office of the Associate Vice President for Student Life and the Office of Judicial Services.

Different types of student records are maintained in various University offices, and the chief administrator in each of these offices is responsible for them.

Generally, with certain exceptions, the law provides that students and former students have the right to review their records, request explanations concerning them, obtain copies and challenge records that they feel are inaccurate, misleading or otherwise inappropriate. The challenge procedure includes a full and fair opportunity for the student to present relevant evidence at a hearing. The law also provides that students may waive their right of access to confidential letters of recommendation and may also grant permission to release certain personally identifiable information to specific personnel.

The exception to this law includes educational personnel records; records maintained for law enforcement purposes; employment records on non-students; records maintained by a physician, psychiatrist or psychologist; and, financial records of a student's parents.

The law also provides that, in addition to University employees having a legitimate educational interest, certain other governmental and quasi-governmental agencies and parents certifying that a student is carried as a dependent for income tax purposes, may have access to student records.

#### **REDRESS OF GRIEVANCES**

Any time a student's rights as outlined herein are violated, the student has the right to petition for redress through grievance procedures. A grievance is defined as the claim of an individual student that there has been a violation, misinterpretation or misapplication of a rule, policy or procedure in relation to University Policies and Procedures.

Jackson State University assures prompt and impartial consideration to any complaints, which its students may have during the course of their matriculation at the university. When circumstances require, students are encouraged to submit complaints or grievances in accordance with the following procedures. Students may use this procedure without penalty or fear of reprisal.

- A. Discuss the problem with the unit or department director (e.g. Community Director, Assistant Community Director, Director of Housing, Associate Vice President for Student Life, etc.). In cases involving academic matters, the grievance should be presented to the appropriate Department Chairperson.
- B. If "A" is not considered desirable by the student, discuss it with the appropriate school dean.

- C. If “A” and “B” are not considered desirable by the student, discuss it with the appropriate Area Vice President/Provost who may render a decision or refer the grievance to the appropriate committee for review and recommendation. The final decision will be promptly communicated to the student and the referring administrator.

All grievances should be filed in writing, state the specific nature of the grievance(s), the individual(s) involved, and include the time and place the event(s) occurred.

## **UNIVERSITY POLICIES AND PROCEDURES RELATING TO STUDENT CONDUCT**

Students and student organizations are expected and required to abide by local, state and federal laws. Students and their organizations must be aware that legal charges may be brought against them both within the university judicial system and in the civil or criminal court system. The University administration is responsible for establishing a procedure for reviewing and taking institutional action against students and student organizations found guilty of off-campus violations of local, state and federal laws. While the University does not act as a policing agent for students when they are off campus, the University reserves the right to take action if a student's or student organization's behavior is judged to be contrary to the pursuit of the educational mission of the University or if the continued presence of the student or the organization poses a threat to their well-being or to the rights and property of members of the University community.

“All students who represent the university through affiliation with any Jackson State University organization, or any university sponsored activity, are required to be in good standing as a Jackson State student. Depending upon the severity of offense(s), and/or decisions rendered by the Disciplinary Committee and Associate Vice President for Student Life, students who are found guilty of violating the Student/Collegiate Codes of Conduct, and are sanctioned to disciplinary probation, are **not** allowed to serve in the capacity of affiliate or representative. Affiliation and representation includes, but is not limited to the following: Student Government Association, athletics, band, clubs, fraternities, sororities, and organizations.

The Associate Vice President for Student Life is directly responsible to the Provost and ultimately to the University President. The Associate Vice President for Student Life assumes general responsibility for student life and services offered by the University, from assimilation, matriculation, student support services, and graduate and post-graduation placement. In this capacity, it is his/her role to assure that students are informed of behaviors and activities that are unbecoming and/or unwelcome in the academy, some of which are listed and discussed in this section.

### **ACADEMIC DISHONESTY**

#### **Cheating includes:**

- § Submitting material that is not yours as part of your course performance, such as copying from another student's exam, allowing a student to copy from your exam;
- § Using information or devices that are not allowed by the faculty; such as using formulas or data from a home computer program, or using unauthorized materials for a take-home exam;
- § Obtaining and using unauthorized material, such as a copy of an examination before it is given;
- § Fabricating information, such as the data for a lab report;
- § Violating procedures prescribed to protect the integrity of an assignment, test, or other evaluation;
- § Collaborating with others on assignments without the faculty's consent;
- § Cooperating with or helping another student to cheat;

- § Participating in or performing other forms of dishonest behavior, such as having another person take an examination in your place; or altering exam answers and requesting the exam be regarded; or communicating with any person during an exam, other than the exam proctor of faculty.

**Plagiarism includes:**

Directly quoting the words of others without using quotation marks or indented format to identify them.

Using sources of information (published or unpublished) without identifying them

Paraphrasing materials or ideas of others without identifying the sources.

Themes, essays, term papers, tests and other similar requirements that are not the work of the student submitting them.

When direct quotations are used, they must be indicated and when the ideas of another are incorporated in papers they must be appropriately acknowledged.

When a student is unsure about something that he/she wants to do or the proper use of materials, a faculty member should be consulted for clarification.

Generally, if a student writes while looking at a source or while looking at notes taken from a source, a footnote should be given. Whenever any idea is taken from a specific work, even when the student writes the idea entirely in his/her own words, there must be a footnote giving credit to the author responsible for the idea. The student should never retain a sentence pattern and substitute synonyms for the original words. Paraphrasing means alteration of sentence pattern and changing of words. Any direct quotation should be footnoted or documented in an acceptable fashion. Methods of documentation vary, and it is possible to cite in the text itself, rather than in a footnote. The student should give credit in a manner specified by the instructor.

**Unauthorized/Illegal Web Use**

JSU allows and encourages the use of JSU owned computer resources. This use is a granted privilege, not a right. Student use must be in accordance with all applicable laws, policies, and standards regarding acceptable use. Areas of concern include but are not limited to:

Discriminating or libelous statements.

Copyright infringements (“illegal downloading”)

Obscene, offensive or threatening materials

Usage primarily for financial gain or compensation not relevant to JSU’s mission

Failure to comply with this policy may result in charges being brought both within the university judicial system and in the civil or criminal court system.

**AIDING AND ABETTING**

No person shall help, assist, facilitate, or promote the commission of a crime or university violation. This prohibition encompasses all assistance rendered by words, acts, encouragement, support, actual or constructive to render assistance or aid in the accomplishment thereof, by encouraging, counseling, or inciting its commission. Anyone who by any word, deed, or act directly or indirectly urges, encourages, supports or otherwise instills in the mind of another the will to so act shall be considered a principal in the commission of said crime and shall be punished in the same manner.

## **ALCOHOLIC BEVERAGES**

- A. No person may consume or possess any alcoholic beverages, containers, or bottles in the residence halls, in university buildings, or on any property or public location belonging to Jackson State University.
- B. The possession, sale, distribution or furnishing of alcoholic beverages is prohibited in the residence halls, in university buildings, or on any property or public location belonging to Jackson State University.
- C. Students who behave in an intoxicated manner as a result of the use of alcohol or require staff assistance shall be subject to disciplinary action.
- D. The playing of games (or competitions) involving the use or consumption of alcoholic beverages is prohibited on the campus or at events sponsored or supervised by the university.
- E. Common source containers are prohibited in residence halls and on University-owned property.
- F. Possession of any alcohol paraphernalia is prohibited.
- G. Empty alcoholic beverage containers (bottles, cans, etc.) are prohibited in/on University owned or controlled property.

*Drinking Age Law, Mississippi - Effective Oct. 1, 1986, it is illegal for any person under the age of 21 to possess or be sold, given, or furnished beer or light wine. This law has serious consequences for persons who provide or sell beer and light wine to individuals under 21, as well as for underage drinkers.*

## **BRANDS AND TATTOOS**

No individual or organization may require others to be branded or tattooed. (See *Hazing* in the *Student Code of Conduct*.)

## **CRIMINAL ACTS**

Students who are arrested by authorities because of violation of criminal law are subject to suspension until the matter is settled by the police department or by the court. The nature of the offense and the settlement will determine what action, if any, will be taken by the University. The student may also be subject to the University's disciplinary process.

## **DECEPTION**

It is unacceptable and illegal for any person to:

- A. Misuse University records, forms, or documents by forgery, unauthorized alteration or reproduction, or any other means.
- B. Provide false information, either written or oral, to the University or to any administrator of the University. (Students who falsify housing and or admissions records are also subject to removal/or disciplinary action.)
- C. Attempt to perpetrate a fraud against the University or the members of the University community.
- D. Misrepresent information or lie.

Participation in such acts is subject to University disciplinary action and punishable by law.

## **DESTRUCTION OF UNIVERSITY PROPERTY**

Destruction or attempted destruction or damage to University property, property of the area surrounding the university, or property belonging to a member of the University community is strictly prohibited. Every person who shall maliciously destroy, disfigure, or cause to be destroyed, disfigured, or injured, and property of another either real or personal, shall be subject to criminal prosecution.

Students are expected to respect the property of the University and that of others. Destruction of such property, deliberately or through carelessness, will be considered a serious breach of Jackson State's standards. Participation in vandalism may result in a student's arrest and prosecution by civil authorities as well as suspension from the University.

**Arson**

Any person who willfully and maliciously sets fire to, or burns, or causes to be burned; who is a party to destruction by explosion from combustible material; or who aids, counsels, or procures the burning or destruction of any state-supported school building in this State, whether in use or vacant, shall be guilty of arson and subject to expulsion.

Any person observing or witnessing the destruction by fire of any state-supported school building, whether occupied or vacant, which fire was the result of his or her act of an accidental nature, and who willfully fails to sound the general alarm or report such fire to local fire department or other local authorities, shall be guilty of a felony and, upon conviction thereof, shall be sentenced to the penitentiary for not less than two (2) nor more than ten (10) years.

Any person, who by reason of his age comes under the jurisdiction of juvenile authorities and who is found guilty under section 1 (subsection 1 hereof) of this act shall not be eligible for probation unless and until at least six (6) months confinement has been served in a state reform school.

**Fires**

It is illegal to possess, sell, furnish, or use any incendiary device without proper authorization. Setting or causing to be set any unauthorized fire in or on University property is also prohibited. Violations of these regulations may result in prosecution under the Mississippi Criminal Code and/or suspension from Jackson State University.

**Fire Drills, False Alarms and Sprinklers**

No person shall:

- A. Fail to evacuate a building or refuse to respond immediately to a fire alarm.
- B. Ring any bell or operate/tamper with/or trigger any mechanical or electrical apparatus for the purpose of creating a false fire alarm.
- C. Operate/tamper with/discharge/or remove any fire extinguishing equipment, emergency signs, exit signs, sprinkler system, identification of rooms or smoke detector without proper authorization.
- D. Re-enter a building until it has been declared safe to do so by the appropriate staff.

Participation in such acts is subject to University disciplinary action and punishable by law.

**Fireworks**

No person shall possess or explode firecrackers or other types of fireworks or explosives of any kind in any building or on any property owned or controlled by the University. Participation in such acts is subject to University disciplinary action and punishable by law.

**DIGITAL AND ELECTRONIC COPYRIGHT INFRINGEMENT**

Copyright is a statutory or common law right of authors, artists, and developers (or other holders of a copyright) to publish their works, and to prevent others from copying their works. Infringement includes the unauthorized or unlicensed copying of a work subject to copyright.

See Digital and Electronic Copyright Infringement Policy for further information.

**DISORDERLY CONDUCT OR ASSEMBLY**

- A. No person shall assemble on campus for the purpose of causing a riot, destruction of property, or a disorderly diversion, which interferes with the normal operation of the University. (This section does not deny individuals the right to peaceful, non-disruptive assembly.)
- B. No person or group of people shall obstruct the free movement of other persons about the campus or interfere with the use of University facilities.

- C. The abuse or unauthorized use of sound amplification equipment in or out of doors is prohibited. (The use of such equipment must be authorized by the appropriate department or organization, the Campus Union, the Office of Student Organizations, and the Associate Vice President for Student Life).
- D. Rowdy behavior, indecent language, excessive noise or drunken or drug induced behavior is prohibited.
- E. Disorderly and/or obscene conduct or a breach of the peace on any university property or public function affiliated with the University is prohibited

Participation in such acts is subject to University disciplinary action and punishable by law.

### **DISRUPTION OF CLASSES AND UNIVERSITY FUNCTIONS**

Any person who, without authority, disrupts classes or other educational functions on the campus shall be arrested for disturbing the peace, turned over to civil authorities and shall be subject to disciplinary action which may result in suspension or expulsion.

### **DISRUPTIVE BEHAVIOR**

- A. No person shall threaten to, or actually push, strike, or physically assault any member of the university community or any guest to the campus.
- B. Students who maliciously provoke or participate in fights will be subject to disciplinary action which may result in one or more of the following penalties: arrest, disciplinary warning, probation, suspension, or dismissal.
- C. Conduct, which materially interferes with the normal operation of the University, or with the requirements of appropriate discipline are prohibited.
- D. Conduct and/or expressions which are obscene, intimidating, or which are blatantly offensive to the prevailing standards of an academic community are prohibited.

Participation in such acts is subject to University disciplinary action and punishable by law.

### **In cases of disturbance, the following policy shall be instituted:**

1. All students of the University should report to their classes whether perpetrators of the disturbance report for class or not. The basic expectation of University employees is to carry out their official responsibility. This also includes student employees.
2. On the day or days of the disruption, teachers are to check classrooms carefully and send a written report of all absences to the Office of the Provost and Associate Vice President for Student Life.

### **Emergencies, Campus**

In regular operation of every institution, it is inevitable that there will be occasions when the routine operations are interrupted and in extreme instances, suspended altogether. These occasions may be due to weather, fire, strikes, or organized student demonstrations. In such situations, it is important for students, faculty, and employees to assure that all functions and services of the University continue insofar as possible.

### **DRESS**

Jackson State University students are expected to dress in a manner representative of a higher education institution and an educated person. Special occasions (e.g. convocations; employment, professional and graduate school fairs; graduation; coronations; plays; luncheons; banquets) dictate that business (e.g. shirt and tie; business suit; blazer and skirt or slacks; dress) or formal wear (e.g. dinner dress, formal, business suit, or tuxedo) be worn. Sports and other social occasions (e.g. inter-collegiate athletic competitions; pep rallies; Greek shows; dances) require informal but respectable apparel. Headdress is inappropriate for males during all indoor functions. Male headdress that includes “do rags” or scarves are considered inappropriate for the higher education environment. Similarly, male dress that includes sagging or unbelted pants is considered inappropriate dress at Jackson State.

Female students are also expected to present themselves in appropriate dress at all times. Inappropriate dress might include midriff tops, short shorts, halter-tops, or other apparel of a revealing nature that is worn publicly into the classroom, or to special occasions as defined in the preceding paragraphs. It is important that females (as in the case of males) are dressed in a manner that is representative of a higher education institution.

In special situations, faculty members have the authority to stipulate dress regulations for their classes or events sponsored by their department. Similarly, academic colleges and departments may stipulate dress requirements to supplement their educational goals and objectives.

### **DRUG-FREE SCHOOLS/CAMPUSES**

Jackson State University acknowledges and adheres to the laws of the state of Mississippi. The University also complies with the Drug-Free Schools and Communities Act Amendments of 1989.

In compliance with federal and state laws, at Jackson State University the following will apply:

### **DRUGS**

- A. The possession of any drug controlled by federal or state laws on or off campus is prohibited.
- B. In compliance with state and federal law, it is illegal to possess, consume, use, or distribute (or intend to distribute or use) any drug controlled by federal or state laws on the campus of Jackson State University or at event sponsored or supervised by the University.
- C. The manufacture, intent to manufacture, furnishes, intent to furnish drugs controlled by federal or state law is prohibited.
- D. The sale, intent to sell, purchase, and intent to purchase, delivers, and intent to deliver drugs controlled by federal or state law is prohibited.
- E. Possession or use of any drug related paraphernalia is also prohibited. The University reserves the right to initiate judicial action if drug violations occur on or off-campus. Students found to be in violation of the drug policy will be subject to disciplinary action, which may result in suspension or expulsion.

### **FAILURE TO COMPLY**

- A. Failure to respond or properly identify oneself pursuant to a request by properly identified officials of the University while in the performance of their duties.
- B. Failure to report to the office of a University official for a conference, meeting, or appointment by the official.
- C. Failure to appear as a witness in a disciplinary case when properly notified.
- D. Failure to comply with any disciplinary condition imposed on a person by any judicial body or administrator.

