

JACKSONVILLE STATE UNIVERSITY CODE OF STUDENT ORGANIZATION CONDUCT

2026-2027

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For the most up-to-date Code of Student Organization Conduct, please visit the Office of Community Standards website at [JSU.EDU/COMMUNITY-STANDARDS](http://JSU.EDU/COMMUNITY-STANDARDS).

*The Jacksonville State University Code of Student Organization Conduct is adapted from The Dyad Strategies Model Code of Student Organization Conduct and is used here with permission.*

## **PURPOSE**

The Office of Community Standards supports the Jacksonville State University mission by remaining student-centered and educational in its disciplinary procedures. The Code of Student Organization Conduct publicly sets expectations of all Student Groups/Organizations to uphold standards and demonstrate respect within the University community.

The process outlined below is designed to support students and Student Groups/Organizations who may have engaged in misconduct through an educational and restorative approach. The Office of Community Standards upholds the institution's general mission and goals while recognizing and respecting the rights, privileges, and responsibilities of all students at Jacksonville State University.

The Office of Community Standards strives to ensure that the conduct process is procedurally sound, consistent, fair, transparent, and accessible to students and the campus community, resulting in a just outcome that holds students accountable for their behavior. The resolution procedures and outcomes are designed to address the behavior, repair any harm caused, prevent recurrence, and/or provide education and support.

The mission of the Office of Community Standards and the Student Organization Conduct system at Jacksonville State University is to transform potential incidents of misconduct into opportunities for education and student development. Our goal is that, as students and/or Student Groups/Organizations progress through the conduct process, they will emerge as better-educated and more well-rounded members of the University's community and become more effective global citizens.

## **PHILOSOPHY**

The philosophy of the Office of Community Standards is educational, aiming to facilitate reconciliation among students and/or Student Groups/Organizations. This restorative justice philosophy is best achieved through cooperation between students and/or Student Groups/Organizations who engage in misconduct and the administrator holding them accountable. The hopeful benefit of this philosophy is a transformative learning experience for everyone involved.

## STATEMENT OF VALUES

**Professional Responsibility:** Jacksonville State University must balance the students' developmental and educational needs with its obligation to protect the safety and welfare of the Jax State community. In situations where a student's and/or Student Groups'/Organizations' behavior poses a risk to themselves or others, Jacksonville State University personnel must take action consistent with applicable laws, regulations, and policies.

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

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

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

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

## SCOPE OF AUTHORITY

Jacksonville State University's conduct system has the authority to handle all non-academic disciplinary matters. The university reserves the right to discipline students, Student Groups/Organizations, and Recognized Student Organizations (RSOs) for acts of misconduct that occur on or off Jacksonville State University Premises. (Including at University or Organization-sponsored events)

The Code of Student Organization Conduct applies to all Student Groups/Organizations, regardless of whether they are recognized by the University. The conduct expectations outlined in this policy for Registered Student Organizations (RSOs) also apply to any Student Group/Organization as defined in this policy.

The Code of Student Organization Conduct may be applied to behavior conducted online, via email, or other electronic media. Organization members should also be aware that online postings, such as blogs, web postings, chats, and social networking sites, are in the public sphere and not private. These postings can subject an organization to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly seek this information, but may take action if it is brought to the attention of the Office of Community Standards.

At its discretion, the university may pursue disciplinary action against an organization, even if the organization's members are also subject to criminal proceedings. The university reserves this right, regardless of whether criminal charges are pending, reduced, or dismissed. The university's disciplinary procedures are administrative proceedings, not criminal or civil in nature. As a result, formal evidence rules and procedures similar to those used in civil or criminal trials are not applicable.

As Jacksonville State University community members, organization members are expected to abide by all local, state, federal, and international laws. Referrals received from any university or police authority, regardless of location, are subject to possible disciplinary proceedings for the accused and/or the organization.

Organizations are responsible for the conduct of members in relation to the organization from the time of application for recognition until the organization is no longer recognized by the university. Violations of the Code of Student Organization Conduct during the academic year, between academic terms, or during periods of suspension or dismissal will be addressed. This Code shall apply to an organization, even if the organization disbands while a disciplinary matter is pending.

The Code of Student Organization Conduct applies to guests of the organization, and the organization may be held accountable for its guests' misconduct. Visitors to and guests of the University may seek resolution of violations of the Code of Student Organization Conduct committed against them by an organization and/or its members.

Individual students who are members of an organization remain subject to the Code of Student Conduct as individuals and may be held individually accountable for behaviors attributed to the organization. Individuals who are members of an organization may, through their actions, subject the organization to disciplinary action under this Code, regardless of whether those individuals are also adjudicated under the Code of Student Conduct. For additional information, please refer to the Jacksonville State University Code of Student Conduct found in the Student Handbook or on the Community Standards website at [jsu.edu/community-standards](http://jsu.edu/community-standards).

## **REVISIONS TO THE CODE OF STUDENT ORGANIZATION CONDUCT**

This Code shall take effect on June 1st each year. It is the general duty of all persons affiliated with Jacksonville State University to advise the Office of Community Standards of modifications that should be considered to improve the fairness and effectiveness of the system. In consultation with University Administration, the Office of Community Standards will be responsible for identifying and considering any proposed revisions to the Code of Student Organization Conduct. The Code of Student Organization Conduct will be reviewed and updated annually by the Office of Community Standards. The updated policy will be published annually.

**JACKSONVILLE STATE UNIVERSITY HAS THE AUTHORITY TO MODIFY THE CODE OF STUDENT ORGANIZATION CONDUCT AS NECESSARY.**

## **ACCESSIBILITY**

The leadership of Recognized Student Organizations and all students at Jacksonville State University have access to a digital copy of the Code of Student Organization Conduct on the Office of Community Standards website at [jsu.edu/community-standards](http://jsu.edu/community-standards). The Code of Student Organization Conduct is also published in the Student Handbook. Students who are part of a student group/organization are responsible for having read and abiding by the provisions of the Code of Student Organization Conduct.

## REPORTING

To make any reports of prohibited conduct, hazing, or concerning behavior, you can use the [Incident Reporting Forms](#) found on the Office of Community Standards [website](#) or contact the Office of Community Standards directly by phone at 256-782-8081, 256-782-8080, by email [communitystandards@jsu.edu](mailto:communitystandards@jsu.edu), or in person at 301-A, Angle Hall.

### **TITLE IX INCIDENT:**

To report any incident or concern regarding sexual discrimination, sexual harassment, quid pro quo harassment, sexual assault, dating violence, domestic violence, stalking, and/or related retaliation, individuals can use the [Report a Title IX Concern or Title IX Incident Form](#) found on the Title IX website, [JSU.EDU/titleix](http://JSU.EDU/titleix), or contact the Title IX Office directly at 256-782-5769 or [titleix@jsu.edu](mailto:titleix@jsu.edu).

*Please call 9-1-1 or the University Police at (256)782-5050 if you need emergency assistance.*

### **REPORTING LIMITATIONS:**

There is no time limit for reporting violations of the Code of Student Organization Conduct; however, the longer someone waits to report an offense, the more challenging it may be for the Office of Community Standards to obtain information and witness statements and to make determinations regarding alleged violations. The Office of Community Standards is limited to the Scope of Authority as outlined herein.

### **ANONYMOUS REPORTING:**

Although anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond. Those who are aware of misconduct are encouraged to report it promptly to the Office of Community Standards and/or the Department of Public Safety/University Police Department.

## STATEMENT OF FREEDOM OF EXPRESSION

The campus grounds, properties, and facilities of Jacksonville State University are devoted to and maintained for the purpose of providing higher education to Students and for the use and enjoyment of the Campus Community and are not places of unrestricted or unregulated public access. As such, the University reasserts the right to properly govern access to and the use of its property in such a way as to protect Students, faculty, staff, and persons lawfully on or using university facilities, as well as for the protection and preservation of institutional assets.

The University, however, is committed to protecting the free speech rights of Students, faculty, staff, and invited guests. The purpose of the policy is to respect the Campus Community's rights to free speech and expressive activity while preserving public health, safety, and welfare; the normal educational and business uses of the campus; protecting University property; and safeguarding the rights of others to legitimately use and enjoy the campus.

While the University will not regulate the content of lawful speech, assembly or related activity, the University may regulate the time, place, and manner of free speech and expressive activities in order to prevent unreasonable interference with or disruption of its educational and business functions, normal or scheduled uses of University property by the Campus Community, as well as to protect public health, safety, and welfare.