Participation in such acts is subject to University disciplinary action.

### **FALSE REPRESENTATION OF THE UNIVERSITY**

No person or group of persons shall claim, without proper authorization, to speak or act in the name of the University or one of its organizations. As a member of a community of educated persons, a student is expected to exercise reasonable self-discipline and judgment when speaking or acting as a citizen.

### **FINANCIAL OBLIGATIONS**

Students are expected to meet their financial obligations with the University in accordance with the designated deadline dates.

## **FORBIDDEN OBJECTS**

The following objects are disallowed in all residence halls and public areas of the University, unless authorized by appropriate officials:

1. Pets;
2. Laboratory animals, either dead or alive;
3. Open flames (e.g., candles) or any combustible decoration or device
4. Alcoholic beverages and/or beverage containers. (See Alcohol Policy)
5. Firearms, fireworks, and weapons of any kind.

## **FRAUD**

It is unacceptable and illegal for any student to partake in:

- A. False representation of a matter of fact, whether by words or by conduct.
- B. False or misleading allegations or by concealment of that which should have been disclosed.
- C. Deceive another so that he/she shall act upon it to his/her advantage.
- D. Intentionally alter the truth for the purpose of inducing another in reliance upon it to part with

Participation in such acts is subject to University disciplinary action and punishable by law.

## **GAMBLING**

Gambling is not permitted on the premises of Jackson State University or at any activity sponsored by the University whether on- or off-campus. Violators are subject to arrest and prosecution by civil authorities as well as to University disciplinary action, which may result in one of the following penalties: disciplinary fine, probation, suspension, expulsion, or dismissal. The unauthorized playing of games for money or other items of value is prohibited.

## **HARASSMENT**

- A. No person shall engage in any act of intimidation or harassment, physical force or violence that is directed against any person or group of persons because of their ethnicity, race, national origin, religion, gender, sexual orientation or preference, disability or political beliefs.
- B. No person shall use the telephone or electronic mail to harass another. From the reasons listed above.

Participation in such acts is subject to University disciplinary action and punishable by law.

## **HAZING**

All rites and ceremonies of induction or private actions by individuals which lead to occasions that allow mental or physical suffering are prohibited, including illegal, unrecognized or underground pledge/initiation lines. Specifically, hazing is defined as any action taken or situation or intimidation created, intentionally whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, ridicule, or the breaking of schools rules. Activities considered to be hazing include two elements: (1) Coercion, either overt or covert, and (2) Production of physical or mental discomfort, in either the participant(s) or spectators.

Such activities suggested or ordered by a group or a member of a group to new or trial members will be considered to carry with them covert coercion, even if the activity is defined as "voluntary." Paddling in any form, physical and psychological shocks and creating excessive fatigue are always considered hazing. Other activities which very often carry with them elements of hazing are: quests, treasure hunts, scavenger hunts, road trips or any other such activities; wearing apparel in public which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; late work sessions which interfere with scholastic activities; and any other activities which are not consistent with the regulations of the university.

Participation in hazing subjects the individual or organization to University disciplinary action and may be punishable by law.

## **HOUSING RULES AND REGULATIONS**

While the University does not generally impose a curfew on residential students, all residence halls close at midnight (or at other times as announced), and all visitors are required to be out of the residence halls by closing time and off the campus by midnight, except in instances where prior approval has been granted. This requirement also applies to the student that lives on campus, but may be visiting in a residence hall other than the one to which he/she is assigned. In emergency situations, the University may impose a residence hall and/or campus curfew to safeguard persons and property.

Being in areas of residence halls that are not open to the public and/or in the company of a member of the opposite sex, or in a residence hall assigned to members of the opposite sex without specific permission or when visitation privileges are not in effect is a violation of housing regulations. This includes all stairwells, hallways, stairways, study rooms, bathrooms, auxiliary rooms, or other residential units owned or administered by the University, including but not restricted to motels or other off-campus sites when they are serving as residence areas.

### **Residence Hall Lobbies**

Lobbies are provided for the residents of each residence hall for use in social, educational, and certain recreational activities. Television and cable service is provided in the lobby of each residence hall. Hook up of video recorders (VCR's, DVDs), play stations or other video games in the lobby is prohibited.

Each member of a residence hall community is expected to accept responsibility for general upkeep of the lobby and for the behavior of guests. Residents, as well as their guest(s), may lose lobby privileges for the remainder of the semester due to excessive noise or other offensive behavior in the lobby area, as determined by the Community Director.

Lobby hours are 11:00 a.m. to 11:00 p.m. daily in each residence hall.

Students must be properly dressed at all times when entering the lobby. No robes, housecoats, towels, or pajamas will be permitted in the lobby.

### **Daily Residence Hall Closing**

To provide greater security, residence hall staff will lock doors to the hall Sunday through Saturday at 12:00 midnight. If a person is not a resident of the hall (even members of the same gender), he or she will not be allowed to enter the hall after 12:00 midnight. Visitors in the hall (even of the same gender) must leave the hall before 12:00 midnight. This regulation applies to both students and non-students.

Loitering in and around residence halls after closing is not permitted.

### **Security of Residence Halls**

Residence halls are secured (closed) at 12:00 (midnight) daily. Residents are strongly encouraged to return to the premises before the facility closes. For security purposes, when entering the residence hall, students must use the front entrance.

### **Security of Personal Property**

Security of personal property within the residence hall is primarily the responsibility of the student. The room door should be locked at all times when the student is away from the room even for a short time period.

Although precautions are taken to maintain adequate security, the University does not assume responsibility for the loss of or damage to student possessions. Students are advised to label their personal belongings, to record serial numbers, and to photograph property as a means of identifying it in case of losses. Information on a student property insurance policy is available in the Residence Life/Housing Department and the Residence Hall.

### **Security Doors**

Emergency/ security doors are a part of the security system in each residence hall. In all halls, these doors are kept locked at all times and should only be used in case of an emergency. Each resident has the responsibility of adhering to the rules in each hall governing the use of emergency/security doors. At no time should doors be forced to prop open. Students found entering the emergency/security doors or propping the doors open will be fined and may face further disciplinary action.

### **Property Identification Service**

Property identification is a service offered by the Residence Life/Housing Department in conjunction with Campus Police. Members of the residence hall staff will verify the description, serial number, value and purchase dates of student property. The information is confidential, and filed with the Community Director. See the Community Director for Property Identification Forms.

### **Indemnification**

The University will not indemnify (be responsible for) third parties who cause loss or damage to student's property. Nor will the University be liable for damage to or loss of the student's personal property due to failure or interruption of utilities, or loss due to fire, flood, or theft. Students are strongly encouraged to obtain insurance.

### **Quiet and Courtesy Hours**

In order to provide a study time for students to pursue their individual endeavors, specific hours are designated as "quiet hours" by the Residence Life/Housing Department or by hall residents themselves. During these hours the floor should remain quiet enough to provide an atmosphere in which the residents may study and sleep. At all other times courtesy hours are in effect, which means one is expected to be considerate of one's neighbors at all times.

Quiet Hours 10:00 p.m.-10:00 a.m. each day

Courtesy Hours 24 hours each day

The use of sound producing equipment at a volume or in a manner that disturbs other residents, whether during quiet or courtesy hours, is not allowed. Sound from such equipment must not be audible outside the resident's room. Failure to comply after two warnings may result in the confiscation of equipment by the residence hall staff. In addition to mechanical sounds, human sounds such as loud talking, laughing, screaming, yelling, running, stepping etc. are not allowed. Persistent violators will be subject to judicial review by the Inter-Dormitory Council, the Director of Residence Life and/or Dean of Student Life.

### **Visitors**

Overnight guests of the same gender are permitted with prior approval of the residence hall's area coordinator of the housing director. All guests are subject to rules and regulations governing the residence hall and the general student body. A daily fee is charged for overnight guests.

Children and infants under the age of thirteen (13) are not permitted in the residence hall. At no time is a child (i.e. infant to 13 years old) to stay overnight in the residence hall. Babysitting in the residence hall is also prohibited. Persons violating this rule are subject to disciplinary action.

### **IMMORAL RELATIONSHIPS**

Students who engage in immoral or illicit acts on campus will be subject to disciplinary action. Such acts include the use of obscene gestures, improper body exposures, stripping, vulgar language to or in the vicinity of students, staff members, administrators, or faculty or visitors of the University. These penalties will apply: suspension, expulsion.

### **INSUBORDINATION**

Students are expected to respect persons in authority. To disagree or hold a different point of view is normal, but the rule of mutual respect should prevail. Gross disrespect to persons in authority will not be tolerated. Violators will be subject to disciplinary action, which may result in one of the following penalties: disciplinary warning, probation, suspension, or expulsion.

### **JOINT RESPONSIBILITY**

All persons who knowingly act in concert to violate University regulations have individual and joint responsibility for such violations and such concerted acts are prohibited.

### **MORAL TURPITUDE**

An act of baseness, vileness or depravity which brings shame to the University and is in contradiction to the letter and spirit of the University's Code of Conduct, good citizenship and ethics is strictly prohibited. Violators will be subject to disciplinary action.

### **PARKING REGULATIONS**

All parking regulations may be found in the publications of the Department of Public Safety. Publications are available to persons who purchase a Jackson State University parking permit.

### **PETS**

To protect the interest and safety of students and employees, it is the policy of the university not to allow pets in any university building, including but not limited to administrative buildings, classroom buildings, residence halls, or dining facilities. "Pets" are considered animals, domestic or wild, in the company of a student, faculty member, guest, or visitor to the University, and does not apply to service dogs. Additional information about this policy can be obtained from the Office of the Vice Provost for Student Life.

### **PICKETING**

It shall be unlawful for any person, singly or in concert with others, to engage in picketing or mass demonstration in such a manner as to obstruct or unreasonably interfere with free ingress or egress to and from any public premises, state property, county or municipal courthouses, city halls, office buildings, jails, or other public buildings owned by the State of Mississippi, or any county or municipal government located therein or thereon conducted or so as to obstruct or unreasonably interfere with free use of public streets, sidewalks, or other public ways adjacent or contiguous thereto.

Any person guilty of violating this act shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than five hundred dollars (\$500), or imprisoned in jail not more than six (6) months, or both such fine and imprisonment.

### **SEXUAL ASSAULT**

Sexual assault is defined as (1) "sexual penetration, no matter how slight, of the genital, anal, and/or oral opening of the victim by any part of the perpetrator's body or by the use of an object, without the victim's consent or against the victim's will where the victim: (a) is forced or has reasonable fear that the victim or another will be injured if the victim does not submit to the act; (b) is incapable of giving consent or is

prevented from resisting due to physical or mental incapacity, which includes, but is not limited to the influence of drugs or alcohol; or (c) suffers from a mental or physical disability,” and (2) the “intentional

touching of the victim’s intimate parts (primarily genital area, groin, inner thigh, buttock, or breast) without or against the victim’s consent. This touching is either directly on the body part or on the clothing covering that body part, or if the victim is forced to touch the intimate areas of the perpetrator.”

Participation in such acts is subject to University disciplinary action and punishable by law.

### **SEXUAL HARASSMENT**

No person shall engage in unwelcome sexual advances, requests for sexual favors and/or other physical conduct, and expressive behavior of a sexual nature where submission to such conduct is made explicitly, or implicitly, a term or condition of an individual’s employment or education; or where submission to, or rejection of such conduct by an individual is used as a basis for academic or employment decisions affecting that individual. Instances where such conduct has the purpose of substantially interfering with an individual’s academic or professional performance or creating an intimidating, hostile, or demeaning employment or educational environment is strictly prohibited.

### **SMOKING**

Smoking is not permitted in the auditoriums, classrooms, lecture rooms, dining hall, residence halls, gymnasias, or any other buildings at Jackson State University. Participation in this act is subject to University disciplinary action.

### **SOLICITATION - VENDORS**

University property, although recognized as state property, is considered “specialized use” state property and therefore subject to reasonable restrictions and guidelines designed to foster the purposes to which the institution is dedicated. Rules are promulgated to enhance the purposes of the educational institution and to protect the individual rights of students and those members of the general public wishing to give students the opportunity to purchase their services or goods.

- A. No group or individual may conduct a sales campaign in residence halls, classrooms, administrative buildings, or any other campus location.
- B. Private individuals, students or non-resident students may not conduct a sales campaign in residence halls, classrooms, administrative buildings or at any other campus location.
- C. Door-to-door sales are prohibited. Placing door hangers on residence halls or signs on cars in University owned parking lots is prohibited.
- D. Nothing herein shall be construed as prohibiting commercial solicitation to individual students by telephone, mail, or email.

Violators are subject to University discipline and may be punishable by law.

### **STUDENT IDENTIFICATION CARD/SUPERCARD**

Each student that registers and pays enrollment fees is provided an identification card. The card is active for the duration of continuous enrollment at Jackson State University. This photo card is the responsibility of students and verifies affiliation with the institution. The ID card should be carried on the student’s person at all times and produced upon the request of University officials.

The ID is re-activated each semester, upon the completion of enrollment. The card must be presented by the student when purchasing tickets for University-sponsored events and when entering facilities where University events or functions are being held. If the ID is lost, a duplicate card may be obtained for an additional cost by contacting the ID Center.

The JSU Supercard is debit-based and may be used as ID when asked by any university official. Its permitted uses include: identification, meal plans (campus and off-campus), Supercard accounts, athletic events, recreational facilities, postal services, library, residence hall, and banking.

It is prohibited to alter, lend, sell, or have in your possession student identification (or Supercard) that does not belong to you. Use of a student identification card by anyone other than its owner is also prohibited and will result in the owner and the user of the card being subjected to the University's judicial process.

### **STUDENT RIDING IN AUTOMOBILES**

The University assumes no responsibility or liability regarding students riding in public or private vehicles.

### **THEFT**

No person shall take, attempt to take, or keep in his/her possession items, not legally possessed by him/her, including but not exclusively, items of University property, or items belonging to students, faculty, staff, student groups, or visitors to the campus, without proper authorization. No person shall sell a textbook that is not his/her own without written permission of the owner. Participation in such acts is subject to University disciplinary action and punishable by law.

The University assumes no responsibility for theft of a student's personal property. Information regarding personal property insurance for university students is available in the JSU Housing Department.

### **TRADEMARK GUIDELINES**

The use of the JSU® logo, mascot, seal, or any other logos on letterhead or in any other publications, shall be used according to the guidelines set forth in the Licensing Program and University Logo Guidelines manual. The student organization/club/sports club team must submit a Logo Use Form for approval prior to sales or distribution.

A recognized student organizations/clubs/sports club teams (on or off campus) may use the University name in its title, publications, or letterhead to show its status as a recognized student organization. The organization may not use the name in a manner that will create confusion between it as an organization and the University. It may not use the name in a manner that would in any way constitute an endorsement, approval or underwriting of any organization, product, activity, service or contract by Jackson State University®.

Students are not permitted to use the University Seal or other trademarks without written permission from the University.

Exceptions to this policy are granted in a limited number of special request(s). For example, the University Seal may be used for class projects and for university-approved conference and presentation materials. To be considered for such an exception, contact Contractual Services at 601-979-1065 or via email at [licensing@jsums.edu](mailto:licensing@jsums.edu).

Approval must be received prior to printing, manufacture, or distribution. Any use of the logo, seal, name, or other University marks must be in accordance with policies established by the University.

### **Resale and Other Commercial Use of University Logo**

Should an item bearing the trademarks of the University be sold to anyone other than the membership of the student organization/club/sports club team, it then becomes a commercial use of the mark and is subject to a license agreement. The use of JSU® on or in connection with items offered for sale, in association with the name, logo or other indicia of any non-JSU® entity or otherwise for commercial

purposes shall be subject to a license agreement between the external entity and JSU®. For example, if the student organization/club/sports club team decides to sell a T-Shirt bearing the marks as a fund-raiser, the manufacturer of the item is obligated to enter into a royalty bearing license agreement through the Office of Contractual Services-Licensing Program. This office approves all artwork and designs, as well as the quality of the product prior to its distribution.

### **UNAUTHORIZED LIVING**

Students who are illegally residing in the residence hall will be charged a fee and are subject to denial of housing, probation or dismissal from the university. They are also subject to arrest as a trespasser.