*For additional information, please refer to the University's Campus Use and Protection of Free Speech Policy in the [Policies and Procedures Manual](#).*

## DEFINITIONS

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

**Administrative Hearing Officer:** A University Official, generally from the Office of Community Standards, trained to adjudicate violations, who determines whether a Student Group/Organization is responsible for violating the Code of Student Organization Conduct.

**Advisor:** A person who attends the conduct procedure(s) to support a Student Group/Organization during the conduct process. Advisors may only confer with the organization's member(s) they are advising and cannot speak on behalf of the organization's member(s). An Advisor can be any person chosen by the student/member, and any financial responsibility for this Advisor shall rest with the student. A student/member may only have one advisor present during the conduct procedures. Advisors cannot serve as witnesses. If an organization needs assistance finding an advisor, the Office of Community Standards will provide this information upon request. An individual charged in the same fact pattern related to the alleged Student Group/Organization may not serve as an advisor.

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

If the Hearing Officer determines that an Advisor's conduct undermines the integrity of this policy or interferes with meetings or proceedings, an Advisor may be prohibited from continuing to serve in their role. In cases of unreasonable delays caused by an Advisor, the Hearing Officer may elect to hold meetings or proceedings in their absence. The affected party may be permitted to obtain a substitute Advisor.

**Alleged Individual or Alleged Student Group/Organization:** A student or organization alleged to have violated the Code of Student Conduct, the Code of Student Organization Conduct, and/or other university policies.

**All terms (Accused Individual/Student Group/Organization, Alleged Student/Student Group/Organization, or Respondent) are interchangeable, including any other term used to reference an individual or organization responding to a report of a violation and the subject of an investigation or disciplinary proceeding.**

**Amnesty:** A policy that protects students from formal disciplinary action for certain violations when seeking help for themselves or others, typically during emergencies. (e.g., Medical Amnesty, Good Samaritan Amnesty, etc.)

**Appeals Officer:** The Associate Vice President for Student Affairs, or their designee, will serve as the Appeals Officer, ensuring that the Appeals Panel is properly trained and equipped with relevant information to adjudicate received appeals.

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

**Appeal Process:** A process designed to review and ensure the integrity of the decisions made by the Hearing Officer(s) or Hearing Board.

Additional information on the appeals process, including grounds for appeal, can be reviewed in the "Appeals" section of the Code of Student Organization Conduct.

**Business Day:** A day when the University is under normal operation and administrative offices are open and operating, excluding weekends, observes public and/or University holidays, and University emergency closers (e.g., weather day). (Typically, Monday through Friday)

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

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

**Complainant/Reporting Individual:** A person who makes a referral to the Office of Community Standards alleging that a violation of the Code of Student Organization Conduct has occurred. The university may make a report when there is evidence that this policy has been violated. The complaint does not have to be made by an Impacted Individual.

**Complicit:** Involved in or knowing about a crime, conduct, or activity that violates the Code of Student Conduct and/or Code of Student Organization Conduct, without intervening and/or reporting.

**Faculty/Staff Advisor:** A member of the University faculty or staff assigned to a student group/organization, who provides guidance and support to a student organization, assisting with planning, operations, and leadership development. The Faculty/Staff Advisor can serve as the Student Group/Organization's advisor during the conduct process.

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

**Family and Educational Rights and Privacy Act (FERPA):** A federal law regarding the privacy of student records and the obligation of the institution, primarily in the areas of release of the records and access to these records. Any educational institution that receives funds under any program administered by the U.S. Secretary of Education is bound by FERPA requirements. Institutions that fail to comply with FERPA may have funds administered by the Secretary of Education withheld.)

*For additional information, please refer to the Office of the Registrar website "[FERPA Information.](#)"*

**Hazing:** Any non-accidental, costly aspect(s) of group induction activities that: (a) do not appear to be group-relevant assessments/preparations, and/or (b) are excessive, dangerous, or degrading in their application or constitute violations of local, state, or federal law or any other University policy, regardless of the consent of the participants. Group induction activities refer to tasks that are formally or informally required to obtain or maintain membership and/or participatory legitimacy for new, prospective, or current members, and/or to attain progressive membership status and/or leadership positions within the organization.

*For additional information, please refer to the University's Hazing Policy in the [Policies and Procedures Manual.](#)*

**Hearing Board/Panel Hearing:** A process in which the facts of an alleged violation of the Code of Student Organization Conduct are presented to a Hearing Board Panel to determine if a violation(s) occurred and make outcome/sanction recommendations when appropriate.

**Hearing Board Members/Panel:** A Hearing Panel will comprise three (3) members: three (3) trained university officials (staff or faculty), or two (2) trained university officials and one (1) trained university student, when available. The panel will determine whether a student is responsible for violating the Code of Student Organization Conduct.

**Hearing Board Chair:** A university official (staff or faculty) member of the Hearing Board who is responsible for facilitating and managing the Hearing Panel process.

**Hearing Board Officer:** A University Official, generally from the Office of Community Standards, who advises the Hearing Board and ensures proper procedures are followed during the Panel Hearing. The Hearing Officer oversees administrative hearings and ensures that proper procedures are followed. The Hearing Officer can participate in the hearing (i.e., asking questions). The Hearing Officer has final authority to determine responsibility and/or to assign outcomes.

**Hold:** A temporary status applied to a student's educational records that prevents them from registering for classes, making registration changes, accessing enrollment, and other services.

**Impacted Individual:** a person who was directly impacted by the alleged prohibited conduct. The impacted individual is not always the same person as the complainant.

**In absentia:** a Latin phrase meaning "in absence" or "while absent". In absentia is used to close a case without the physical presence of the alleged student or student group/organization representative.

**Any case closed “In Absentia” will retain the right to appeal the determinations and/or the assigned outcomes regardless of the case resolution process used.**

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

**Interim Measures:** Interim measures encompass support, accommodations, protective measures, and/or restrictive directives aimed at safeguarding the safety and well-being of the parties and/or the university community.

*Additional information can be reviewed in the “Interim Measures Section” of the Code of Student Organization Conduct.*

**Inter/National Organizational Governing Body:** Any known or designated association or body affiliated with any Student Group/Organization. Examples include national headquarters of Greek-letter organizations, national governing bodies of sports organizations, and national honor societies.

**Mid-Level Violation:** In the University conduct process, a mid-level violation refers to a subsequent violation or a first-time violation(s) of lesser severity. The Prescribed Process resolution is not often offered for a Mid-Level Violation(s). (Generally, a Tier 2 Violation)

**Minor Violation:** In the University conduct process, a minor violation is a first-time or less-serious violation of the Code of Student Organization Conduct, with less severe potential outcomes. These violations often involve unintentional or non-malicious actions that have a limited impact on individuals or the community. (Generally, a Tier 1 to Tier 2 Violations)

**No Contact Order:** No Contact Orders are designed to prevent students involved in the conduct process from communicating with each other, thereby minimizing the likelihood of further altercations. A No Contact Order is a written directive prohibiting contact between individuals (directly, indirectly, or through a third party). It is intended to protect the safety and well-being of the parties involved.

**Notice:** A formal letter provided to a student or the student organization representative during the conduct process by the University (Office of Community Standards) that provides information about allegations, conduct procedures information, meeting/hearing information, interim measures, and/or decision and outcomes assigned when applicable.

**Outcome:** A measure imposed for violating the Code of Student Organization Conduct. Generally, outcomes are educational and intended to modify the organization’s behavior and to build awareness of responsibility and community standards. Outcomes may also be given to protect the University community and preserve a safe educational environment for all members.

**Pre-Hearing Conference (or Meeting):** A meeting with the Hearing Officer or designee where a student can learn more about the conduct process and ask questions about the hearing and/or conduct process. Pre-hearing meetings are for discussing procedures only. The meeting is not for reviewing the facts, evidence, or the substantive nature of a conduct referral.

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

**Prima Facie Evidence:** Prima facie is Latin for "at first sight" or "on the face of it." Prima facie evidence is evidence that appears to be enough to support a claim at first glance. "Prima facie evidence of use" means there is enough initial evidence to suggest something was used, even if it's not conclusive.

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

**Recognized Student Organization (RSO):** A Registered Student Organization (RSO), as defined in this policy, is a Student Group/Organization that has complied with the formal requirements for recognition and registration with Jacksonville State University.

*For more information on RSOs, visit the Dean of Students Office website at [jsu.edu/studentlife](http://jsu.edu/studentlife).*

**Reporting Individual/Complainant:** A person who makes a referral or report to the Office of Community Standards, alleging that a violation of the Code of Student Conduct has occurred. The university may make a report where there is evidence that this policy has been violated.