### **UNAUTHORIZED ENTRY AND USE -- UNIVERSITY FACILITIES OR EQUIPMENT**

- A. No person shall make unauthorized entry into any university building office, residence hall, parking lot, or other facility. Nor shall any person remain, without authorization, in any building after normal closing hours.
- B. Unauthorized use of equipment is prohibited. This includes unauthorized use of computers and computer programs. Attempts to access restricted records and programs are prohibited. Such actions are a violation of the *Student Code of Conduct*.
- C. Unauthorized entry into vehicles is prohibited.
- D. Unauthorized use of bathrooms, exits, or windows is prohibited.
- E. Unauthorized use or duplication of keys is prohibited.
- F. Unauthorized use or possession of any parking permit (hang tag) is prohibited. A Violation of these regulations may result in suspension
- G. No person shall enter or attempt to enter any dance, social, athletic event or any other recognized credentials to properly identified university faculty and staff upon their request.

Participation in such acts is subject to University disciplinary action and punishable by law.

### **VIOLATION OF LAW**

Violation of local, state, or federal law on the campus is prohibited. Violations off campus which constitute either an aggravated misdemeanor or felony will be presumed to affect the student's ability to function as a member of the University community and the student will be subject to disciplinary action by the University. Additionally, Jackson State University has the right to sanction its students for off-campus violations. Jackson State University has the right to sanction each student violator regardless of court hearings, upcoming court dates, or outcomes of such hearings.

### **WEAPONS AND FIREARMS**

Weapons of any type are not permitted in any area under University control or at any activity registered with the University. Violators will be subject to arrest and subject to prosecution by civil authorities. University disciplinary action also applies.

#### **Weapons and Firearms**

- A. A weapon is defined as any instrument used with the intent to cause bodily harm.
- B. Possession of handguns or any lethal or potentially destructive weapons including, but not limited to: campus of Jackson State University and/or University building, including university-owned or
- C. Possession of any lethal or potentially destructive substances including; poisons, corrosive or volatile substance (e.g. acids, etc.) are prohibited on the campus of Jackson State University or in any university building, including university-owned or controlled property or operated residences.
- D. The use or discharge of any weapon, or threatening another with a weapon is strictly prohibited.
- E. Shotguns, small caliber rifles suitable for hunting, and other lethal weapons, including ammunition, may not be stored in automobiles, residence halls, or any other building on campus.

Violators are subject to University disciplinary action and will be punished by law.

## STUDENT CODE OF CONDUCT

To maintain an atmosphere on the Jackson State University campus that is conducive to academic pursuits and fosters the growth and development of all members of the University community, a series of procedures and regulations governing student conduct and behavior has been established. Included in these procedures and regulations, which collectively are known as the *Student Code of Conduct*, are statements concerning expectations regarding student conduct, guarantees of student rights, and procedures for adjudicating allegations concerning student misconduct. The penalties for violation of these regulations are also contained in the *Student Code of Conduct*.

All students at Jackson State University are expected to read and become familiar with all sections of the *Student Code of Conduct*. Each student is individually responsible for adhering to the regulations contained in the Code.

A student who is found to have violated these regulations will be subject to disciplinary action, ranging from a disciplinary warning to suspension or expulsion. The severity of the sanction is dependent upon the severity of the offense as determined by the Judicial Officer, the Associate Vice President for Student Life and/or the Student Life Disciplinary Committee.

Discipline will be levied in all instances except those in which a qualified, licensed, mental health professional has communicated to the University in writing that the actions were caused by severe psychological problems sufficient to warrant the immediate withdrawal of the individual from the University. In each instance, the individual may not re-enroll at Jackson State University for at least two full academic semesters and then only upon the written recommendation of the mental health professional.

Any and all questions concerning the *Student Code of Conduct*, its enforcement or interpretation should be directed to the Department of Public Safety, Office of Judicial Services, or the Associate Vice President for Student Life.

## **PRINCIPLES FOR COLLEGIATE CONDUCT**

Jackson State University's *Collegiate Code of Conduct* (2004-05) is designed to address the principal behaviors and conduct that is expected of students, faculty, and staff as they interact in a diverse learning environment. It is intended to enhance student's success inside the classroom as well as in their campus life.

The tenets for this covenant are:

### **INTEGRITY**

Respect and embrace the principles of academic honesty

### **PHILOSOPHY**

Embrace an academic philosophy for positive progress toward competency in goals, critical and logical thinking and a commitment to excellence.

### **CLASS ATTENDANCE**

Participate actively in classroom and other learning environments and commit to becoming a lifelong learner.

### **DIVERSITY**

Celebrate the similarities and differences in our cultures, races and ethnic origins.

### **COMMUNICATIONS**

Encourage open communication and expression, which is guided by respect for others.

### **BEHAVIOR**

Understand that sexual and social harassment will not be tolerated. Always dress for success.

### **PROFANITY**

Discourage the use of profanity and offensive actions out of respect for others

### **ACCOUNTABILITY**

Accept personal responsibility for one's actions and life choices and realize that embracing negative elements of an unhealthy lifestyle will interfere with success.

### **SERVICE**

Engage in civic opportunities to share knowledge and skills with local, national and world communities.

### **RESPECT**

Embrace and respect tradition by participating in rituals and observances, especially those that contribute to the history and heritage of the University.

### **ASSESSMENT**

Conduct periodic assessments of academic, personal and career progress. Stay focused on your purpose for being at the University.

### **SAFETY**

Be alert to threats to safety and inform appropriate authorities of such situations.

### **FREEDOM**

Respect the freedom of others to express themselves in matters relating to academic and philosophical opinions.

## PHILOSOPHY OF STUDENT CONDUCT AND DISCIPLINE

The student disciplinary function of Jackson State University is an integral part of the educational mission of the university. Learning responsible behavior and self-discipline are part of the educational process. The university expects its students to obey national, state, and local laws, to abide by the regulations of the university, to respect the rights and privileges of others, to support the purposes and standards of the institution, and to conduct themselves in a manner that brings no discredit to them or to the institution. In the event that students fail to demonstrate such behavior, the university has the obligation and right to discipline them. The acceptance of this implied right of the university by parents, guardians, and/or students is a prerequisite for enrollment as a student at Jackson State University.

The university's judicial system and other components of the program emphasize the development of each individual's acceptance of his or her own personal and social responsibilities. Behavior, which is not in keeping with standards acceptable to the University community, is often symptomatic of attitudes, misconceptions, and emotional crises; addressing these attitudes, misconceptions, and emotional crises through education is an essential part of the disciplinary process.

An educational approach to discipline is employed whenever possible. The University Judicial System and appeals process are designed to provide and help maintain an atmosphere within the University community that is conducive to academic pursuits. Stringent disciplinary measures against a student or a group of students, such as suspension or expulsion, are instituted only when lesser remedies are inconsistent with the university's mission.

The university, however, recognizes its responsibilities to all members of the community (i.e., students, faculty, staff, guests of the University, and members of the local community). The protection of personal and institutional rights and property, therefore, is a primary focus of the disciplinary process.

## HONOR CODE

*I will be honest in all of my academic course work and will not indulge in or tolerate the academic dishonesty of my counterparts or peers. I will not partake in any type of misconduct, misrepresentation, or immoral behavior that will harm, damage or endanger any person, property or myself or reflect negatively against me or hinder my academic continuance. I will strive to achieve excellence and to complete degree requirements without hesitation. I am a valuable part of the Jackson State University family, and proud of it.*

On the campus of Jackson State University, the Associate Vice President for Student Life collaborates to provide a safe environment for students. The office of the Associate Vice President for Student Life is located on the third floor of the JSU Student Center.

## CODE VIOLATIONS & PENALTIES

**1.00 ABDUCTION AND/OR KIDNAPPING.** Enticing, persuading or forcible seizing and carrying of any student, faculty, staff or University official from one place to another without that person's consent.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**1.10 ACADEMIC DISHONESTY.** Misconduct, dishonesty, misrepresentation, immoral behavior that will harm, damage or endanger any person or property or hinder academic continuance.

**PENALTY:** Academic Sanctions; Probation; Suspension; Expulsion

**1.15 AGGRAVATED BATTERY.** An unlawful act of violent injury to the person of another, accompanied by circumstances of aggravation, such as the use of a deadly weapon.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**1.20 AIDING AND /OR INCITING.** Aiding, abetting, persuading, and/or procuring another person or persons to commit any act of misconduct in the University community or environment; the persuading or aiding of another person to breach the peace on University premises or at functions sponsored, approved by, or participated in by any member of the university. Gatherings of groups of students on or off of the premises in such a manner which causes damage to public or private property, causes injury to persons, or interferes with the orderly functioning of the University or with the normal flow of traffic or ordinary procedures.

**PENALTY:** Fine \$50 - \$200 + Probation and/or Campus Service; Suspension

**1.30 ALCOHOLIC BEVERAGES.** The use, consumption, possession, purchase, sale, and/or distribution of alcoholic beverages on University property, in cars or other vehicles, or at any of the university's activities (whether on- or off-campus) are prohibited, except as expressly permitted by the university regulations, exceptions, or local, state, and federal laws. This includes the possession of any alcohol paraphernalia (bottles, cans, etc.).

**PENALTY:** Fine \$50 - \$200 and/or Probation and/or Counseling and/or Campus Service; Suspension

**1.35 ALCOHOL/DRUG INTOXICATION.** Appearing in public on the University premises while intoxicated or under the influence of alcohol or illicit drugs is strictly prohibited. This includes any disorderly conduct regardless of whether such conduct results in injury to persons or property, as a result of intoxication.

**PENALTY:** Fine \$50- \$200 and/or Probation and/or Counseling and/or Campus Service; Suspension

**1.40 ANIMALS (pets).** Having pets or other animals (e.g. dogs, cats, snakes, birds, hamsters, etc.), with the exception of seeing-eye dogs (when accompanied by their owner) and tropical fish in an aquarium or other approved containers in buildings, including student residences, classrooms, and offices, except when needed in connection with a handicap person or with the written permission of the Associate Vice President for Student Life, is prohibited.

**PENALTY:** Removal of animal(s) + Fine of \$50 - \$200 and/or Probation; Suspension

**1.50 ARSON/FIRE SETTING.** The malicious, fraudulent, and/or intentional burning of property on the university premises. Such acts include, but are not limited to, creating fires, setting a personal fire, open flames, and/or igniting flammable materials. This includes any person who is party to or aids, counsels or procures the burning or destruction of any state supported school building.

Willfully starting a fire in University buildings or on University property, which includes but is not limited to bonfires and cookouts, without the proper authorization of the University Safety Manager and the Associate Vice President for Student Life is prohibited. Compliance with local and state fire codes must be assured and verified.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**1.60 ASSAULT.** The intentional harassment, degradation, threat or intimidation of another in an attempt to commit a battery or the intentional placing of another in reasonable apprehension of receiving a battery. This includes engaging in, attempting or intending to engage in any form of verbal or mental abuse, coercion, which is directed toward another person or group of people which creates an intimidating, fearful or offensive environment in the classrooms, offices, residence halls and on the University premises. In general, physical contact is not required.

**PENALTY:** Restitution (if required) + Fine \$50 - \$200 + Probation and/or Counseling and/or Campus Service; Suspension

**1.70 ATTEMPTED OFFENSES.** An attempt to commit an act on University property, or involving members of the University community (that is faculty, staff, student, or campus visitor) in an offense that would be in violation of any law, code of conduct, rule, regulation of local, state or federal criminal code.

**PENALTY:** Fine \$50 - \$200 + Probation and/or Campus Service; Suspension

**1.80 BATTERY.** The unlawful application of force to the person of another is strictly prohibited.

**PENALTY:** Restitution (if required) + Fine \$50 - \$200 + Probation + Campus Service + Counseling; Suspension; Indefinite Suspension

**1.90 BURGLARY/ROBBERY.** The unlawful entry of a 'structure' to commit a felony or a theft. The taking or attempting to take something of value from another person by use of force, threats or intimidation.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**2.00 CONTEMPT OF HEARING.** Contempt of hearing violation includes (1) the failure to appear before a judicial body after receiving the proper notification of a scheduled disciplinary hearing or conference, (2) willful disobedience to, or displaying open disrespect for a University judicial board member such as the use of profanity, threatening behavior, or derogatory remarks, comments, and/or gestures, and (3) failure to comply with disciplinary conditions as sanctions imposed by a judicial body or judicial administrative officer or staff person. Contempt charges will require the student to pay a disciplinary fine in addition to other sanctions imposed.

**PENALTY:** Fine \$100 - \$250 + Reschedule of Hearing + Interim Suspension

**2.10 DAMAGE TO PROPERTY/DESTRUCTION OF PROPERTY.** Damage, vandalism or destruction to property owned or leased by the University or personal property belonging to an individual, including but not limited to, car vandalism, walking on roofs of a university building, defacing structures and facilities, littering, unauthorized biking, skate boarding in inappropriate areas, marking, egging, littering, painting, spraying, the painting of residence hall rooms, hall ways, lobby areas, classrooms, doors, bricks, and siding without the proper authorization.

**PENALTY:** Fine \$100 – 250 + Restitution and/or Replacement of Property + Probation; Suspension; Indefinite Suspension

**2.20 DANGEROUS, THREATENING, and/or UNSAFE BEHAVIOR.** Any conduct or behavior, which threatens or endangers the health or safety of any person in the University environment. This includes, but is not limited to, verbal threats to injure or harm another, horse playing, practical jokes, abductions, and kidnapping.

**PENALTY:** Fine \$50 - \$250 + Probation and/or Campus Service and/or Counseling and/or Removal of Privileges; Suspension

**2.25 DIGITAL AND ELECTRONIC COPYRIGHT INFRINGEMENT.** Digital or electronic use of copyrighted materials without authorization from the owner of the copyright.

**PENALTY:** Fine \$50 - \$250 + Probation + Removal of Privileges; Termination of network access; Suspension; Subject to Criminal Prosecution

**2.30 DISORDERLY CONDUCT, OBSTRUCTION, AND/OR DISRUPTION.** Disorderly conduct is any offensive or annoying act that disrupts the peace.

It includes, but is not limited to any person that assembles on campus for the purpose of causing a riot, destruction of property or a disorderly diversion, which interferes with the normal operation of the University; rowdy behavior, indecent language, excessive noise or drunken or drug induced behavior; disorderly and/or obscene conduct or a breach of the peace on any university property or public function affiliated with the University.

It includes but is not limited to conduct which is offensive or annoying to others or is disruptive to the rights of others. It includes excessive noise, noise after quiet hours, misuse of musical instruments, noise producing devices, talking excessively loud, failure to properly dispose of trash or food trays, shouting, loud stereo or radio sets; horseplay, practical jokes, and general annoyances; throwing any dangerous objects in a University facility or from the window of a University facility or onto the premises of the University. Breaking lines, such as in the cafeteria, during registration, at campus events and activities, and so on, is deemed disorderly conduct.

The intentional obstruction, interruption, hindrance, or disruption of teaching, research, administration, ceremonies, disciplinary proceedings, or other university tasks and activities; interfering with duties of a student, faculty/staff member or University official; withholding information vital to any investigation carried out by an authorized agent of the University; creating excessive noise which can be heard in other areas of the campus and which interferes with the normal operations of the University; creating excessive noise which can be heard in other areas of the campus and which interferes the normal operations of the University is prohibited.

Disruptive behavior includes any person that threatens to or actually pushes, strikes or physically assaults any member of the University community or any guests to the campus. It includes maliciously provoking or participating in fights. It also includes conduct which materially interferes with the normal operation of the University and conduct and/or expressions which are obscene, intimidating, or which are blatantly offensive to the prevailing standards of an academic community.

In so much as students are responsible for the behavior of their guest, students may receive sanctions if they permit their guests to behave disorderly on campus.

**PENALTY:** Fine \$50 - \$200 and/or Probation and/or Campus Service; Suspension

**2.40 DISTRIBUTION OF ILLICIT PRINTED MATERIAL.** Distribution of printed materials that are libelous, derogatory, scurrilous, sexually explicit, pornographic, or that encourages violations of public laws or University regulations.

**PENALTY:** Fine \$50 - \$250 + Probation and/or Campus Service; Suspension

**2.50 DRUGS (Illegal)/ DRUG PARAPHERNALIA.** The consumption, sale, distribution, manufacturing, purchase, passing of, or being in the presence of or the vicinity of illegal drugs, narcotics, the accessory to, or aiding and abetting of any controlled substances, are strictly prohibited from all locations of the university, and beyond the premises according to all local, state, and federal laws. Illegal drugs also include all prescription drugs without a valid medical prescription.