**The terms are interchangeable, including any other term used to reference an individual who reports an alleged violation of the Code of Student Conduct.**

**Retaliation:** Adverse action(s) against a person for participation in any portion of the referral or student conduct process, which includes, but is not limited to, serving as a witness in conduct hearings. This includes making a referral for a student out of concern for their well-being. Retaliation includes harassment, intimidation, coercion, or otherwise discriminating against an individual, including but not limited to violence, threats of violence, property destruction, adverse educational or employment consequences, and bullying.

**Rights and Responsibilities:** The policies outlined in the Student Handbook are available for reference at any time. Students are responsible for being aware of and adhering to university policies to avoid violating them. Additionally, students have a responsibility to Jacksonville State University to report any known violations of the Code of Student Conduct and/or the Code of Student Organization Conduct, thereby maintaining proper order and respect in the university community. With an allegation of violating the Code of Student Conduct and/or the Code of Student Organization Conduct, all students have rights as listed herein and are afforded to any alleged student or any Student Group/organization upon first notification of an allegation.

**Significant/Severe Violation:** In the University conduct process, a significant violation refers to violations where a violation is the same type of prohibited conduct that is repeated multiple times by the same student or student group/organization, or violations that cause or potentially cause serious harm, or are a serious, extreme, and/or life-threatening violation(s). (Generally, a Tier 3 Violation)

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

**Sponsored Event:** Sponsored events, whether on or off University Premises, include, but are not limited to:

Any event that the RSO registers with the University or otherwise notifies the University that it is sponsoring/hosting

Any event that meets the criteria of an event that should be registered with the University or that the RSO should have otherwise notified the University

Any event that the University determines may qualify as a sponsored event, based on, but not limited to, the following factors: the nature of the event, the number of RSO members in attendance, and the level of organization and advertising undertaken by RSO members.

**Staff Member:** An individual employed by the university in roles that support the university's mission but are not directly involved in teaching or research. They are typically engaged in administrative, operational, and support functions.

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

**Student Group/Organization:** An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the University, whether or not the organization is established or recognized by the institution.

**Student Group/Organization Representative:** The University will generally direct communication to the student on file with the Dean of Students Office, who is the elected or appointed leader of the RSO (e.g., president or team captain). However, the Student Group/Organization may request that any student member serve as the official representative; the University has the authority to designate the Student Group/Organization Representative.

**Support Person:** A person who attends a meeting or hearing with a witness. The support person is present solely for support and does not actively participate in the proceedings.

If the Hearing Officer determines that the Support Person's conduct is distracting, disruptive, undermines the integrity of this policy, or interferes with the proceedings, the Support Person may be prohibited from continuing to serve in their role.

**Witness:** A person present at the time of an incident who sees parts or all of the activities that take place during the incident, or relevant information that leads to an incident. A witness may be requested to speak to the hearing officer or hearing board panel and provide information about the incident. An involved party or the University may also request that a witness attend a hearing to provide information about the particular incident. Witnesses cannot serve as advisors.

Character witnesses are not allowed or taken into consideration when determining responsibility or outcome(s).

The Hearing Officer or Hearing Chair of a board hearing will evaluate the relevancy of witness information.

Witness statements can be accepted in lieu of the witness's attendance at the hearing. The statement must be emailed directly to the Hearing Officer from the witness using only their official Jacksonville State University email accounts.

**University Official:** Any individual who is employed, contracted with, or appointed and performs administrative or professional responsibilities within the scope of their authority by the university (e.g., Faculty, Staff, etc.).

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

## PROHIBITED CONDUCT

The behaviors listed below apply to members of a Student Group/Organization. As stated, individual students who are members of a Student Group/Organization are still subject to the Code of Student Conduct and may be held individually accountable for behaviors attributed to the Student Group/Organization. Individuals who are members of a Student Group/Organization may, through their actions, subject the Student Group/Organization to disciplinary action under this Code, whether or not those individuals are also adjudicated under the Code of Student Conduct.

*Please refer to the Jacksonville State University Hazing Policy, Code of Student Conduct, and Sex-Based Harassment and Misconduct Policy for information on misconduct subject to these policies.*

**Abuse of Process.** The Student Group/Organization, or someone acting on behalf of a Student Group/Organization, violates this Code by directly or indirectly abusing, interfering with, or undermining the fairness, integrity, or proper functioning of the University's investigation and/or conduct process.

Abuse of Process-related violations included, but are not limited to:

- Failure to comply with official correspondence from a Hearing Officer or university official;
- Falsifying, distorting, or misrepresenting information or colluding to do the same in the investigation/adjudication process;
- Destroying or concealing information;
- Attempting to discourage an individual's proper participation in the investigation/adjudication process;
- Harassing or intimidating (verbally or physically) any person involved in the conduct processes before, during, and/or following proceedings (including up to, throughout, and after any outcome);
- Unauthorized disclosure of a reporting party's identifying information;
- Failing to comply with a temporary measure or other sanction/outcome;
- Distributing or otherwise publicizing materials created or produced during an investigation as a part of these policies or procedures, except as required by law or as expressly permitted by the University, Office of Community Standards, and/or a designee; or
- Influencing or attempting to influence another person to commit abuse of process.

**Aiding in Academic Misconduct.** The Student Group/Organization aids, abets, organizes, approves, or otherwise participates in behaviors that would constitute cheating, plagiarism, misrepresentation (e.g., having another Student Group/Organization member check into a class or take an exam), and/or other forms of Academic Misconduct as outlined in the Jacksonville State University Scholars' Code. Evidence of a violation of this policy must demonstrate systemic participation and/or knowledge of misconduct by members of the Student Group/Organization.

**Alcohol.** The Student Group/Organization is responsible for any activities or events it sponsors or endorses, whether on or off University Premises. If the Student Group/Organization aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of any applicable local, state, federal, or provincial laws or any university policies (e.g., Alcohol and Other Drug Policy, etc.) would constitute a violation of this policy.

- The organization, its members, and guests must comply with all applicable federal, state, provincial, and local laws.
- Consumption should neither infringe on the rights of others to study nor negate any normal activity.
- Alcohol possession and consumption on campus is permitted only for students of legal age (21).
- No person under the legal drinking age may transport, possess, consume, provide, or be provided with alcoholic beverages.
- It is prohibited to serve, provide, or knowingly allow alcohol to individuals under 21.
- It is prohibited to serve alcohol to someone who is visibly intoxicated or to pressure someone to consume alcohol.
- The consumption of alcohol stronger than 15% alcohol by volume ("ABV") is prohibited on campus (except when served by a license and insured third-party vendor).
- The organization, members, or guests must not permit, encourage, coerce, glorify, or participate in any activities involving the rapid consumption of alcohol, such as drinking games. Drinking games are prohibited on University Premises, in residential buildings, or at Sponsored Events.

- It is unlawful and prohibited to use or possess identification that makes an individual appear older or misrepresents an individual as someone else.
- No person may transport or consume open containers of alcoholic beverages in public areas.
- Common sources of alcohol that are not being served by an insured and licensed third-party vendor are prohibited. This includes, but is not limited to, bulk quantities, “tap” systems, kegs, beer balls, punch bowls, and punch served out of a cooler or another unusual container.
- Alcoholic beverages must not be purchased with organizational funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).

**Alcohol-Event/Risk Management:**

Student Groups/Organizations must comply with all applicable federal, state, provincial, and local laws and University Policies (e.g., Alcohol and Other Drug Policy) for any activity, parties, or event sponsored or endorsed by the Student Group/Organization, on or off university premises.

- Alcoholic beverages must either be: (1) provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.), or (2) brought by individual members and guests through a bring your own beverage (“BYOB”) system.
- An organization must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.

Attendance by non-members at any event where alcohol is present must:

- be by invitation only.
- utilize a guest list system.
- not knowingly allow a minor(s) (under 18) to attend the event.
- not exceed the local fire or building code capacity of the chapter's or organizational premises or the host venue.
- must not exceed the 3-to-1 rule. (No more than three (3) guests for every one (1) present member of the student group/organization hosting the event/party).
- ensure reusable drinking containers/cups must be empty upon entry to the event.
- have a system to manage and monitor any alcohol brought for BYOB events.
- have an event guest check-in.

BYOB alcohol for the event:

- can only be brought by guests over 21
- must be unopened/sealed and checked in at the bar (no glass, nothing above 15% ABV)
- must be within reasonable limits of alcohol brought per person

At the guest check-in, the Student Group/Organization must:

- check each guest’s identification.
- verify each guest is on the list.
- distinguish guests under 21 from guests who are over 21 years old.