Drug paraphernalia is strictly prohibited at the university. Paraphernalia is defined as all equipment, products, and materials of any kind used to facilitate planting, propagating, cultivating, growing, manufacturing, converting, processing, preparing, packaging, storing, concealing, playing with injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the body. The scope of this prohibition includes drugs or paraphernalia that is on the person or in the possession of a student on property owned or controlled by the university and/ or at events and activities sponsored by the university, and involves related incidents that are subject to prosecution under local, state, and federal laws. The illegal possession of and/or use of drugs, or drug paraphernalia includes, but is not limited to roach clips, bongs, masks, scales, balances, sandwich bags or plastic bags and their corners, sifters, syringes, spoons, chamber pipes, homemade pipes, film canisters, diluents, spray cans, carburetor pipes, paint, pipes, using screens, water pipes, and any other equipment, products and materials that can be directly linked to the usage of controlled substances.

Improper behavior or conduct on the campus which is a result of the use of illegal drugs which means that one who, having consumed or used drugs, experiences a loss of the normal use of his/her mental and/or physical faculties is restricted.

**PENALTY:** Fine \$200 - \$500 + Probation and/or Counseling and/or Campus Service; Suspension; Indefinite Suspension; Expulsion

- 2.55 DRESS.** Examples of inappropriate dress and/or appearance include but are not limited to:
- § Caps, do-rags, scarves or hoods for men and women in classrooms, the cafeteria, Campus Union or other indoor activities. This policy item does not apply to headgear considered as a part of religious or cultural dress
  - § Midriffs or halters, mesh, netted shirts, tube tops or cut-off t-shirts in classrooms, cafeteria, Campus Union, and offices
  - § Short shorts
  - § Sagging or unbelted pants
  - § Clothing with derogatory, offensive and/or lewd messages either in words or pictures
  - § Undershirts for men, of any color, outside of the private living quarters of the residence halls

**PENALTY:** See Decorum Policy

- 2.60 FAILURE TO COMPLY.** Failure to comply with a proper order or summons when requested by authorized University officials; failure to comply with the directions of University officials (including residence hall staff) acting in the performance of their duties; failure to appear before a disciplinary committee upon request; failure to provide student identification upon request; failure to abide by or comply with University policies and procedures; failure to comply with an ordered disciplinary sanction.

This includes direct disobedience of a lawful order of a University official, as well as failure to evacuate a building during a fire alarm, drill, or when otherwise so ordered by a University official, fire department staff, or local law official.

**PENALTY:** Fine \$50 - \$200 and/or Probation and/or Removal of Privileges and/or Campus Service; Suspension

- 2.70 FORGERY, DISHONESTY, FRAUDULENT ACTS, AND/OR MISREPRESENTATION.** Forgery of names, signatures, documents (personal, public, and/or private) will not be tolerated. Forgery, deceptive acts, misrepresentation and/or dishonest acts include, but are not limited to materials, alteration, misuse of University documents, records, or student identification cards, or documents and records belonging to another, cheating, plagiarism, or other forms of academic dishonesty; tampering with the election of any University recognized student organization; malfeasance or misuse of elective or appointive office in a student organization, its members, or the welfare of the University community; and fraudulently issuing worthless checks to the University.

Lying, knowingly furnishing false information to the University or its officials, other forms of dishonesty in University-related affairs is also prohibited. The scope includes but is not limited to the following: lying, fraudulently obtaining, altering, falsifying, transferring, loaning, selling or misusing or attempting intended misuse of an ID card, validation sticker, or any University document or service.

**PENALTY:** Restitution (if required) + Probation and/or Campus Service; Suspension + Restitution (if required); Indefinite Suspension + Restitution (if required)

**2.75 GAMBLING.** Prohibited activity includes but is not limited to: betting or wagering or selling pools on any athletic event; playing card games or dice for money; possessing any card, book or other device for registering bets; knowingly permitting the use of your room, suite, apartment, telephone or other electronic communication device for illegal gambling; offering, soliciting or accepting a bribe to influence the outcome of an athletic event; and involvement in bookmaking or wagering pools with respect to sporting events.

**PENALTY:** Fine \$250 + Probation; Suspension

**2.80 GUEST'S BEHAVIOR.** Students are responsible for the behavior of their guests whom they invite to the campus or permit to visit on the campus. If a guest is found to be in violation of the *Code of Conduct* while in the company of the student host or with the student host's knowledge, applicable charges will be brought against the guest, as well as against the student host or the host student organization.

**PENALTY:** Fine \$50 - \$200 + restitution (if required) + Probation and/or Removal of Privileges

**2.90 HARASSMENT (Verbal and/or Physical).** The excessive physical annoyance of or the use of verbally abusive language by any person on University-owned or controlled property or while on the premises of, or while in attendance of University-sponsored or supervised events.

Harassment includes language to physical acts which degrades, insults, taunts, or challenges another person by any means of communication, so as to provoke a violent response, communication of threat, or defamation of character. It includes the use of profanity, verbal assaults, derogatory comments or remarks, sexist remarks, racist remarks or any behavior that places another member of the University community in a state of fear or anxiety.

**PENALTY:** Fine \$50 - \$200 + Probation and/or Campus Service; Suspension

**3.00 HAZING.** Any action taken or situation of intimidation created, intentionally, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, ridicule, or the breaking of schools rules. Activities considered to be hazing include two elements: (1) Coercion, either overt or covert, and (2) Production of physical or mental discomfort, in either the participant(s) or spectators.

It is strictly prohibited for a person or organization to, in the course of another person's initiation into or affiliation with any organization, intentionally or recklessly engage in conduct which creates a substantial risk of physical injury to such other person or to a third person. See the University's policy on hazing.

**PENALTY:** Fine \$250 - \$500 + Probation and/or Removal of Privileges; Suspension; Indefinite Suspension; Expulsion

**3.10 HEALTH AND SAFETY VIOLATIONS.** Any behavior which creates a risk or danger to others of the University community, including but not limited to propping open doors to residence halls, throwing objects from windows or balconies, failure to keep one's room in a condition that is safe and sanitary, or failure to maintain reasonable standards of cleanliness and safety as defined by the University.

This includes the possession of flammable liquids, fireworks, weapons, illegal or controlled substances, illegal cooking appliances, open fires, candles, and incense burners.

**PENALTY:** Fine \$50 - \$200; Restitution + Probation and/or Campus Service; Suspension

**3.15 HOUSING VIOLATION.** Failure to comply with housing rules and resident life regulations including visitation policies.

**PENALTY:** Fine \$50 - \$200 + restitution (if required) + Probation and/or Removal of Privileges; Suspension; Expulsion

**3.20 IDENTITY DISCLOSURE/IDENTITY THEFT.** Failure to carry a valid University student identification card (when possession is in reason) while on the University property or failure to present it to a University official, including residence hall staff, police officers, administration, and staff members upon request. Presenting a false name or other identification, including false or invalid ID card, to a University official, while in the performance of their duties is prohibited. Fraudulently obtaining, transferring, selling, loaning, fabricating, manufacturing, falsifying, altering, misusing or attempting or intending to misuse one's ID card or personal identifying information, without the consent of said owner, for the purpose of misrepresenting oneself to obtain any benefits, credit, goods, services or other items of value in the name of said owner.

**PENALTY:** Fine \$50 - \$200; Restitution + Probation and/or Removal of Privileges; Suspension; Expulsion

**3.30 INDECENT, OBSCENE, IMMORAL BEHAVIOR, AND/OR PROFANITY.** Conduct, which is disorderly, lewd, indecent and/or portrayed on the premises of the university or at University sponsored or supervised activities will not be tolerated. Such acts include the use of obscene gestures, improper body exposures, stripping, vulgar language to or in the vicinity of students, staff members, administrators, or faculty or visitors of the University.

**PENALTY:** Fine \$50 - \$200 + Probation and/or Campus Service & Counseling

**3.35 LITTERING, THROWING OBJECTS OUT OF WINDOWS.** The inappropriate disposal of refuse, including ejecting or dropping any object from windows in residence halls or balconies or other university buildings or vehicle.

**PENALTY:** Fine \$50 - \$200; Restitution + Probation and/or Campus Service; Suspension

**3.40 MORAL TURPITUDE.** An act of baseness, vileness or depravity which brings shame to the University and is in contradiction to the letter and spirit of the University's *Code of Conduct*, good citizenship and ethics.

**PENALTY:** Fine \$300; Loss of Privileges; Suspension; Indefinite Suspension

**3.50 MOTOR VEHICLES, TRAFFIC VIOLATIONS, PARKING VIOLATIONS.** Violation of properly constituted rules and regulations governing the use of motor vehicles (e.g. automobiles, motorcycles, etc.) on University-owned or controlled property or at University sponsored or supervised activities. This also includes driving and parking on grass and sidewalks. Failure to obey traffic and parking regulations is punishable by the University Department of Public Safety.

**PENALTY:** Fine \$50 - \$100 + Probation; Suspension

**3.25 POSSESSION OF STOLEN PROPERTY.** Knowingly possessing property that may be identified as being stolen from the University or from any other person is prohibited.

**PENALTY:** Fine \$50 - \$200 + Restitution (if required) + Probation and/or Campus Service and/or Counseling; Suspension + Restitution (if required)

**3.55 PROBATION VIOLATION.** A student fails to comply with the restrictions placed on him/her for the specified amount of time violating the University Student or Collegiate Codes of Conduct and/or breaking of any laws.

**PENALTY:** Fine \$200; Suspension

**3.60 RAPE.** Forcing or coercing another, regardless of sexual gender, personal affiliation, and/or affiliation with the University to engage in the act of sexual intercourse without that person's consent, or when the sexual intercourse is deemed without the person's consent because the person (victim) is incapable of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by an intoxicating or narcotic agent administered by the offender.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**3.70 SAFETY CODE MISCHIEF.** Tampering with safety equipment is a serious violation of the *Code of Conduct* and is subject to criminal prosecution. Turning in a false fire or bomb alert, by any means including a telephone call or by a warning device, theft, removal of, or tampering with fire extinguishing or safety equipment, exit signs, smoke alarms and detectors, fire hoses, sprinkler systems, hoses, fire mischief, or violation of University guidelines regarding fire safety, or standard safety (e.g., failure to follow evacuation procedures or obstructing the evacuation of a building during a fire, fire drill, or any other type of emergency) is strictly prohibited.

**PENALTY:** Fine \$50 - \$200; Restitution (if required) + Probation and/or Campus Service; Suspension; Expulsion

**3.80 SEXUAL ASSAULT.** The forcing of, or attempting to force, another person regardless of sexual gender, personal affiliation, and/or affiliation with the University, to participate in sexual intercourse and/or other sexual activities against his/her will is prohibited. Such misconduct includes verbal coercion, threats and physical restraint, and will not be tolerated. Disciplinary sanction for such acts will lead to suspension. Violators also are subject to criminal prosecution.

**PENALTY:** Fine \$200 - \$500 + Probation + Campus Service + Counseling; Suspension; Indefinite Suspension; Expulsion

**3.90 SEXUAL BATTERY.** The forcing of or forceful intention of engaging in sexual misconduct by physical contact and/or excessive force (with or without a weapon) which leads to physical pain, toward another person regardless of sexual gender, personal affiliation, and/or affiliation with the University, without his/her consent or when such sexual contact is deemed offensive to the victim, will not be tolerated by the University. Disciplinary sanction for such acts will lead to suspension.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**4.00 SEXUAL HARASSMENT.** Regardless of sexual gender, personal affiliation, and/or affiliation with the University, sexual harassment is defined as unwelcome and unsolicited sexual advances, requests for sexual favors or other verbal, visual or physical conduct or communication with sexual overtones that the victim deems offensive. Sexual harassment includes, but is not limited to unsolicited, deliberate, or repeated sexual flirtation, advances or propositions; verbal abuse of a sexual nature; display of sexually suggestive pictures or objects; and/or offensive or abusive physical contact of a sexual nature.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

**4.05 SMOKING.** The inhaling, exhaling, or burning of any type of lighted pipe, cigar, cigarette, or any other smoking equipment, whether filled with tobacco or any other type of material in University owned buildings or vehicles.

**PENALTY:** Fine \$50 - \$200 and/or Probation and/or Counseling and/or Campus Service; and/or Removal of Privileges; Suspension

**4.10 SOLICITATION.** Unauthorized selling, collection of monies, and promotion on campus or within University buildings is not permitted without permission of the Executive Vice President. Students may not act as agents for business firms which entail solicitation or the receiving of business offers or goods on University property. Further, students may not solicit on behalf of the University without the permission of the Associate Vice President for Student Life and the Director of Institutional Advancement. Use of any residence hall room for business purposes of any nature, (e.g. the selling of food, clothing, jewelry, merchandise, favors, manicures/pedicures, hair perming/styling/braiding, barbering, babysitting, etc.) whatsoever is prohibited.

**PENALTY:** Fine \$50 - \$500 + Probation and/or Campus Service and/or Counseling; Suspension

**4.15 STALKING.** A course of conduct, whether electronic or physical, directed at a specific person that would cause a reasonable person fear. This conduct includes, but is not limited to, electric communications, third party communication and/or an individual's behaviors.

**PENALTY:** Fine \$200 - \$500 + Probation and Counseling; Suspension; Indefinite Suspension; Expulsion

**4.20 THEFT/MISAPPROPRIATION.** Theft is defined as the wrongful taking of money or property without the consent of the owner, and/or the secreting of anything stolen, regardless of where the theft occurred; stealing from another person, agency institution, or the University; the taking of property belonging to another, with the intent of converting the property to one's personal use; the unauthorized taking or consumption of food from the cafeteria or from a campus event; unauthorized use of another's credit card; and failure to return another's personal property upon request or within a reasonable period of time. Misappropriation, the taking of property belonging to another by mistake and/or without the owner's permission, but with no intent to convert the property to one's personal use is not permitted. This includes unauthorized moving or relocation of University furniture to one's own room or to some other area, illegal and/or unauthorized possession or sale of any property without the proper authorization, and possession of property which has been reported lost or stolen.

**PENALTY:** Fine \$50 - \$200 + Restitution (if required) + Probation and/or Campus Service and/or Counseling; Suspension + Restitution (if required)

**4.25 TRADEMARK INFRINGEMENT.** The unauthorized use of the JSU logo, mascot, seal or any other logos on letterhead or in any other publications.

**PENALTY:** Fine \$50 - \$250 + Probation; Suspension; Subject to Criminal Prosecution

**4.30 TRESPASSING.** Unauthorized presence on, in or within any building or property owned or operated by the University (including residence halls), or the unauthorized entry into or remaining in a facility, or in a private room or office under the control of another, after having been asked to leave.

**PENALTY:** Fine \$50 - \$200 + Probation; Suspension

**4.40 UNAUTHORIZED USE/ENTRY OF UNIVERSITY FACILITIES.** Unauthorized use of equipment, occupancy of, or unauthorized entry into or exiting from University facilities. Unauthorized entry/exiting includes the entering and/or occupying and improper exiting of University facilities that are locked, closed or restricted to certain or all persons. Unauthorized entry or exiting into and from residence halls, without proper permission into living quarters or other building and/or structures or University premises, or the aiding and assisting of such is prohibited.

**PENALTY:** Fine \$50 - \$200 + Probation

**4.45 VIOLATION OF CRIMINAL CODE OF THE LOCAL, STATE OR FEDERAL GOVERNMENT.** Actions or activities, on or off-campus, that violate criminal law.

**PENALTY:** Fine \$50 - \$200 and/or Probation and/or Counseling and/or Campus Service; Suspension; Indefinite Suspension; Expulsion

**4.50 WEAPONS/FIREARMS.** The use, possession, consumption, or display of weapons, firearms, or explosives is strictly prohibited on the premises of the University. Weapons include, but are not limited to the following: rifles, shotguns, ammunition, handguns, air guns, BB guns, bowie knives, daggers switchblade knives, butcher knives, metallic or brass knuckles, explosives (including dangerous chemicals), water guns, play guns, firecrackers, propelled missiles, fireworks. The possession or use of items that resemble guns, knives, or other weapons are also strictly prohibited. When course content and classroom assignments require the use of such items, the President, the Provost, Associate Vice President for Student Life, the Department of Public Safety and/or the Judicial Officer should give prior written approval.

**PENALTY:** Suspension; Indefinite Suspension; Expulsion

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*Note:* (+) means in addition to.

In addition to the above listed penalties, a student may be assigned University service or counseling, be assigned a research assignment or reflection paper, and/or be required to attend workshops/seminars.