*The Social Event Planning Guide and other resources are available on the Dean of Students Office [website](#) and can be used by Student Groups/Organizations when planning an event.*

**Alcohol-New Member Process:**

Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance-free. No alcohol may be present if the event or activity is related to new member activities, meetings, or initiation into an organization

*For additional information, please refer to the Jacksonville State University [Alcohol and Other Drug Policy](#).*

**Assault.** No Student Group/Organization member(s) or guest shall engage in assault. Assault is a threat of bodily harm coupled with an apparent ability to cause harm.

Assault-related violations included, but are not limited to:

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

**Attempt.** The Student Group/Organization or its members attempt to engage in conduct that, if completed, would violate any rule or policy applicable to the university. The Student Group/Organization may be charged with and found responsible for the prohibited conduct, which, if completed, would have violated a University policy.

**Bribery.** The Student Group/Organization offers or accepts anything of value in exchange for favorable treatment by a university official, UPD, or other official. Forms of bribery may include gifts, monetary payments, property, various goods, privileges, services, and favors. Evidence of a violation of this policy must demonstrate systemic participation and/or knowledge of misconduct by more than 1-2 Student Group/Organization members participating in the violation.

**Bullying/Cyberbullying.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute bullying and/or cyberbullying, which are defined as repeated and/or severe behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by freedom of expression.

Bullying/Cyberbullying-related violations included, but are not limited to:

- Unwanted teasing
- Stalking or Cyberstalking
- Physical violence
- Public humiliation
- Social exclusion
- Rumors or the spreading of falsehoods

**Damage/Destruction of Property.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any action that causes damage or is intended to cause damage to the university's property, the property of a member of the university community, or other personal or public property.

**Disorderly Conduct.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any conduct that is disruptive, lewd, or indecent, with or without the intent to cause public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, which breaches the peace of the community.

Disorderly Conduct-related violations included, but are not limited to:

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

**Drugs.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of any applicable local, state, federal, or provincial laws or any university policies (e.g., Risk Management Policy, Alcohol and Other Drug Policy, etc.) would constitute a violation of this policy.

Drug-related violations included, but are not limited to:

- The organization, members, and guests must comply with all federal, state, provincial, and local laws regarding illegal drugs and controlled substances.

- No person may possess, use, provide, distribute, sell, and/or manufacture illegal drugs or other controlled substances at any time.
- Any event or activity related to the organization must be substance-free. No drugs may be present at any event, activity, meeting, or initiation into an organization. Including any activity related to the new member joining process.
- The organization, members, or guests must not permit, encourage, coerce, glorify, or participate in the use of any drug(s).

“**Drugs**” are considered to be any mind-altering substances, regardless of legality, including but not limited to opiates, barbiturates, amphetamines, cannabis, hallucinogens,

Banned substances include, but are not limited to, the following:

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

“**Designer Drugs**” and illegal steroids, except for legally authorized doses for medical purposes.

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

Any student involved with drugs is encouraged to consult Health Services for help. Information provided to a university healthcare provider or Counselor is privileged and cannot be voluntarily disclosed to anyone, nor can they be compelled to testify in court or elsewhere. Other members of the staff or students may also assist with drug problems; however, students should be aware that they are not necessarily bound by confidentiality.

The university's actions in all cases of drug violations will be guided by a concern for the emotional and physical welfare of the student involved and for maintaining a suitable educational environment for all members of the university community.

**Endangerment.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any activity that constitutes physical abuse or could endanger the safety, health, or well-being of other individuals or groups, or would cause a reasonable apprehension of such harm. For the purposes of this policy, Endangerment would include observing activities that might endanger the safety, health, or well-being of individuals by Student Group/Organization members in a position to intervene but who fail to do so.

**Failure to Comply.** The Student Group/Organization, member(s), or the representative fails to comply with the direction of any university official who has been identified and is acting expressly within their official duties or authority to uphold university rules, regulations, or policies.

Failure to comply-related violations included, but are not limited to:

- Failure to comply with a verbal or written directive given by a university official, including obligations associated with any disciplinary process or outcomes.
- Failure to comply with an Interim Protective/Restrictive Measure issued by a University Official.
- Failure to comply with reasonable and lawful requests or directives of university officials or law enforcement officers acting in the performance of their duties.
- Attempting to, or successfully evading, avoiding, or delaying questioning by a university official, including any law enforcement officer.
- Failure to show proper student identification or other identification to any university official or any law enforcement officer performing their official duties.
- Interfering with the normal operation of the teaching and learning environment.

**Fire Safety Equipment.** A Student Group/Organization member is prohibited from tampering with, misusing, or damaging fire extinguishers, alarms, or other safety equipment on University Premises, at an event sponsored or endorsed by an organization, or within University-owned residences used solely by an RSO. Tampering with smoke detectors includes removing the batteries, covering them, removing them, or otherwise disabling them (e.g., using fog machines).

**Harassment.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any action(s) which recklessly and/or intentionally endanger the mental or physical health of any individual or group, based on perceived or actual identities, that is persistent, severe, pervasive, unwelcome, and/or inappropriate conduct that actually or potentially interferes with an individual's ability to work or learn, including harassment based on a legally protected status.

Jacksonville State University prohibits harassment of students on any basis.

The University reserves the right to take disciplinary action for such conduct, regardless of whether it meets legal standards for discrimination or harassment.

**Hazing.** In alignment with Jacksonville State University's mission, the University is committed to preparing students to be competent, ethical professionals and engaged, responsible, global citizens. Hazing is antithetical to these values and poses a serious threat to students' well-being. Therefore, the University prohibits hazing in any form and is dedicated to preventing it within our campus community.

Hazing will not be tolerated. Student Groups/Organizations and individual students are prohibited from hazing in any form, both on and off University Premises.

"Hazing" is defined as "any non-accidental, costly aspect(s) of group induction activities that: (a) do not appear to be group-relevant assessments/preparations, and/or (b) are excessive, dangerous, or degrading in their application or constitute violations of local, state, or federal law or any other University policy, regardless of the consent of the participants.

Group induction activities are those tasks formally or informally required to obtain or maintain membership and/or participatory legitimacy for new, prospective, or current members and/or to attain progressive membership status and/or leadership positions within the organization" (Adapted from Cimino, 2017).

**Hazing-Complicity:**

Hazing includes the observation of hazing activities by individuals in a position to intervene but who fail to intervene, including organization officers or leaders who are aware of planned hazing activities and who condone and/or fail to prevent that hazing from occurring, regardless of their participation.

**Reporting Hazing.** Any person with knowledge of any activity or conduct that may constitute hazing can report their concerns to the Dean of Students Office, Office of Community Standards, University Police Department, or by submitting a report online ([Hazing Reporting Form](#)).

*Please refer to the [Jacksonville State University Hazing Policy](#) for more information.*

**Retaliation.** The Student Group/Organization or member(s) aids, abets, incites, organizes, approves, or otherwise participates in any adverse action(s) against a person for participation in any portion of the referral or student conduct process, which includes, but is not limited to, serving as a witness in conduct hearings. This includes making a referral for a student out of concern for their well-being.

Retaliation-related violations included, but are not limited to:

- Harassment
- Intimidation
- Coercion
- Discrimination
- Violence
- Threats of violence

- Property destruction
- Adverse educational or employment consequences
- Bullying.

**Sexual Misconduct.** Any form of sexual harassment or sexual misconduct, including, but not limited to, sexual assault, stalking, dating violence, intimate partner violence, domestic violence, and sexual exploitation.

The Student Group/Organization aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute Sexual Misconduct and/or would violation of the Jacksonville State University Sex-Based Harassment and Misconduct Policy is a violation of this policy.

Referrals for alleged violations of sexual misconduct will be resolved in accordance with specific policies and procedures outlined in the Jacksonville State University Sex-Based Harassment and Misconduct Policy. If the Sex-Based Harassment and Misconduct Policy does not apply, by definition or alleged conduct, the conduct procedures outlined in this policy will be followed to address all other alleged misconduct under the University Sex-Based Harassment and Misconduct Policy.

*Please refer to the [Jacksonville State University Sex-Based Harassment and Misconduct Policy](#) for more information.*

**Unauthorized Activity.** Non-recognized student organizations are prohibited from participating in or attempting to participate in activities reserved for recognized student organizations. Student organizations that have been suspended or dismissed are considered unaffiliated with the university.

**Unauthorized Use of Jacksonville State University's Name.** Non-recognized student organizations are prohibited from using the university's name or attempting to use it without the university's express written consent.

**Violation of the Student Code of Conduct.** The Student Group/Organization or its member(s) aids, abets, incites, organizes, approves, or otherwise participates in any activity that violates, attempts to violate any prohibited conduct outlined in the Code of Student Conduct.

*Please refer to the [Jacksonville State University Code of Student Conduct](#) for more information.*

**Violation of any University Policy.** The Student Group/Organization or its member(s) aids, abets, incites, organizes, approves, or otherwise participates in any activity that violates, attempts to violate any Jacksonville State University Policy (e.g., Guide to Residence Living, etc.).

## **STUDENT GROUP/ORGANIZATION GENERAL PROCEDURAL ASSURANCES**

The following is a list of procedures generally provided to any student group or organization participating in the University disciplinary process. Each case presents a unique set of facts and circumstances. None of the procedures listed below is guaranteed, except for the right to receive notice and an opportunity to be heard. Additionally, procedures not listed below may be applicable or available to the student. The Hearing Officer determines what procedures are available on a case-by-case basis.

The Student Group/Organization Representative will receive notification of the alleged violation, as well as the date, time, and location of any procedural or resolution meeting regarding the alleged violation(s).

During all procedural/resolution meetings, the Student Group/Organization Representative may be accompanied by one (1) advisor of their choice, and at their own expense.

The Student Group/Organization Representative may request access to any information used during any resolution proceedings outlined below when appropriate and as permitted under the Family Educational Rights and Privacy Act (FERPA). In cases where retaliation is a legitimate safety concern, the information may be redacted or presented in a manner that prevents identification.

When appropriate, the Student Group/Organization Representative will have the opportunity to introduce documents, call witnesses, and present information during any resolution proceedings outlined below.

The Student Group/Organization will have other procedural options based on the type of resolution procedure used, as outlined below.

## RESOLUTIONS PROCEDURES

### NOTICE TO THE UNIVERSITY/OFFICE OF COMMUNITY STANDARDS

The institution may receive notice of an allegation or potential violation of this or other related policies in several ways, including, but not limited to:

- The filing of an incident report with the Office of Community Standards, including self-reporting.
- Any Responsible University Official is made aware of any potential violation of this or other related policies.
- Any Responsible University Official observes any potential violation of this or other related policies.
- Any Responsible University Official is aware of a student group/organization's climate or culture that may indicate a probability of violations of this or any other related policies.

### AMNESTY

**Amnesty is granted on a case-by-case basis by the Office of Community Standards and/or a designee, who will consider the specific circumstances and the totality of the situation.**

### SELF-REPORTING OF PROHIBITED CONDUCT

Student Group/Organization leadership is encouraged to immediately report any violations committed by members of their Student Group/Organization of this or other University policies to the Office of Community Standards. This report should provide a detailed description of the events that transpired, the names of all individuals involved, and any internal disciplinary actions taken by the Student Group/Organization. If the Student Group/Organization chooses to self-report behavior in this manner, the Office of Community Standards or a designee may investigate the individual(s) implicated in the report, but not the student group/organization. Unless information discovered during any investigation suggests that the incident was aided, abetted, sanctioned, or organized by the Student Group/Organization, the investigation may be limited to the individuals implicated in the self-report, rather than the Student Group/Organization. However, if information is uncovered during any investigation suggesting that the Student Group/Organization aided, abetted, sanctioned, or organized the event, the Office of Community Standards or its designee may initiate a formal investigation of the Student Group/Organization. The student(s) and/or the student group/organization must cooperate with the University Official(s) during the entire conduct process.

Students who make a complaint under this policy or who participate in an investigation related to this policy will not be charged with other minor University policy violations that are brought to light in the course of the investigation that arose out of, or were committed as a direct result of, the incident(s) under investigation (i.e. students forced to consume alcohol as part of a hazing incident will not be charged with violations of the University's alcohol policy) as long as those behaviors do not represent a threat to the health, safety or well-being of others. The University reserves the right to follow up with students regarding those issues, as appropriate, in a non-disciplinary setting.

In some cases, a Self-Report will not be addressed through an investigation of individual students or the student group/organization, and the Office of Community Standards and/or a designee may provide only educational and supportive measures.

Amnesty may not be given to a student for serious/severe violations like violence, sexual assault, or repeated misconduct.

### MEDICAL AMNESTY POLICY

A bystander or a reporting individual acting in good faith that seeks **immediate and appropriate medical assistance** for a person in need related to the use or consumption of alcohol, drugs, or to another medical emergency, may not be subject to the Code of Student Organization Conduct for violations, including but not limited to, violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

Steps to Medical Amnesty:

- Call 911, so appropriate emergency personnel (police, fire, and ambulance) can respond.
- Remain with the individual needing treatment and cooperate with emergency officials, as long as it is safe to do so.

- Notify and meet with appropriate university officials after the incident and cooperate with any university investigation that may ensue.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Organization Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

#### **GOOD SAMARITAN AMNESTY POLICY**

A bystander or a reporting individual acting in good faith that discloses any incident of violence, including hazing, domestic violence, dating violence, stalking, or sexual assault, to university officials or law enforcement may not be subject to the Code of Student Organization Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the incident in question.

Steps to Good Samaritan Amnesty:

- Call 911 or report the incident to the appropriate University Official(s) if there is an ongoing safety concern or a person who needs medical attention. The organization must ensure that it contacts the appropriate emergency personnel (police, fire, and ambulance) so they can respond.
- Remain on the scene and cooperate with emergency officials, as long as it is safe to do so.
- Notify and meet with appropriate university officials after the incident and cooperate with any university investigation that may ensue.

The policy does not protect repeated, flagrant, or serious violations of the Code of Student Organization Conduct or other university policies (including physical or sexual assault, violence, hazing, harassment, theft, or vandalism or instances where multiple individuals need medical attention), nor does it preclude or prevent action by police or other legal authorities.

## **PRELIMINARY INQUIRY**

Upon receiving notice of an alleged violation of this or other University Policies involving a Student Group/Organization, the Office of Community Standards (or designee), in consultation with the appropriate University departments, will conduct a preliminary assessment to determine if there is a reasonable basis for conducting an investigation into the alleged violations of University Policies. This initial assessment will include a review of the information reported.

This may include, but is not limited to:

- Interview(s) with the person(s) who made the report.
- Interview(s) with Student Group/Organization member(s) and/or the Student Group/Organization Representative.
- Review the prior conduct history of the Student Group/Organization and relevant members.
- Gather information that would validate or invalidate elements of the report.
- Review of any materials related to the report.

If a determination is made that the alleged violation(s) warrant a more comprehensive investigation or response, the Office of Community Standards or designee will notify the Student Group/Organization in writing to outline the alleged violations, the resolution options based on the alleged violations, and to schedule an educational conference (if applicable). This notification will also be sent to other individuals (e.g., Advisor), departments, and/or the Inter/National Organizational Governing Body when applicable.

The report is documented and administratively closed if the Office of Community Standards or designee determines that no investigation is necessary. The Office of Community Standards or designee may, at their discretion, notify the Student Group/Organization of the information received and that the matter is closed. In these cases, the Office of Community Standards or designee may choose, at their discretion, to maintain the confidentiality of any reporting party.

## **RESOLUTION OPTIONS**

Upon notice of a potential violation, the Office of Community Standards or a designee will assess the allegations to determine available resolution options for addressing the alleged policy violations.

The determination of the resolution model will include consideration of the following:

- The severity of the alleged violations
- The risk of harm to other persons
- The conduct history and the current status of the Student Group/Organization
- Any other relevant factors.

The available resolution options are determined on a case-by-case basis by the Office of Community Standards and/or a designee, who will consider the severity of the alleged violation(s), the specific circumstances of the incident, and the totality of the situation.

The Office of Community Standards may elect to consolidate multiple reports or complaints based on their underlying nature to increase efficiency.

The Office of Community Standards and/or a designee retains the right to refer a case to a different resolution process as deemed necessary.

The available Resolution options include Early Resolution, Prescribed Resolution, Expedited Resolution, Partnership Resolution, Informal Resolution, and Formal Resolution.

## **EARLY RESOLUTION**

In certain cases, the Office of Community Standards or its designee may determine that there is insufficient evidence to proceed with an investigation, and/or that the information collected during an investigation, even if true, would not constitute a policy violation. Early resolution is not a determination of responsibility and is not recorded as a prior determination of such.