Students found guilty of any violation of the Student or Collegiate Codes of Conduct may be prohibited from a specified affiliation or from representing the University as a member of an organization or a University-sponsored activity. (See page 48)

All sanctions imposed on students who have been found guilty of offenses are based solely on individual circumstances. No case is exactly the same as another, and sanctions will most likely differ in similar instances. It is primarily the decision of the Judicial Officer (in informal cases) or the Student Life Disciplinary Committee (in formal cases) to determine the sanction imposed on each student.

Questions or concerns may be directed to the Judicial Officer and/or Associate Vice President for Student Life. Both offices are located in the JSU Student Center.

## **DISCIPLINARY PROCEDURE**

### **Authority**

By virtue of the bylaws and policies of the Board of Trustees of the State Institutions of Higher Learning, the President of Jackson State University is charged with the responsibility of maintaining “appropriate standards of conduct of students.” This duty has been delegated to the Associate Vice President for Student Life. The Associate Vice President for Student Life or his/her representative is further authorized to expel, dismiss, suspend and place limitations on continued attendance and to levy penalties for disciplinary violations. The Associate Vice President for Student Life is aided in this responsibility by the Judicial Officer.

### **Committees and Council**

Three committees are appointed to hold hearings for students accused of violating the regulations of the University:

Student Life Disciplinary Committee (SLDC);  
Inter-Dormitory Council (IDC); and  
Appeals Committee.

**Student Life Disciplinary Committee (SLDC).** Membership of the Student Life Disciplinary Committee is comprised of the Judicial Officer, faculty and staff members, and elected student justices of the Student Government Association. The elected student justices consist of the Chief Justice, Associate Chief Justice and three justices; although all may serve at a particular hearing, only three are required. The Judicial Officer (or an appointee designated by the Associate Vice President for Student Life) presides at the hearing of the committee. This committee shall hear all cases which may result in a student being admonished, exonerated, receiving a letter of warning, being assigned University service or counseling, receiving a fine, being placed on probation, losing privileges, being assigned a research assignment or reflection journal, paying restitution, being required to attend workshops/seminars, being suspended or being expelled from the University community.

The Student Life Disciplinary Committee is responsible for adjudicating cases involving students and organizations involved in at least one the following:

- Violations of the Student or Collegiate Codes of Conduct
- Repeat offenses;
- Violations that may result in disciplinary probation;
- Violations that may result in University suspension; and,
- Violations that are of a less serious nature and typically will not result in University suspension.

In instances which may involve a conflict of interest with the victims/complainants in the case being adjudicated, the Associate Vice President for Student Life reserves the right to have the chairperson of the hearing temporarily or permanently replace or dismiss any person(s) from SLDC membership. This includes, but is not limited to any elected student justices, faculty or staff members.

No Judicial Board member, witness, observer, or other student may violate the confidentiality of judicial proceedings. Board members may never reveal information about judicial deliberations or outcomes, except pursuant to court order

**Inter-Dormitory Council.** The Inter-Dormitory Council is comprised of residence hall full-and part-time staff members and residents of each residence hall. The chair of the council is appointed by the Housing Director. IDC is responsible for adjudicating cases resulting from violations of the residence hall rules and regulations, which may include: (see *Resident Student Handbook*)

- § Roommate Disputes
- § Housing Violations
- § Illegal Visitation

*NOTE:* Cases of a more serious nature may be referred to the Office of Judicial Services for adjudication by the Student Life Disciplinary Committee.

Appeals Committee. The Appeals Committee is responsible for adjudicating only those cases, which have been granted an appeal by the Associate Vice President for Student Life. Appeals are granted on the basis of new evidence, witnesses or facts; or violations of due process.

The Appeals Committee membership is comprised of the Associate Vice President for Student Life, two staff members and one student. Decisions of the Appeals Committee are made by a simple majority vote.

*Chairperson* - The chairperson of the disciplinary committee will have the authority to:

- Direct the hearing.
- Call a recess.
- Postpone hearings.
- Re-convene hearings.
- Maintain order at the hearing.
- Decide questions of relevancy on the evidence and testimony presented.
- Monitor the presentation of questions by members of the committee.
- Recall witnesses, or call additional witnesses in order to aid in the resolution of the hearing.
- Ask questions of accused student(s) and witness(es).

### **Disciplinary Procedures**

The following rules of procedures for adjudicating alleged violations of the Jackson State University *Student Code of Conduct* are established for use by the Student Life Disciplinary Committee and Appeals Committee.

Disciplinary procedures may be initiated by the University (Associate Vice President for Student Life) or an individual against an individual or an organization. The complaint or an official incident report must be investigated or judicial hearings conducted by the following persons or groups subject to specific procedures: the Judicial Officer, the Student Life Disciplinary Committee, the Inter-Dormitory Council, and the Appeals Committee.

### **Judicial Process**

- A. A student who is to appear before the Student Life Disciplinary Committee for his/her involvement in alleged violations of the Student Code of Conduct shall be notified in writing at least 72 hours prior to the hearing. The student will be notified of:
  1. The time, date, and place of the hearing. If a student was able to be located only after the 72 hour frame, the student is allowed to waive the notification period, and the scheduled hearing will proceed with his/her permission. If the student chooses not to waive the notification time frame, a “disciplinary hold” (or *Interim Suspension*) may be placed against the student until such time that the hearing is rescheduled and completed in its entirety.
  2. The names of complainants scheduled to appear.
  3. The specific charge(s) and, in some instances, the recommended penalty if found to be in violation of the *Student Code of Conduct*.
- B. A student who is to appear before the Judicial Officer for an informal hearing can be notified immediately to request his/her appearance within the Office of Judicial Services for an informal hearing or conference. Specific time frames and/or appointments can also be made if feasible.

- C. Reading and Answering Charges - The judicial hearing will begin with a reading of the Specification of Charges by the chairperson. The accused student will affirm or deny each item on the Specification of Charges. If a student fails to attend his/her hearing, it will be held in his/her absence. Failure to appear for a disciplinary hearing may result in the student(s) suspension from the University and a charge of contempt.
- D. If the student charged acknowledges the truth or accuracy of each item on the Specification of Charges, the judicial body will:
1. Note the affirmative response on the Specification of Charges
  2. Hear any testimony or character witnesses that will enable the committee to reach an appropriate penalty.
  3. Decide on an appropriate penalty, if necessary.
  4. File the Specification of Charges with a notation of the plea(s), judicial decision, and a statement of the penalty imposed. The penalty assessment letter should be signed by the Judicial Officer.
- E. If the student charged denies the truth or accuracy of any items on the Specification of Charges, the hearing will proceed in the following manner:
1. The complainant and his/her witnesses will be called to testify, and each will be questioned individually by the Judicial Officer (Informal Hearing), or the Chairperson, and with the permission of the Chairperson, the members of the committee (Formal Hearing).
  2. The student charged and all of his/her witnesses who are present during the time of the hearing will be called to testify, and each will be questioned individually by the Judicial Officer (Informal Hearing), or the Chairperson, and with the permission of the Chairperson, the members of the committee (Formal Hearing).
  3. The students charged may question the complainant and his/her witnesses through the Judicial Officer (Informal Hearing) or the Chairperson (Formal Hearing) only. All questions must be fair and orderly with respect for the dignity of the participants.
  4. A student may have up to three character witnesses speak on his/her behalf.
  5. Written statements may not be admitted into evidence unless signed by the witness and witnessed by the Judicial Officer, Associate Vice President for Student Life or Officer of Public Safety.
- F. Decision - After the fact-finding portion of the hearing is concluded, the committee will go into closed session to reach a decision. A student's prior record is not permissible to prove guilt, but may be used for determining appropriate sanctions.
- G. Penalty - If the Student Life Disciplinary Committee finds that the items affirmed on the Specification of Charges constitute a violation of the *Student Code of Conduct*, it will assess a penalty. Before a penalty is imposed, a student may have up to three character witnesses speak on his/her behalf. In cases of serious, aggravated, or repeated violations, more serious penalties may be imposed.
- H. If possible, the student is usually informed in writing of the penalty imposed (if any) within 48 hours after the hearing.
- I. The student has the right to request an appeal of any decision made by the Student Life Disciplinary Committee provided that relevant grounds for an appeal can be cited (see Appeals section).

Students who are accused of being involved in incidents, which are in violation of the Student or Collegiate Codes of Conduct should expect to be contacted by the Judicial Officer or the Associate Vice President for Student Life regarding informal or formal hearings. Every attempt will be made by the appropriate officials to promptly notify the student of a conference or hearing regarding his/her alleged violation; however, inability to notify a student through reasonable means does not entitle the student to

any further consideration in terms of postponing a hearing or adjudicating a case. While every effort will also be made to promptly notify the student who is appearing for a disciplinary hearing based on allegations of misconduct, each student whose case has been adjudicated is expected to contact the Judicial Officer within 48 hours after the conclusion of the hearing to receive the decision in his/her case.

### **Rights of Victims**

In a judicial hearing, both the accused student and the victim have rights. The rights of the accused student are specifically stated in Part IV – Rights of the Accused Student Violator. The rights of the victim are listed below:

- § To choose whether to charge the student with a violation of the law. The victim may also formally charge him/her with a violation of the *Student or Collegiate Code of Conduct*, resulting in an informal hearing with the Judicial Officer or formal hearing before the Student Life Disciplinary Committee.
- § To have a person(s) of their choice accompany them throughout the judicial process.
- § To submit a victim impact statement to the Hearing Officer of the Student Life Disciplinary Committee prior to a penalty being imposed.
- § To have past unrelated behavior excluded from the hearing.
- § To be informed of the results of disciplinary hearing, in compliance with the *Campus Security and Student Right to Know Act* with the permission of the Associate Vice President for Student Life.
- § To have adjustments made in residence hall living arrangements if necessary.

Jackson State University has an obligation to protect members of the University community from physical harm or from a student whose continued presence on campus presents a clear and present danger to themselves or others. Notwithstanding the victim's right to bring charges, the University reserves the right to investigate and take appropriate action against a student accused of a violent physical or verbal assault.

### **Responsibility of the Accused Student**

A student accused of alleged violations of the *Student or Collegiate Codes of Conduct* is notified to appear in the Office of Judicial Services for an informal hearing (conference) with the Judicial Officer or notification is given in reference to a specific date and time to appear before the Student Life Disciplinary Committee (SLDC) for a formal hearing.

If the student accepts responsibility for the violation, he/she may request to waive all further hearings and accept the decision of the Judicial Officer as final and binding for all purposes.

The student may request that his/her case be heard by the Student Life Disciplinary Committee (SLDC). In the event that the request is approved for a formal hearing, the SLDC will conduct a hearing to determine responsibility if the student denies the charges, and/or impose a penalty when responsibility is determined. The option to have a case heard by the SLDC is not available during holidays, between semesters, or when the Student Life Disciplinary committee is not available to meet.

The student may request that the Associate Vice President for Student Life appoint the Judicial Officer to adjudicate his/her case. The Judicial Officer will conduct a hearing to determine responsibility if a student denies the charge(s), and/or to impose a penalty when responsibility is determined

### **Rights of the Accused Student Violator**

When a student is charged with violation of the *Student or Collegiate Codes of Conduct*, disposition of the student's case shall be according to constitutional requirements of due process and in keeping with the judicial procedures outlined below.

Students charged with violations of the Jackson State University *Student or Collegiate Codes of Conduct* are entitled to:

- A. A written Specification of Charges.
- B. A fair and impartial hearing.
- C. Know the nature of the evidence against them.
- D. To have provided, when requested in writing, within 24 hours prior to the hearing, the names of witness(es) scheduled to testify against them.
- E. Present evidence and witnesses in their behalf. (Written statements may not be admitted into evidence unless signed by the witness and witnessed by the Judicial Officer, Associate Vice President for Student Life or Officer of Public Safety.)
- F. Be accompanied at a hearing by an advisor of their choice. When a student is accused of violating the *Student or Collegiate Codes of Conduct* and criminal charges are pending against the student, an attorney may be present. If a student does not have present criminal charges pending, however, an attorney will not be allowed to be present during any disciplinary proceedings. When an attorney is present, his/her role is limited and passive. The attorney cannot actively participate in the hearing or ask questions of the witnesses or judicial board members. The attorney's role is to advise the student regarding self-incrimination and to observe the proceedings.
- G. Be present at the hearing during the presentation of any evidence or material on which a decision will be made. If the student fails to attend the hearing, it will be held in the student's absence. Failure to appear after proper notification may result in suspension from the University.
- H. Refuse to answer questions.
- I. Ask questions of witnesses through the chairperson only.
- J. A decision based on evidence presented and the vote of the committee.
- K. A written notice of results of the hearing.
- L. A Student Advisor. Students who are alleged to have violated the Jackson State University *Student or Collegiate Codes of Conduct* can request assistance in the identification of an advisor by contacting the Office of the Judicial Services. Students may seek advice from an individual chosen by the student. Advisors may aid the accused student in the following ways:
  - Develop a fair and logical defense.
  - Inform the accused student on hearing procedures.
  - Be present at the hearing. Space will be made available for the advisor to sit with the accused.
  - Advise the accused during the hearing at the appropriate time only and on appropriate matters relating to the hearing. The advisor is not allowed to speak during the hearing proceedings, and may not conduct the defense of in any way actively participate in the hearing.
- M. Request an appeal of a decision of suspension or exclusion from the university, according to established guidelines.

### **Role of the Attorney**

When a student is accused of violating the *Student or Collegiate Codes of Conduct* and criminal charges are pending against the student, an attorney may be present. In this instance, the role of the attorney is limited and passive. The attorney cannot actively participate in the hearing or ask questions of the witnesses or judicial board members. The attorney's role is to advise the student regarding self-incrimination and to observe the proceedings. If a student does not have present criminal charges pending, however, an attorney will not be permitted to be present during any disciplinary proceedings.

### **Official Withdrawal from the University**

Should an accused student be academically dismissed or leave the University voluntarily, before pending disciplinary charges have been resolved, the Judicial Officer may precede at his/her discretion with the judicial process (case) in the absence of the student as outlined in the Code. An accused student, who withdraws from the University with a case pending, will not be readmitted to the University, until such time as his or her case has been judicially processed and resolved. The Judicial Officer will place a disciplinary hold on the student's record, which will prevent reinstatement (selection of classes and registration) of that student until the case has been adjudicated.

### **Disciplinary Files and Records**

The Judicial Officer shall maintain judicial record and a disciplinary tracking system, which shall include, but not be limited to, the accused student's name and related information, description of the incident, parties involved, Code violations, sanctions, and other data deemed relevant by the Judicial Officer. Such information shall be maintained in accordance with the provisions of the Federal Educational Rights and Privacy Act. Disciplinary records shall be made available to judicial bodies and University officials designated in the Code, as necessary.

Students may arrange to review their own disciplinary records by contacting the Office of Judicial Services.

## JUDICIAL SANCTIONS

### TERMS AND DEFINITIONS

**ADMONISHMENT.** A warning to the student to refrain from any and all actions that may result in disciplinary action. No sanctions are given, unless the student violates the University's rules and regulations or Student of Collegiate *Codes of Conduct*.

**CAMPUS/UNIVERSITY SERVICE.** A sanction imposed upon a student as a result of a violation of the *Student or Collegiate Codes of Conduct*. Service is provided by the student to a specific on-campus area or department of the University for a specific amount of hours as imposed by the judicial body. Monetary compensation is not provided. *NOTE:* Failure to complete required campus/university service will result in the student being placed on a disciplinary hold and/or suspension from the university.

**EXONERATE.** To clear the accused of any and all blame, with all charges being dismissed or dropped.

**FINE.** A monetary payment imposed as punishment for an offense. Payment must be made to the university for violations of the *Student or Collegiate Codes of Conduct*. *NOTE:* A disciplinary fine may range from \$50.00 (fifty dollars) to \$500.00 (five hundred dollars), depending upon the severity of the offense(s).

**PROBATION.** A specified amount of time, involving restrictions, after which University authorities will determine if the student's behavior has improved. During this time period, the student may receive additional disciplinary measures resulting in suspension, if he/she is involved in violations of any type of the University *Student or Collegiate Codes of Conduct* and/or the breaking of any laws. The types of probation are *Regular* and *Indefinite*. *NOTE:* Probationary statuses range from one (1) semester through matriculation. A violation of a probationary status may result in the student being immediately suspended from the university.