If the behavior may constitute a violation of policies of inter/national governing bodies with which the Student Group/Organization is affiliated, and the Office of Community Standards or designee is aware of this affiliation, the Office of Community Standards or designee may, at their discretion, forward the information to the appropriate body (e.g., Interfraternity Council (IFC): Judicial Committee).

In these cases, the Office of Community Standards or its designee may meet with the Student Group/Organization representative and other relevant parties to discuss behavioral expectations and/or suggest proactive educational and/or developmental measures to support the Student Group/Organization.

When an incident/report is resolved through an Early Resolution, the Office of Community Standards or designee retains the right to reopen the matter and proceed with investigation and/or adjudication if the University receives additional information and/or reports related to the matter.

## **PRESCRIBED RESOLUTION PROCESS**

In certain cases, the Office of Community Standards or its designee, upon reviewing the allegations, report, and evidence, may determine, using a preponderance of the evidence, that the information constitutes a policy violation(s) and will refer the case to be resolved using the Prescribed Resolution Process. This process is often used for lower-level violations that typically fall under tier 1 of the Violations Rubric.

In these cases, the Office of Community Standards or a designee will send a decision and outcome notice letter to the Student Group/Organization representative and any other appropriate parties, outlining the charge(s), determination, outcome(s), and rationale.

Upon receipt of this letter, the Student Group/Organization may do one of the following:

- **Accept the determinations and outcomes** – in this case, the Student Group/Organization will follow the directives outlined in the outcomes letter, and the case will be considered closed once the outcomes are completed.; or
- **Decline to accept the determinations and outcomes** – in this case, the matter will be addressed using an alternative resolution process, and an educational conference notice will be sent to the Student Group/Organization representative.

The Student Group/Organization must notify the Office of Community Standards of their choice from the options above within five (5) business days of receipt of the notice letter.

If no response is received, a second outcome notice letter will be sent. If the Student Group/Organization fails to notify the Office of Community Standards of their choice a second time, the case will be closed "In Absentia," and the determinations and outcomes will be recorded as accepted, and notice of such will be sent to the organization and other relevant parties. The Student Group/Organization will be responsible for adhering to the outcomes outlined in the notice letter.

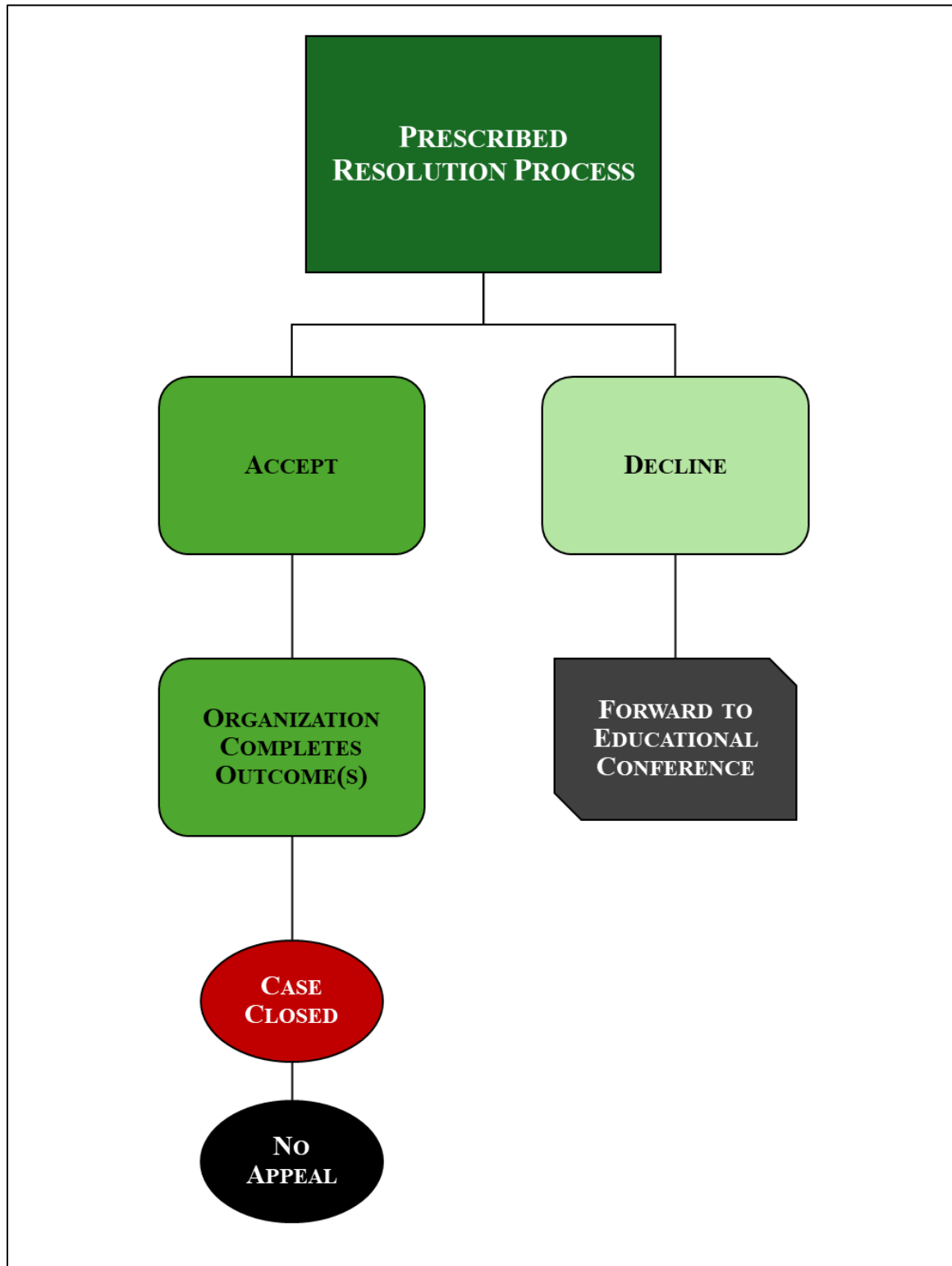
**In any case that is resolved in absentia, regardless of the resolution process, the student will retain the right to appeal the determination and/or the assigned outcomes.**

The Office of Community Standards or designee will oversee the completion of Outcomes. The Student Group/Organization will follow the directives outlined in the outcomes notice letter, and the case will be considered closed once the outcomes are completed. If the Student Group/Organization fails to successfully complete any assigned Outcomes or fails to complete the outcome by the determined due date, as outlined in the notice letter, the Student Group/Organization will be placed on social suspension pending the completion of the Outcome(s), and may be subject to additional disciplinary actions at the discretion of the Office of Community Standards or designee.

In certain cases that might otherwise constitute a Prescribed Resolution Process, the Office of Community Standards or designee may determine that a different resolution option is warranted.

**Determinations of responsibility and the assigned outcomes made through the Student Group/Organization accepting a Prescribed Resolution are final and cannot be appealed.**

**PRESCRIBED RESOLUTION PROCESS FLOW CHART**



## **THE EDUCATIONAL CONFERENCE**

In cases where the Partnership Resolution, Informal Resolution, and/or the Formal Resolution is an option based on the totality of the circumstances or in cases that began with a Prescribed Outcomes Process but the Student Group/Organization declines to accept the determinations and outcomes, the Office of Community Standards or designee will schedule an Educational Conference with the Student Group/Organization representative and other relevant parties.

The Educational Conference provides an opportunity for the Student Group/Organization Representative and other appropriate parties (if applicable) to discuss the nature of the allegations, the rights and responsibilities of the Student Group/Organization, the resolution options available to the Student Group/Organization based on the nature of the allegations, and the specific steps involved in the different resolution options. The Student Group/Organization will have the opportunity to select their preferred resolution option during the meeting.

In the event that the Student Group/Organization requires additional time to select a preferred resolution option, they will be given three (3) business days following the Educational Conference to notify the Office of Community Standards or its designee of the preferred resolution option.

The Resolution options that may be available to the Student Group/Organization, as deemed appropriate, to select as their preferred resolution are an Expedited Resolution, an Informal Resolution Process, the Partnership Resolution Process, and/or a Formal Resolution Process. Each process is described below.

Participation in the Educational Conference is voluntary; if the student group/organization does not attend, the Office of Community Standards or designee will proceed with the process and determine the resolution to be used in the absence of participation and the preferred process selection from the Student Group/Organization.

The Office of Community Standards or designee will make the final determination on the resolution option to be used in investigating and adjudicating the alleged violations.

## **EXPEDITED RESOLUTION PROCESS**

In cases where the Partnership Resolution, Informal Resolution, and/or the Formal Resolution are available based on the totality of the circumstances or in cases that began with a Prescribed Outcomes Process but the Student Group/Organization declines to accept the determinations and outcomes, the Student Group/Organization may choose to accept accountability by accepting responsibility for alleged violation(s). When a Student Group/Organization elects the Expedited Resolution Process, they waive their right to pursue an alternative resolution process.

The Student Group/Organization will be found “Responsible” for the alleged violation(s), and the Office of Community Standards or designee will determine and assign outcome(s) based on the type and level of the violation(s), disciplinary history, and the totality of the situation, with or without an outcome meeting as determined if necessary.

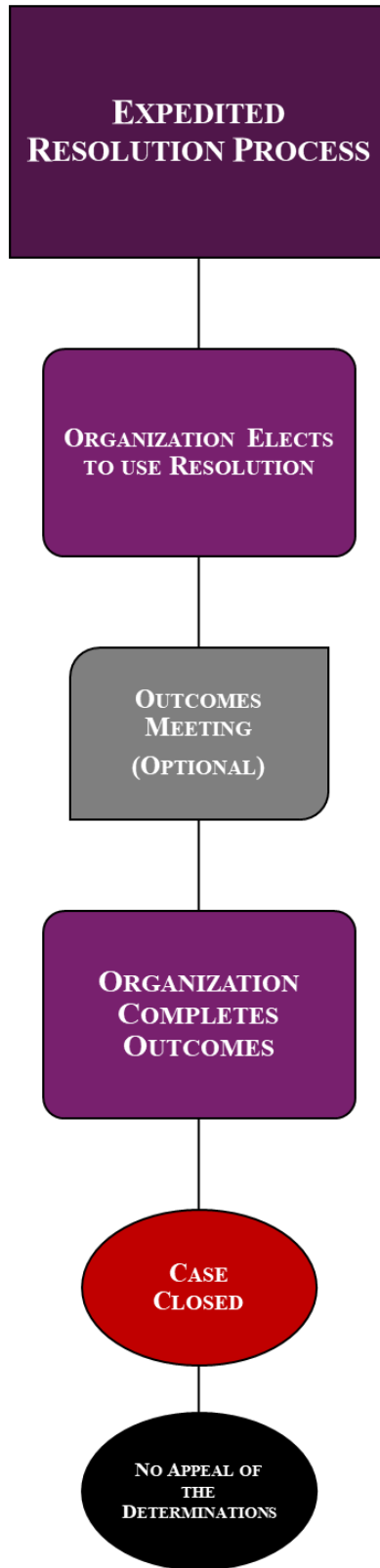
The Office of Community Standards will communicate outcomes in writing via an Outcomes Notice Letter, no more than ten (10) business days following the Outcomes Meeting when utilized or the date the Student Group/Organization chose to resolve the case through the Expedited Resolution Process, to the Student Group/Organization Representative and other parties as applicable. The letter will list the assigned Outcomes, including the length of any active status, the details for completing the Outcome(s), and the due date.

The Student Group/Organization will follow the directives outlined in the outcomes notice letter, and the case will be considered closed once the outcomes are completed. Failure to complete the outcome(s) may result in additional disciplinary action.

The Office of Community Standards or designee will oversee the completion of Outcomes. If the Student Group/Organization fails to successfully complete any assigned Outcomes or fails to complete the outcome by the determined due date, as outlined in the Outcomes Notice Letter, the Student Group/Organization will be placed on social suspension pending the completion of the Outcome(s), and may be subject to additional disciplinary actions at the discretion of the Office of Community Standards or designee.

Determinations of responsibility made through the Expedited Resolution Process are final and cannot be appealed. However, the Student Group/Organization retains the right to appeal the assigned outcomes.

**EXPEDITED RESOLUTION PROCESS FLOW CHART**



## **INFORMAL RESOLUTION PROCESS**

If deemed practical based on the totality of the circumstances, the Office of Community Standards or designee may propose an Informal Resolution.

The Informal Resolution Process is typically used when more than one Student Group/Organization is involved, or a Student Group/Organization and other parties are involved, and the Informal Resolution Process Agreement can achieve the goals of addressing the prohibited behavior, repairing any harm caused, preventing reoccurrence of the prohibited behavior, and/or educating and supporting all involved parties.

In some cases, an Informal Resolution can be utilized between the Student Group/Organization and the Office of Community Standards when deemed appropriate and practical based on the totality of the circumstances

The process of an Informal Resolution Process:

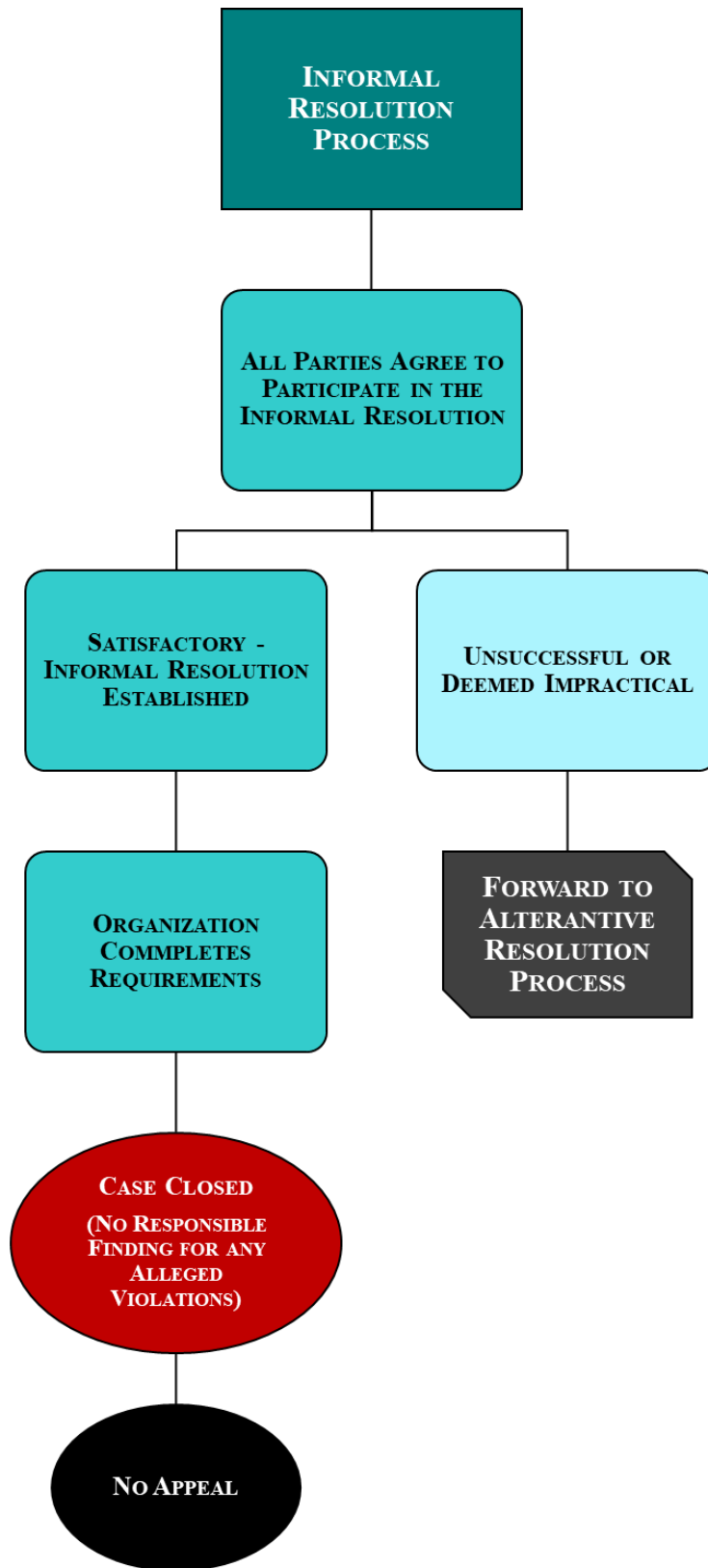
- All parties voluntarily sign the agreement to participate in an Informal Resolution Agreement
- The Requirements of the Informal Resolution Agreement are determined
- The Informal Resolution Agreement with all listed requirements is voluntarily signed by all parties
- The Informal Resolution Agreement is accepted by the Office of Community Standards and established
- The Informal Resolution Agreement requirements are completed
- The case is closed without a “Responsible” finding/determination of any alleged violations

If deemed practical and safe, the Office of Community Standards or its designee, the Student Group/Organization Representative(s), and any involved individual(s) may voluntarily agree upon an informal resolution agreement that constructively resolves the issues. By accepting the terms of the informal resolution agreement, the parties waive their rights to a formal hearing and to appeal. Should any party violate the terms of the informal resolution agreement, the formal complaint process may be initiated.