**LOSS OF PRIVILEGES.** A student who receives a judicial sanction will be notified in writing of the specific privilege(s), which he/she has lost. The privileges may include removal/eviction from on-campus housing and restrictions from affiliation and/or representing the University. The written notification shall include the time period for which the student has lost certain privileges.

**PRE-HEARING SUSPENSION.** The Associate Vice President for Student Life may suspend students from the University pending a scheduled judicial hearing, given the severity of the infraction.

**REFLECTION JOURNAL.** A three page paper to help a student reflect on the experience that he/she had and to help them process what they learned from the experience. Students will be required to reflect on the topic and write a clear, well-developed response that demonstrates that they have thought about the issue and considered all aspects.

**RESEARCH ASSIGNMENTS.** Based on the nature of the offense, students may be required to complete a research assignment on a topic related to the offense committed. The research assignment must be typed, completed and submitted by the deadline specified. It must be thorough, comprehensive, and scholarly. The completed project must also conform to other specifications that may be given by the Judicial Officer or judicial body. *NOTE:* Failure to comply with the terms of this sanction will result in temporary suspension from the university until all matters are agreed upon by the student and the appropriate official or all requirements have been completed.

**RESTITUTION.** Compensation, reimbursement of, or a required replacement of a loss, injury, or property (personal or private) by the student in violation. Restitution must be made within a specified time period. Failure to pay full restitution to the appropriate party will result in the student being placed on disciplinary hold and/or suspension. *NOTE:* Restitution is due in full, prior to or within the 30th day from official notification to the offender, unless otherwise approved by a judicial administrator.

**SUSPENSION.** Dismissal from the University for a specific period of time following severe acts of violation of the *Student or Collegiate Codes of Conduct* or violation of a present probationary status. Suspensions are recorded on the student's permanent record. Students suspended from the University are required to return their student identification card and room keys and may not return to campus for the duration of their suspension, except to conduct official business with an administrative officer or faculty member, and then only with prior permission of the Associate Vice President for Student Life. If a student returns to the campus without permission during the period of suspension, his or her eligibility to return to Jackson State University will be threatened and he/she will be subject to arrest. During the period of suspension, the student is not eligible or entitled to receive any University services. His or her name is deleted from the roster of enrolled students and from the faculty class roll. The student will not get credit for course assignment, papers, projects, make-up work, or other course-related work during the period of suspension. During the period of suspension, therefore, the student's relationship with the university is terminated, and he or she is, in fact *persona non-gratis*.

Following a fully served suspension period, a student who wishes to re-enter the University must make a written request to be readmitted to the University. The student must present a typed letter to the Associate Vice President for Student Life no later than (30) days prior to the beginning of the semester for which he/she is asking to be allowed to return (e.g. letter must be received 30 days before the fall semester is to begin if this is the semester the student wishes to return to the University.) The Associate Vice President for Student Life will review the file of the student and determine the student's eligibility to return to the University following a suspension period. Regardless of the fact that a student has served the specified amount of a suspension period, it is left to the Associate Vice President for Student Life's discretion whether to allow re-admittance. The types of suspension are as follows: *Suspension; Interim Suspension; Indefinite Suspension; Expulsion*. They are defined below:

- A) *Suspension.* Suspension period begins with an existing semester and continues through that semester; however, suspension may become effective at the beginning of a specified semester (usually the following semester) and continue through that semester and future ones.

All students and student organizations returning to "active" status at Jackson State University following a disciplinary suspension will be placed on mandatory "Probationary Status" for one calendar year. Any violations of the probationary status within this time period may result in an additional suspension effective immediately and continuing throughout the time period recommended by the Student Life Disciplinary Committee.

- B) *Interim Suspension.* Suspension that is immediately put into effect when charges are alleged. The suspension will remain in effect until the disciplinary hearing is held or the student has completed requirements of the sanction imposed. Suspensions of this type are usually temporary; however, if the student is found guilty of the violation(s), or fails to satisfy the requirements of the sanction imposed, the interim suspension may be changed to another sanction, including suspension or expulsion.
- C) *Indefinite Suspension.* Dismissal or Suspension from the university to be served for a period of not less than (1) one year.
- D) *Expulsion.* Permanent dismissal from the University. Expulsion is the most severe sanction that can be imposed upon a student for a violation. The student who receives a sanction of expulsion is not eligible to apply for readmission to the university. When a student is expelled from the

University, the student's relationship with the University is permanently severed, and the student is *persona non-gratis*.

### **WORKSHOP/SEMINAR PARTICIPATION**

In some instances, students may be required to assist in developing, coordinating, and evaluating workshops related to the nature of the offense that the student has committed. Students may also be required to attend and participate in workshop/seminars to enhance their knowledge and understanding of a particular topic related to the offense committed. In such instances, students are required to be prompt, attentive, and to present a well-written, typed summary of the activity to the judicial administrator or body within 24 hours of the event. *NOTE:* Failure to comply with this sanction may result in interim suspension from the University.

### **SPECIAL NOTATION TO STUDENTS**

Each violation of the Jackson State University *Student or Collegiate Codes of Conduct* is treated separately from any other case. Disciplinary sanctions will vary accordingly, depending upon the severity of each offense. All sanctions will be determined on an individual basis; however, all mitigating circumstances are reviewed and taken into consideration by the Student Life Disciplinary Committee, the Judicial Officer, and/or the Associate Vice President for Student Life. Therefore, students may or may not receive similar sanctions for offenses of the same or similar nature.

### **NOTIFICATION OF DISCIPLINARY ACTIONS AND DECISIONS**

Students who are accused of being involved in incidents that are in violation of the *Student or Collegiate Codes of Conduct*, will be contacted by the Judicial Officer or the Associate Vice President for Student Life regarding informal or formal hearings. Every attempt will be made by University officials to promptly notify the student of a conference or hearing regarding his/her alleged violation; however, inability to notify a student through reasonable means does not entitle the student to any further consideration in terms of postponing a hearing or adjudicating a case.

While every effort will be made to promptly notify those who participated in a judicial hearing of the outcome, each student whose case has been adjudicated is expected to contact the Judicial Officer within 48 hours after the conclusion of the hearing to receive the decision in the case.

### **APPEALS PROCESS**

A student may be entitled to an appeal, if he/she did not receive due process within the disciplinary hearing or if there is new evidence, facts, and/or witnesses being presented. A decision of the judicial board or administrative functionary may be appealed for one or more of the following reasons:

(1) Substantial violation of the hearing procedure. If the appeal is based on substantial violation of the hearing procedure, the following should be noted: Citation of specific procedural errors, reason(s) why procedural error was not mentioned in the original hearing, and reason(s) why correction of error can contribute to a decision other than the one originally made;

(2) New evidence, witnesses or facts. If the appeal is based on new facts, the following must be included: A description of new evidence, name(s) of person(s) who can present this evidence (if any), or reasons why the evidence was not discussed at the original hearing, and reason(s) why the evidence can contribute to a decision other than that which was originally made;

(3) Insufficient Information. The decision reached was based on information that was not sufficient to establish that the student violated the *Student or Collegiate Codes of Conduct*

(4) Sanction. A claim that the sanction imposed was inappropriate for the Code violation.

The student's letter of appeal must clearly state the grounds for requesting the appeal and include pertinent information that will assist the designated University official or judicial body in determining whether an appeal is warranted. The date of the request and the student's signature must also be visible and legible within the letter requesting the appeal.

## **FILING AN APPEAL**

All appeals must be submitted in writing to the Associate Vice President for Student Life within 24 hours after the student has received notification of a decision of suspension rendered in their particular case. The appeal request must state the specific grounds on which he/she should be granted an appeal as described in the previous section. The appeal request must also be clear and specific, as the Associate Vice President for Student Life may decide whether to grant an appeal based solely on the written request of the student.

After the letter of appeal has been received, the Associate Vice President for Student Life will determine whether there are grounds to grant an appeal and notify the student of the decision within forty-eight (48) hours after receipt of the student's request. If a conference is needed to consider the matter further, the notice shall include the time and place at which the student is to be present.

The decision of the Associate Vice President for Student Life, to grant an appeal, is final, except in those cases involving expulsion from the University. In cases involving expulsion, the student may appeal the sanction to the President of the University, in writing, with a copy to the Associate Vice President for Student Life within twenty-four (24) hours of receipt of the decision of the Associate Vice President for Student Life. Appeal requests of this nature must also be typewritten. The President is not obligated to confer with the student, and may choose to review only the written information in making a decision.

The sanction of suspension imposed by the judicial board does not become effective until all available appeals have been exhausted by the student within the time periods designated for appeals. An exception occurs when, in the determination of the Associate Vice President for Student Life, the student's continued presence on campus constitutes a clear and present danger to the students and/or others in the University community. In such instances, the student will be asked to leave the campus; however, his/her rights to request an appeal within the designated time periods shall not be compromised.

If a student chooses not to request an appeal, the decision of the Student Life Disciplinary Committee is final. Further, if a student does not request an appeal within the specified time period, the decision of the Student Life Disciplinary Committee is final. It is, therefore, imperative that the student abides by the stipulations of his/her sanction.

## APPENDIX A : ACADEMIC POLICIES

### ACADEMIC GRIEVANCE PROCEDURE

#### *Objective*

To create and sustain an academic environment that permits students to freely express concerns or reveal complaints about their education and the educational process and to have their concerns and complaints addressed swiftly and forthrightly.

#### *Statement*

Students enrolled at Jackson State University may register a concern or complaint about any academic regulation, the instructional program, delivery of the program, grades received, the academic advisement system, or any other matter related to academic affairs, without any adverse action for expressing the concern or filing the complaint. Concerns and complaints will be received, explored or investigated, and responded to in a fair and timely fashion, though students should understand that the final response by the University may not always be the response they prefer.

#### *Procedures*

Classroom Concerns or Complaints (e.g. grades received; improper dismissals; unprofessional behavior)

- \* Student discusses concern or complaint with the instructor.
- \* Instructor provides a response (allow up to 5 days if investigation is required).
- \* Complaints unresolved by the instructor or for which the response is unacceptable must be described in writing by the student and submitted to the department chair.
- \* The chair properly logs and investigates the matter and provides a written response to the student within ten days.
- \* Issues that are still unresolved must be submitted by the student to the school dean.
- \* The dean provides the final written response within ten days, which may be done with committee input and/or in consultation with higher level administrators.

Other Academic Concerns or Complaints (e.g. academic advisement or academic regulations)

- \* Student discusses the concern or complaint with the academic advisor
- \* The advisor provides a response (allow up to 5 days if an investigation is needed), or refers it to the appropriate official/body, e.g. department chair or Academic Standards Committee, for response within 20 days. The appropriate official/body returns the response to the advisor and the advisor returns it to the student.
- \* Unresolved concerns or complaints must be submitted in writing by the student to the school dean.
- \* The school dean provides a written response within ten days, which may be done with committee input and/or in consultation with the Vice President for Academic Affairs and Student Life.

If the complaint remains, the student will submit it to the Vice President for Academic Affairs and Student Life for a final response.

NOTE: Academic complaints dating back more than a semester generally will not be investigated.

*Authority: Vice President for Academic Affairs, Jackson State University  
(signed by Dr. Dora Washington -- April 17, 1996) Effective Date: Fall 1996*

## **ACADEMIC RECORDS POLICY**

Jackson State University maintains a permanent academic record for each student enrolled. The permanent academic record contains those grades received from course work completed at Jackson State University, along with any transfer of courses and credits from any other accredited institution of higher learning that is used by JSU to fulfill the degree requirements. All records are confidential. Academic records are considered property of the University. Opportunities are provided for students to inspect and to control the release of information contained in their records in accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974.

The purpose of FERPA is to afford certain rights to students concerning their education records. The primary rights afforded are the right to inspect and review the education records, the right to seek to have the records amended, and the right to have some control over the disclosure of information from those records. The Act applies to all education records maintained by JSU which are directly related to a student. Records containing a student's name, social security number, or other personally identifiable information are protected by FERPA.

The student must make a written request to have the academic record released. The academic record is generated and printed on transcript security paper, which prevents duplicating or printing an official copy outside the Records Office. A nominal charge is assessed for the reproduction and distribution of a personal and/or official copy of the transcript.

## **CLASS ATTENDANCE POLICY**

*OBJECTIVE-* To ensure that students attend all class sessions and activities, except in cases of extreme cause, to maximize their learning from the quality instructional experience afforded at the University.

*STATEMENT-* Students at Jackson State University must fully commit themselves to their program of study. One hundred percent (100%) punctual class attendance is expected of all students in all scheduled classes and activities. Instructors keep attendance records and any absence for which a student does not provide written official excuse is counted as an unexcused absence. Students must understand that even with an official excuse of absence, they (students) are responsible for the work required during their absence.

Students may be officially excused from class for attendance at University approved functions, provided the sponsor properly executes a Student Life Leave Form, such excuses shall be accepted by the instructor. Students may also be officially excused by the Dean of their College or the Vice President for Academic Affairs and Student Life for certain campus activities.

Students requesting excuses for absences due to illness or other emergency situations will be issued a **Request for an Excused Absence**. The **Request for an Excused Absence Form** will be issued only after proper documentation stating the reason for non-attendance has been submitted and verified. (*Proper documentation includes doctor's excuse, official court document, etc.*) To obtain the **Request for an Excused Absence Form**:

Commuter students shall report to the Division of Undergraduate Studies (C.F. Moore Building).

Residential students shall report to the Community Director of their respective residence hall.

Students with extended absences (more than 5 days) shall report to the Office of the Associate Vice President for Student Life (3<sup>rd</sup> Floor of the JSU Student Center).

There are serious consequences for poor class attendance. After being absent three times in a 50-minute class, three hours in a class that meets longer than one hour, or one time immediately before or after scheduled recess/holiday, the instructor shall report the next unexcused absence to the Dean of the Division of Undergraduate Studies (University College) for freshmen and sophomores and to the school

dean and department chair for juniors and seniors. The dean/chair or designee will counsel with the student and in concert with the instructor, may require the student to complete complementary course assignments. If a student does not respond well to the counsel or with the assignments, the instructor may impose a grade penalty on the student. Unexcused absences that exceed the equivalency of six 50-minute sessions may lead to an “F” for the course. Students who do not maintain the minimum grade point average required for retention over two semesters are suspended from the University.

At the discretion of the school dean and with approval of the Office of Academic Affairs, there may be additional class attendance policies stipulated in school handbooks and other official school documents.

#### SPECIFICATIONS/PROCEDURES

Instructors must maintain attendance records and discuss and/or present students with a copy of the class attendance requirements at the beginning of the semester and summer session.

When, for any reason, students are absent from class, it is their responsibility to present to the instructor as soon as possible (and not later than five days from date of absence) an official **Request for an Excused Absence**.

Faculty/staff who sponsor/coordinate functions for students who will miss class must execute a Student Life Leave Form and notify the instructor of such absences prior to the date of absence.

When students know in advance that they will be absent from class, instructors should be notified and arrangements made to secure assignments.

*Students who willfully miss class and practice chronic absenteeism are not only subject to academic penalties but may be subject to disciplinary sanctions also. Unexcused poor class attendance violates the spirit of the University’s Collegiate Code of Conduct and consequently holds these students accountable under the guidelines of non-adherence to the University’s Student and Collegiate Codes of Conduct.*

## **APPENDIX B: DISABLED STUDENT SERVICES**

### **GRIEVANCES**

A grievance is defined as the claim of an individual employee or student that there has been a violation, misinterpretation or misapplication of a rule, policy or procedure in relation to policies or the laws. The grievance procedures outlined in the Faculty, Staff, and Students Handbooks, may be used by any faculty, staff, or student to resolve disability complaints. Jackson State University assures prompt and impartial consideration of any complaints, which an individual may experience in the university environment. When the circumstances require, faculty, staff, or students are encouraged to submit complaints or grievances in accordance with the procedures outlined below. Faculty, staff, or students may use this procedure without penalty or fear of reprisal. Particular attention must be given to the time period shown for each step of the grievance process. For example:

Request for accommodations, academic adjustments, auxiliary aids, and services for individuals with disabilities are as follows:

Request for accessible location for classrooms, or offices due to a physical disability.

Request for extended time due to a learning disability.

Request for a sign language interpreter due to a hearing impairment, etc.

### **INFORMAL GRIEVANCE PROCEDURE (DISABLED STUDENT SERVICES)**

1. A grievance should be filed in writing, contains the name and address of person filing it, and briefly describe the alleged violation.
2. A grievance should be filed within 60 days of the alleged violation or such time after the complainant becomes aware of the alleged violation. (Processing of allegations of discriminations, which occurred before this grievance procedure was in place, will be considered on a case-by case basis in a prompt and equitable manner.)
3. The investigation shall be conducted by the American with Disabilities Act Compliance Officer. The investigation shall be informal but thorough, affording all interested persons and their representatives, an opportunity to submit evidence relevant to a grievance.
4. A written determination as to the validity of the grievance and a description of the resolution, if any, shall be issued by the Americans with Disabilities Act Compliance Officer and a copy forwarded to the complainant no later than 10 days after its filing.
5. The Americans with Disabilities Act Compliance Officer shall maintain the files and records of Jackson State University relating to the complaints filed.

## **FORMAL GRIEVANCE PROCEDURE (DISABLED SUPPORT SERVICES)**

If the Informal Grievance Process has not led to a mutually satisfactory resolution of the problem, at the written request of the faculty, staff, or student, the Associate Vice President for Student Life will refer the matter to the Administrative Committee. The Administrative Committee will be comprised of three full-time, non-academic employees appointed by the Associate Vice President for Student Life. The committee's purpose is to review the grievance thoroughly and render a decision. The committee's decision can be appealed to the Associate Vice President for Student Life.

After a thorough review of the grievance, the committee shall have five (5) working days to render a written decision to the Associate Vice President for Student Life. The Associate Vice President for Student Life shall review the recommendation and make a written recommendation to the President. The decision will be communicated within ten (10) working days to the faculty, staff, or student that filed the grievance or the appeal. The decision of the President shall be final.

## **FOR ASSISTANCE**

When faculty, staff or students have concerns related to the ADA or Section 504, they should address this information to:

Mr. Vinson Ballard  
ADA Compliance Officer/Counselor  
Jackson State University  
P.O. Box 17999  
Jackson, MS 39217  
(601) 979-3704  
The ADA Compliance Office is located in B.F. Roberts Hall, Room 112.

## APPENDIX C: AIDS POLICY

The following policy is intended to express Jackson State University's commitment to enhance the awareness of the campus community in response to the Human Immunodeficiency Virus/Acquired Syndrome (HIV/AIDS) epidemic. Jackson State University is committed to the principles of equal educational opportunity, equal employment opportunity, and affirmative action. The University does not discriminate against a qualified individual with a disability with regard to job applications, hiring, advancement, discharge, compensation, training, or other terms, conditions, or privileges of employment. Equal Employment Opportunity shall be without regard to race, color, religion, sex, age, marital status, or physical and mental disability (except where such disability renders the person incapable of doing the job). The University recognizes that employees and students with life-threatening illnesses -- including but not limited to cancer, HIV/AIDS, and heart disease -- and other disabilities may wish to and be physically able to work a regular or modified schedule.

Because there is no known cure and some medications are showing promising results, the most pressing need for Jackson State University is to increase awareness and provide education to prevent the further spread of the HIV/AIDS virus. It is also important that HIV/AIDS education programs be implemented to provide not only information that is available on HIV/AIDS, but information relating to knowledge, attitudes, beliefs and behaviors. The following are specifics concerning HIV/AIDS as it relates to increasing awareness at Jackson State.

1. Comprehensive HIV/AIDS educational programs will target undergraduate, graduate and professional students.
2. HIV/AIDS educational programs will be offered to faculty and staff.
3. HIV/AIDS educational programs will play a major role in ensuring the University's responsibility to protect its student body, faculty and staff from the transmission of HIV/AIDS through the provision of current and accurate information.

HIV/AIDS education programs provided by Jackson State University emphasize the following:

- a. Students playing a major role in the planning and implementation of HIV/AIDS education programs.
- b. All employees and students receive highly-structured HIV/AIDS education training on an ongoing basis.
- c. Increased HIV/AIDS awareness through the availability of film, printed materials, ongoing training and community outreach programs and workshops.

## **APPENDIX D: INTERCOLLEGIATE ATHLETICS**

### **MISSION STATEMENT**

Jackson State University's programs of intercollegiate athletics are designed to enhance the total education of students. Through intercollegiate athletics, students participate in organized competitive sports.

Like other universities, Jackson State University utilizes athletics to promote and develop academic achievement, educational leadership, a competitive spirit, a desire for fitness, and appreciation of sports as a recreational pursuit, and the broad exposure of student athletes to varied campus cultures and personal contacts. These qualities are designed to enhance the academic performance of students through the imposition of discipline and mastery of time management. Together these factors promote self-esteem, motivation and maturity in student-athletes. Athletics comprise an important dimension of student life. Attendance at athletic events fosters school pride, spirit, cohesiveness and a unique culture among students, faculty and staff that treasure excellence in varied dimensions. These qualities are enhanced by the University's association with programs of national and regional renown in intercollegiate athletics competition.

Athletics provide the opportunity for unique involvement in University programs and activities. Operating within sanctioned NCAA and the Board of Trustees of State Institutions of Higher Learning guidelines, the University welcomes community participation and involvement of the community in the operation of its athletic program. The community is involved in athletics through direct support groups, booster club operations and representation on the Athletics Committee.

## **APPENDIX E: STUDENT ASSISTANCE POLICY**

### **STUDENT ASSISTANT POLICY**

#### **I. STATEMENT OF POLICY**

Jackson State University (“the University”) recognizes that from time to time individuals on campus will exhibit signs of mental or emotional disturbance reflective of a mental health condition that may endanger the individual, other persons, or University property. It is impractical, undesirable, and possibly illegal for the University to exert the level of custodial control over the student population sufficient to prevent all incidents of harm resulting from mental health conditions, but the University is committed to creating a reasonably safe learning environment supportive of individuals with mental-health issues while protecting the physical safety of those individuals, other persons, and University property.

#### **II. CHARACTERISTICS OF INDIVIDUALS AT RISK**

For University staff, the goal is to identify and report behavior that may suggest an increased risk of an individual harming himself, herself, or others and not the diagnosis of mental illness. Only professional staff acting in their professional capacity should attempt to diagnose any student. University staff should not improperly confine the individual and should avoid creating a highly-controlled custodial care environment. University staff should avoid doing anything that could likely increase the risk of harm. Three additional preventive measures are listed below:

##### **A. Preventive Measures.**

1. Students should be informed about the resources available to help them manage the stresses of campus life; and
2. A periodic review of the physical campus environment for features or physical dangers likely to attract an individual seeking to harm him or herself such as tall buildings, bridges, sites of previous attempts, or other physical dangers is recommended; and
3. Professors in programs that may inadvertently create opportunities for students to disclose suicidal thoughts (freshman composition, psychology courses, etc.) should be informed about available campus resources and be encouraged to consult immediately with professional staff when they receive any troubling disclosure from a student. It is better to consult with professional staff rather than ignoring risk factors or trying to manage the situation without professional advice.

##### **B. Exhibited Characteristics.**

The following characteristics may be exhibited by individuals at-risk for mental deterioration:

1. An inability to communicate effectively with others under normal conditions.
2. An inability to consistently abide by University rules and regulations and/or laws in general. Examples include threatening behavior, creating danger to one’s self or others, and destruction of University property.
3. Exhibiting constant or sporadic behavior which causes disruption to the normal activity of the University community or which may result in potential or actual danger to one’s self or others. Non-inclusive examples include sudden episodes of belligerent behavior and an inability to accept reasonable explanations.

C. Suicide.

The following are some classic signs which indicate a risk of suicide:

1. Verbal or written expressions that family members, students, or teachers do not care or that life is not worth living;
2. The world would be better if the individual was dead or gone;
3. Suddenly giving away personal belongings;
4. Heavy drug and alcohol use;
5. Substantial drop in academic performance; and
6. Loss of attention to personal appearance, friends, and social activities.

### **III. AT-RISK RESPONSE TEAM**

A. Response Team.

The University has in place an At-Risk Response Team (“Response Team”). The team consists of, but is not limited to, the following entities:

1. Associate Vice President for Student Life
2. Campus Police
3. Student Health Center
4. ADA Coordinator
5. Applied Psychological Services Clinic

B. Procedure.

The actual procedure for handling situations involving “at risk” students is as follows:

1. An “At-Risk” situation will be defined as any situation where a student is thought to qualify for involuntary evaluation. Involuntary evaluation does not mean the student will be forced to submit to an evaluation, but does mean that the student may face involuntary withdrawal, as explained below within this policy, for failure to consent or comply with the evaluation.
2. In case of a threat of harm to self or others, campus Police will be called first, followed by the Health Center and the Office of Associate Vice President for Student Life.
3. If the student is not a threat to self or others but may need a mental health evaluation, the point of contact will be the Health Center.
4. Transportation to the Health Center and/or other facility for the student will be provided by Campus Police when staffing is available.
5. Campus Police will notify the appropriate Response Team member as specified below.
6. The Response Team member will make the necessary assessment of the situation, complete his or her evaluation, and make appropriate recommendations. Non-inclusive examples of recommendations include incarceration (by Police only), counseling, interim suspension/emergency interim withdrawal, referral for treatment, or send student for further evaluation.

- 6.1 At-Risk students, if referred to the Student Health Center, will be evaluated by the University Physician for further evaluation, medical treatment, or referral.
  - 6.2 To receive any University health services, the student must be a registered student. Thus, if the student is graduating or planning to discontinue attendance at the University, it is important to notify the Health Center several months in advance so that suitable arrangements for follow-up care can be made. Only a nurse practitioner, physician, or psychologist from the Student Health Center or Applied Psychological Services Clinic may refer the student to a psychiatrist on behalf of the University.
  - 6.3 If emergency medication is needed, the University physician or nurse practitioner should be notified so that prescriptions can be written.
  - 6.4 The student may be referred to the Applied Psychological Services Clinic for individual therapy on a one-on-one basis to discuss individual concerns. The individual therapy is of a short-term nature and includes crisis intervention services.
  - 6.5 When appointments for the Applied Psychological Services Clinic are closed, members of the Response Team should be notified so that an alternative source of care can be made.
  - 6.6 Any leave from class must be approved by the University physician or nurse practitioner as well as comply with any other applicable University policies for leave.
7. If written or verbal request is made to return to classes after having been out for a period of medical leave, the individual must provide documentation, from the agency providing rehabilitative or medical services, stating that the individual is competent to function in a normal manner in the University environment.
  8. The Student Health Center and Applied Psychological Services Clinic makes every attempt to maintain confidentiality of a patient's medical records. Information is not released to anyone outside of the Health Center without written permission, except as required by law.

#### **IV. WITHDRAWALS FOR PSYCHOLOGICAL REASONS**

The University's withdrawal policy for psychological reasons is set forth for the purpose of maintaining a campus environment that is conducive to learning, protects the University's educational purposes, maintains reasonable order on campus, and protects the rights and safety of all members of the University community. Appropriate action may be taken based upon the student's behavior and an assessment of the potential risk to the student and others. No action should be based upon a student's perceived or actual disability alone.

##### **A. Scope of the Policy.**

This policy covers certain behaviors described below under the section entitled "Involuntary Withdrawals" that occur on University Premises and/or at University-sponsored activities but may also address off-campus behavior if the University determines that the behavior, or the continued presence of the student, impairs, obstructs, interferes with or adversely affects the mission, processes or functions of the University in a substantial and identifiable way. "Student" includes any person enrolled for courses through or at the University, both full-time and part-time, and those who attend educational institutions other than the University who reside in University residential halls. The policy also extends to any person who is not officially enrolled for a particular term but whose University record indicates a continuing relationship with the University, or any person who has been accepted into the University but has not yet enrolled for courses.

B. Voluntary Withdrawals.

If the student is eligible for and wishes to pursue voluntary withdrawal, a member of the Response Team or other appropriate University designee will:

1. Counsel the student regarding voluntary withdrawal;
2. Consult with the student's academic unit and other units as appropriate;
3. Discuss the circumstances with the student's family, as appropriate (see section "Involving Essential Parties" below);
4. Refer the student to appropriate resources for evaluation or treatment; and
5. Initiate voluntary withdrawal.

C. Involuntary Withdrawals.

An involuntary administrative withdrawal is not a substitute for appropriate disciplinary action under the Student Conduct Code. It should not be used to dismiss socially or emotionally "eccentric" students or otherwise inhibit legal free expression as long as the particular student does not otherwise meet the standards for withdrawal as specified in this section. Involuntary withdrawals should only be initiated after reasonable attempts have been made to secure voluntary cooperation for a psychological evaluation or voluntary withdrawal. An involuntary withdrawal is appropriate where the student falls under the scope of this policy and he or she does not adhere to reasonable conditions established for his or her continued presence on campus or in University Housing.

In certain situations where the disruptions from a mental health condition are deemed to be of a temporary nature, a medical suspension or leave of absence may be considered as opposed to withdrawal. Eligibility and limitations for a leave of absence are not addressed under this policy. Care should always be given to ensure that an individual with a disability is not being excluded from participation or being denied the benefits of the University's services, or otherwise subjected to discrimination, by reason of that individual's disability status as opposed to focusing upon the individual's actions and community safety.

In accordance with University policy and applicable federal and state laws prohibiting discrimination based on disability, a student may be involuntarily withdrawn from the University and/or University Housing, either temporarily or permanently, if it is determined that a student suffers from a mental disorder as determined by a medical professional and as a result of the disorder:

1. Engages, or threatens to engage in behavior which poses a danger of causing physical harm to self or others, and/or
2. Engages, or threatens to engage, in behavior which would cause significant property damage, which directly and substantially impedes the lawful activities of other members of the University, and/or
3. Demonstrates an inability to satisfy personal needs such that there is a reasonable possibility that serious physical harm or death might occur within a short period of time, and/or
4. Commits violations of the University rules and regulations and lacks the capacity to participate in the University's disciplinary process or otherwise is incapable of understanding the nature or wrongfulness of the conduct at the time of the offense, and
5. The significant risk to the health or safety of the student or other students cannot be eliminated by a reasonable modification of policies, practices, procedures, or the provision of auxiliary aids or services. Determinations of possible accommodations should be based upon an individualized assessment to ascertain the nature, duration, severity of the risk, the probability that the potential injury will occur, and whether reasonable modifications could mitigate the risk.

#### D. Procedure for Involuntary Withdrawals.

When it appears that a student's behavior falls under the purview of this policy, an initial interview should take place between a member of the Response Team and the student. This will not be possible in all situations and the section below entitled "Emergency Interim Withdrawals" may be more appropriate in certain emergency situations.

During the initial interview, the Response Team member should:

1. Determine if the student's behavior does not meet the standard for involuntary withdrawal so that the process under this section may be terminated. If warranted, the student's conduct will be handled by the regular disciplinary process;
2. Require the student to schedule an evaluation by a qualified, licensed mental health professional within five calendar days. The psychological evaluation report should address:
  - 2.1 The student's ability to function in the University environment and live in student housing, if applicable, and
  - 2.2 The student's potential threat to himself/herself or the University community; and
  - 2.3 Any recommendations for continued treatment; and
  - 2.4 The University will pay the cost of one (1) psychological evaluation for the purposes of the assessment report if the student elects to see the physician recommended by the University. The student is encouraged to seek any competent licensed psychologist/psychiatrist of his or her own selection, but the student will be responsible for the expenses associated with this treatment. The University shall not be required to pay for any medical assessment undergone by a student seeking readmission after having been withdrawn under this policy; and
3. Refer student to Response Team for assessment, informal hearing, and recommendation under policy; and
4. Allow a student who meets the conditions for involuntary withdrawal to voluntarily withdraw from the University and waive the right to further procedures under this policy. If future reenrollment at the University is an option, conditions necessary for consideration of reenrollment should be provided to the student in writing through the voluntary withdrawal process.

### **V. PROCEDURES FOR PSYCHOLOGICAL WITHDRAWAL HEARINGS**

#### A. Composition of the Tribunal.

An informal hearing will be held to determine whether the student should be involuntarily withdrawn from the University and/or Housing, or whether the student may remain in school or housing under specified conditions as necessary. The informal tribunal shall include three chancellors selected from either members of the Response Team, appropriate University administrative officials, and/or the licensed physician who evaluated the student. The group of three shall be called the "Response Review Board." Any individual on the Response Review Board who feels that they cannot render a fair opinion due to any conflict of interest or other personal history should recuse him or herself so that a different individual may be found. The hearing should not be conducted before the University has received the medical assessment or evaluation results from the licensed psychologist or other appropriate physician.

## B. Notice.

The student shall be notified in writing of the referral to the informal hearing, and of its time, date, and location. Notice of hearing will be considered adequate if sent to the student's last known address registered with the University or is hand delivered to the student at least three business days in advance of the meeting time. It is recommended that actual notice be provided to the student, although constructive notice will suffice in certain situations where the student cannot be located through the exercise of due diligence. If requested, the student shall be able to review all case information, except personal or confidential notes of University officials regarding the case, two days prior to the hearing or earlier. However, the time requirement for making the information available may be less than forty-eight hours, as long as it is available during business hours on the day preceding the day before the hearing.

## C. The Hearing.

The following guidelines shall apply to the informal hearing:

1. The student has the right to be present unless he or she becomes disruptive.
2. All University safety policies apply including the prohibition against carrying any item that can be used as a weapon.
3. As long as actual or constructive notice of the informal hearing was provided, the hearing will be conducted even if the student fails to attend or is removed for disruptive behavior.
4. The student may bring two individuals on his behalf to offer testimony to the extent allowed by the Response Review Board.
5. The Response Review Board may permit a University official and the mental health professional who prepared the evaluation to appear and present evidence.
6. The hearing shall be conversational and non-adversarial. Formal rules of evidence will not apply except that irrelevant or cumulative evidence may be excluded.
7. The student may question all witnesses and comment on all documents presented.
8. The hearing will be closed to the public and all information will be considered confidential.
9. A decision will be reached based upon the majority opinion of the board members. If a minority opinion exists, that individual may write a concise dissenting opinion.
10. The Response Review Board shall formulate its written findings within three days following the hearing and mail or otherwise deliver said document to the student without unnecessary delay. The written findings should address:
  - 10.1 The Response Review Board's recommendation; and
  - 10.2 The Response Review Board's reasons for the recommendation; and
  - 10.3 If involuntary withdrawal is recommended, whether the student is eligible to be reconsidered for reenrollment, including any conditions that would need to be met and the length of time, if known, before reenrollment can be permitted; and
  - 10.4 If involuntary withdrawal is not recommended, the conditions required for the student to remain enrolled with the University or in University Housing, if any.

## D. Appeals.

A student may appeal the findings of the Response Review Board upon written notice to a member of the Response Review Board and/or any other designated University official by providing written notice of appeal within three days of having received the written findings of the Response Review Board. The appeal will be considered by either the Associate Vice President for Student Life or any other University official authorized by the President. That individual's opinion will be final and a document memorializing that opinion should be mailed or delivered to the student within 5 business days. However, a student may only appeal the following decisions:

1. An involuntary withdrawal;
2. The conditions recommended by the Response Review Board in order for the student to remain enrolled and/or continue living in University Housing;
3. Denial of the student's request for reenrollment;
4. Lack of due process;
5. New evidence that has become available which would substantially change the nature of the case; or
5. An involuntary withdrawal implemented in accordance with the "Student's Failure to Comply" section of this policy.

## **VI. STUDENT'S FAILURE TO COMPLY**

A student may be involuntarily withdrawn and/or disciplined under the conduct code if he or she:

1. Fails to attend any required meeting under this policy; or
2. Fails to timely schedule and/or appear at a psychological assessment requested by the University or a member of the Response Team; or
3. Fails to grant permission or otherwise provide the content of the requested psychiatric evaluation to the University; or
4. Fails to adhere to any conditions placed on him or her in order for the student to remain enrolled in the University and/or remain in University Housing.

## **VII. RESPONSE REVIEW BOARD AND APPELLATE DECISION RECORDS**

The Chair of the Response Team shall be responsible for keeping a file that contains either the original or a copy of the written opinions of the Response Review Board as well as the final written appellate decision for each situation. The file should also contain copies of any letters sent to the student that directly pertains to the involuntary withdrawal review process. This responsibility may be delegated to another responsible party as long as the University keeps these records on file and within its control for three years following the final decision.

## **VIII. EMERGENCY INTERIM WITHDRAWAL**

An emergency interim withdrawal—the term being synonymous with emergency suspension—may be implemented immediately by a Response Team member, after approval by the Associate Vice President for Student Life or the President, if the Response Team member reasonably believes that the student may be suffering from a mental disorder and there is reason to believe that the student's behavior poses a substantial threat of harm to oneself or others, threatens or endangers University property, or disrupts the stability and continuance of normal University operations and functions.

A student may be notified of the emergency interim withdrawal either orally or in writing. It takes effect immediately upon the day it is issued.

A student withdrawn on an emergency interim basis will be given the opportunity to meet with a Response Team member, the Associate Vice President Student Life, the President, or a designee thereof within forty-eight hours from the effective date of the emergency interim withdrawal to discuss the following issues only:

1. The reliability of the information concerning the student's behavior; or

2. Whether the student's continued presence on campus poses a substantial threat of harm to oneself or others, threatens or endangers University property, or disrupts the stability and continuance of normal University operations and functions.

At the conclusion of the meeting, the University official may either uphold or cancel the interim emergency withdrawal. Regardless of whether the emergency interim withdrawal is upheld or cancelled, the University official will direct the Response Team to continue with the involuntary administrative withdrawal process as outlined in this policy. However, if the interim emergency withdrawal is to remain in effect, the University official will make every effort to expedite the process in an effort to minimize any possible negative impact on the student.

## **IX. TRANSCRIPTS AND REFUNDS**

A student who under this policy is allowed to voluntarily withdraw or who is involuntarily withdrawn may request a refund of tuition, fees, housing payments and any other amounts. Refunds will be made in accordance with applicable University policies and procedures. If a student has been living in the residence halls and will not continue to do so, the contract will be canceled and fees refunded on a pro-rated basis.

A student who withdraws voluntarily under this policy without completing a specific course should receive a mark (such as "W") on his or her transcripts without a special indication of having left for medical reasons.

## **X. INVOLVING ESSENTIAL PARTIES**

In some circumstances, the University may notify the parents of the student and appropriate University officials, including academic deans and faculty, of the potentially serious nature of the situation. However, University staff should not disclose confidential medical or educational records, or information gleaned through access to such confidential records, even to a student's family members if the student is not a minor, does not consent to release the information, and there is not a direct imminent risk of harm. Therefore, if a staff member believes that disclosing information to a student's family members is appropriate, an attempt should always first be made to elicit the student's consent. If the student will not consent, one should attempt to find out why the student does not want his or her family involved because there may be a legitimate reason why informing the student's family could increase the risk of harm to the student or others.

## **XI. MEDICAL AND EDUCATIONAL RECORDS**

Absences for medical reasons are not excused automatically. Students are urged to submit documentation immediately.

A student's medical records are generally protected from disclosure absent his or her consent or waiver by virtue of the physician-patient privilege as well as other statutory laws. The University may require either (1) the student to sign the appropriate release forms to allow designated staff at the University to consult with clinicians serving the student for the purpose of evaluating the student's ability to function in the University community under this policy, or (2) otherwise be provided with a complete copy of all medical documents or opinions reflective of the student's ability to function in the University community under this policy. The University will treat these records as confidential and only disclose them to University officials as necessary to make informed decisions regarding the just and responsible application of this policy, or as otherwise required by law.

The release of educational records (or personally identifiable information contained therein other than directory information and distinguished from medical records) are subject to the Family Educational Rights and Privacy Act which prevents disclosure without the written consent of the student or, if the student is a minor, the written consent of a student's parent. "Records" include electronic information that is directly related to the individual student. An educational record does not include records made or maintained by a physician acting in his or her official capacity or records made, maintained, or used only in connection with treatment of the student where those records are disclosed only to individuals providing the treatment. An exception to the non-disclosure of educational records exists where knowledge of such information is necessary to protect the health or safety of the student or other persons in connection with an emergency. Such disclosure is limited only to the appropriate necessary persons particular to the facts of each situation. Information pertaining to conduct that poses a significant risk to the safety or well-being of that student, other students, or other members of the school community may be disclosed to school officials or faculty within the institution who have a legitimate educational interest in the behavior of the student as determined by the institution. Other schools that have been determined to have a legitimate educational interest in the student's behavior may also be informed if a significant risk to safety exists.

## **XII. ADDITIONAL GUIDELINES**

1. In emergency situations, University Police should be notified immediately.
2. Reasonable deviation from these procedures due to a crisis and/or emergency will not invalidate a decision or proceeding unless significant prejudice to a student may result.
3. In general, the regular student disciplinary system and its policies are preferred in the adjudication of serious instances of misconduct, without regard to whether there might be a mental disorder present. However, this medical withdrawal policy may be activated prior to issuance of a disciplinary determination where the reason for the student's objectionable behavior appears to be a medical reason subject to this policy. This policy does not supplant any academic performance or discipline-based withdrawal policies maintained by academic units. A medical withdrawal is not considered a disciplinary action, although a prior medical withdrawal may be considered in subsequent conduct hearings involving the student.

## **XIII. SUGGESTIONS DURING A CRISIS**

While it is difficult to generalize about responses during the time of crisis, the following are suggestions once it is determined that assistance will be needed:

1. Stay Calm.
2. Notify the University Police at extension (601-979) 2580 and provide the following information: your name, precise location, observed symptoms of behavior, and individual's name if known.
3. Until help arrives, be pleasant, considerate, and understanding so as to avoid aggravating the situation.
4. Do not argue with the individual. Try to determine and accept the individual's point of view. Do not confront/detain the individual if violent/combative. Emergency detention and protective custody should be alternatives only available to police officers.
5. If possible, have someone meet the University Police at the entrance to the building and provide up-to-date information.
6. For a psychological crisis of lesser intensity, mediation and encouragement for the student to voluntarily seek counseling.

#### **XIV. STUDENT ASSISTANCE POLICY COMMITTEE**

Associate Vice President for Student Life (Chair)  
Director of Student Health Center  
Director of Campus Police  
Coordinator of ADA  
Director of Applied Psychological Services Clinic  
Consultant to Division of Student Life  
Judicial Officer  
Vice President for Academic Affairs & Student Life (ex-officio)

Additional members may be added by an informal majority vote of the members or as appointed by the President.

## **APPENDIX F: STUDENT DECORUM POLICY**

### **STUDENT DECORUM POLICY**

Jackson State University's core values include tradition, accountability, learning, nurturing, service, and responsibility. JSU believes that free expression is indispensable to the safeguarding of these values and that personal expression must be encouraged with only those limitations that are necessary to promote the University's mission for the benefit of all of its students.

The Jackson State University Student Handbook sets forth expectations and guidelines for appropriate student decorum, and this policy is put in place as a supplement to clarify and extend the dress code as well as the proscription against the use of inappropriate language. JSU is committed to fostering an educational environment that, consistent with its academic freedom and mission, prepares its students for success in the classroom and later in their careers. JSU may expect students to adhere to generally accepted standards of conduct. Actions that substantially interfere with the requirements of appropriate discipline or otherwise substantially interfere with the University's educational mission or the rights of other students may be regulated.

This Decorum Policy shall be applied without discrimination in regard to the viewpoint embodied in a student's dress or language, and it shall be applied to all students on an equal basis. Further, this policy is limited in time and place to University functions and educational facilities, specifically including classrooms. It is strongly encouraged, but not required, that these guidelines be followed elsewhere in an effort to provide a positive representation of ourselves and the University to the best of our abilities. Administrative, faculty, and staff members who observe student behavior proscribed by this Decorum Policy should report any such disregard or violations to the Office of Judicial Services or the Associate Vice President for Student Life.

#### **Prohibited Dress**

Dress standards promote learning by establishing expectations that will reduce educational distractions as well as help prepare students for later success. These restrictions are minimum requirements that will result in a warning or disciplinary action if not followed. The University expects and strongly encourages its students to adhere to the higher standards of appropriate dress on campus and at University events as recommended in the Student Handbook.

Prohibited dress shall include all **lewd or obscene clothing and attire** as well as any clothing or gear that, in the view of the Associate Vice President for Student Life or Vice President of Academic Affairs, **substantially interferes with the effectiveness of the educational environment and mission.** Lewd or obscene dress shall include attire or the lack thereof that leaves visible an area of the body that traditionally within the locality has been considered private and indecent to expose publicly, and that also lacks artistic or creative value within a particular University curriculum. Traditional private areas shall mean the breasts, buttocks, or areas proximate to the reproductive organs. Dress or gear that substantially interferes with the educational environment may vary depending on the curriculum and context, but may include items that make distracting noises, such as music players, or attire that creates a visual obstruction to others. The only exemption to this dress code exists in the case of a student who, due to a medical condition or properly identified disability, requires such accommodation. Such accommodation, if reasonable, should be attempted with an effort to minimize any negative effect on the educational environment. This policy applies equally and without regard to the religious or secular nature of the attire.

Some examples of inappropriate dress and/or appearance include the following:

- Midriffs or halters, mesh, netted shirts, tube tops or cut-off t-shirts
- Short shorts
- Sagging or unbelted pants
- Do rags
- Clothing with words or images which are prohibited by this Decorum Policy
- Visible underclothing, including undershirts of any color, outside of the living quarters of the residence halls

### **Prohibited Language**

This policy does not prohibit language based on the expressive viewpoint of one's ideas, but rather proscribes certain language based on the disruptive or destructive manner and context in which such language is used.

**Lewdness, Obscenity.** Lewd and obscene language is prohibited.

**Fighting Words.** Language that by its very utterance tends to incite an immediate breach of the peace or imminent lawless action is prohibited. These words include those which when directed to the person of the hearer would naturally tend to provoke violent resentment. Such words also include those personally abusive epithets which, when addressed to the ordinary citizen, are, as a matter of common knowledge, inherently likely to provoke violent reaction.

**Profanity.** Profane, vulgar, and curse words are prohibited in limited contexts although their use is widely discouraged by the University. The proscription against profanity shall only regulate the manner of such speech rather than the content of any message conveyed. Profanity may subject a person to discipline when it lacks any artistic or literary value in connection with a University curriculum, it inherently tends to provoke a violent reaction, and it substantially interferes with the educational environment.

**Speech in violation of State or Federal Law.** Illegal speech is also prohibited. Language usage can violate specific laws depending on the context. Some examples of such laws include disturbing the peace, intimidation, stalking, harassment, defamation, or libel.

### **Litter-Free Campus**

Jackson State University takes great pride in the beauty of our campus. Littering is strictly prohibited and a violation of the University. Littering shall include, among other things, the throwing of debris such as cigarette butts, food wrappers, paper, cans, bottles, or other trash on the ground.

No student shall intentionally dispose of refuse of any kind in or near any building owned or operated by the University except in receptacles provided for that purpose. Intentionally discarding such will be seen and adjudicated as a violation of the University Littering Policy. Fines may be imposed in an amount not to exceed two hundred dollars (\$200.00).

## **STUDENT DECORUM POLICY DISCIPLINARY PROCEDURES**

When the Associate Vice President for Student Life deems that a student has violated the Student Decorum Policy, the following procedures will be implemented.

### **Verbal Warning.**

A verbal warning will be given to the student by the faculty or staff member who reported the misconduct, and a written record of the incident will be given to the student as well as placed in the student's file. The student may provide a written response (of reasonable length) which reflects his or her view of the incident and such response shall also be included in the file.

### **Informal or Student Life Disciplinary Hearing.**

If the verbal and written warning has no impact on a student's behavior and further violations occur, the student will be contacted by the Associate Vice President for Student Life or designee thereof in regard to an informal or formal hearing.

For allegations of misconduct of a less serious nature, the student will be summoned to appear before Judicial Services for an informal hearing. The student will be allowed to know the allegations which he or she is accused of and be given an opportunity to respond. Based on the discretion of the Judicial Services official, the student may be given a final warning or directed to attend counseling. If the Judicial Services official believes that a fine, University service, probation, suspension, or expulsion is appropriate, the matter will be referred to the Student Life Disciplinary Committee ("SLDC") for adjudication. The SLDC shall hear all cases in which fines, University service, probation, suspension, or expulsion may be imposed. The SLDC may impose one of these actions only after the student has been informed of the allegations against him or her, and the student has been given a meaningful opportunity to explain why the allegations are incorrect or why a certain sanction is too harsh. An appeal of suspension or expulsion from the SLDC for violations of this policy may be made in writing to the Associate Vice President for Student Life within two (2) days from the student's notification of the SLDC decision. The decision of the Associate Vice President for Student Life is final.

## **NOTICE TO STUDENTS**

This Student Decorum Policy, including its Disciplinary Procedures, must be made available or disseminated in such a way to ensure that students receive notice of and access to this policy as well as information regarding the effective date from when it will be actively enforced.