If a satisfactory agreement is not reached after discussion with the Student Group/Organization Representative(s) and any involved individual(s), If the university or the parties(s) believes that the conduct cannot be effectively addressed through the Informal Resolution Agreement, if the efforts are unsuccessful, or at any time deemed impractical by the Office of Community Standards or designee the Partnership Resolution Process or Formal Resolution Process may be initiated.

During the Informal Resolution Agreement Process, neither party will be determined responsible for any alleged misconduct. The Informal Resolution Agreement Process will be initiated with an agreement that lists the requirements of all parties and is signed by the Student Group/Organization Representative(s), any involved individual(s), and the Office of Community Standards or designee. Upon completion of the requirements, the case will be closed.

**INFORMAL RESOLUTION PROCESS FLOW CHART**



## PARTNERSHIP RESOLUTION PROCESS

The Student Group/Organization is given the opportunity to conduct an internal investigation.

The Partnership Process will include the following:

The Office of Community Standards or designee will, in consultation with the Student Group/Organization representative and other appropriate parties, develop an investigation scope and timeline based on the nature of the allegations.

The Student Group/Organization must conduct an investigation and submit a written investigative report within the agreed-upon timeline, barring exigent circumstances as determined by the Office of Community Standards or designee, or as otherwise specified in writing by the University.

A Partnership Resolution Process Investigative Report Template will be available to the Student Group/Organization.

The report should be detailed and specific, including the names of specific individuals involved in the alleged violation.

The Investigative Report will include the Student Group/Organization's determinations on the alleged violation(s) based on the findings of the investigation.

The determination options:

- **No Policy Violation(s)** (Not Responsible); or
- **No Policy Violation–Individual Violations Only** (The Student Group/Organization determines that the group/organization is not responsible for any alleged violations, but there are potential individual violations.); or
- **Responsible–Fully Accepted** (The Student Group/Organization determines they are responsible for all of the alleged violations); or
- **Responsible–Partially Accepted** (When there is more than one alleged violation and the organization determines they are responsible for one or more of the violations but not all of the alleged violations)

The report should be typed and submitted electronically or in person to the Office of Community Standards.

The Office of Community Standards or its designee will review the investigative report and make a determination.

The report determination options:

- **Complete Report** – The Office of Community Standards or designee agrees that the report is complete; or
- **Insufficient/Incomplete Report** – The Office of Community Standards or designee determines that the report is incomplete or the information provided is insufficient. The Office of Community Standards will provide the group/organization with feedback, instructions for the investigation, guidance on completing the report, and a new deadline to resubmit the corrected report. A new determination will be made on the report. In some cases, the case will be referred to the Formal Resolution Process.
- **Inaccurate Report** – The Office of Community Standards or designee determines that the Student Group/Organization has intentionally provided inaccurate or incomplete information, obstructed the process, or is otherwise non-compliant or uncooperative. The case will be referred to the Formal Resolution Process.

Once the Office of Community Standards or designee has determined that the report is complete, the Office of Community Standards will make a determination of the Student Group/Organization's determinations on the alleged violation(s).

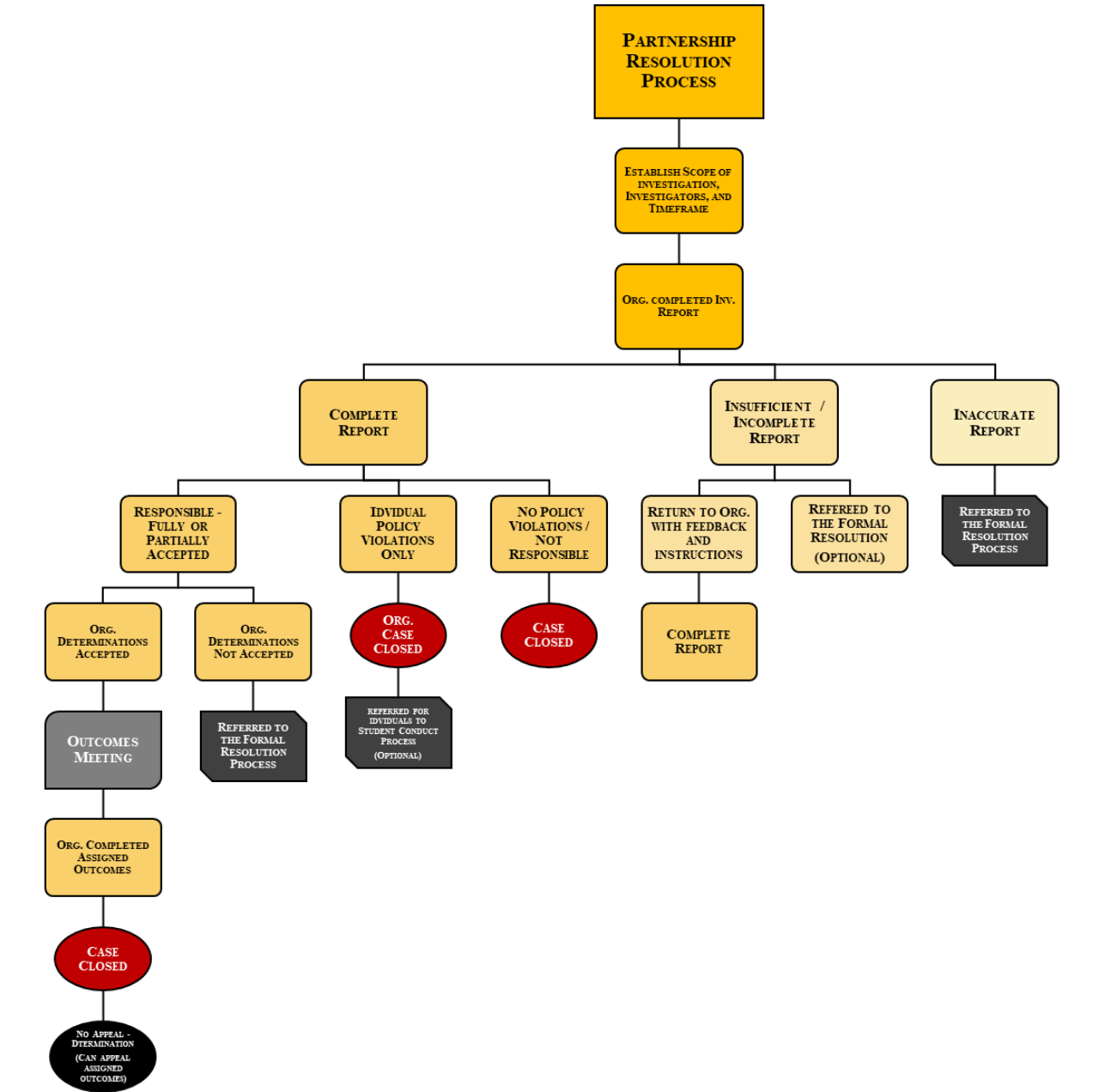
The determination options:

- **No Policy Violation** – If the Student Group/Organization report determines that no policies were violated by the Student Group/Organization. The Office of Community Standards or designee will make one of the following determinations:
  - The Office of Community Standards or designee may accept the determinations from the report and will close the case with a “Not Responsible” finding for the alleged violation(s); or
  - The Office of Community Standards or its designee may not accept the determinations from the report and will proceed with investigating and adjudicating the matter under the Formal Resolution Process.
- **Responsible—Fully Accepted or Partially Accepted** – If the Student Group/Organization report determines that the Student Group/Organization was responsible for all the alleged policy violation(s) or was responsible for some but not all of the policy violation(s) that were alleged, the Office of Community Standards or designee will make one of the following determinations:
  - The Office of Community Standards or designee may accept the determinations from the report and will move forward to the outcomes meeting/process; or
  - The Office of Community Standards or its designee may not accept the determinations from the report and will proceed with investigating and adjudicating the matter under the Formal Resolution Process.

If individual students are identified at any point in the partnership process as potentially violating any University policies, they may be referred to individual adjudication as outlined in the Code of Student Conduct.

Determinations of responsibility made through the Partnership Process are final and cannot be appealed. However, the Student Group/Organization retains the right to appeal the assigned outcomes.

**PARTNERSHIP RESOLUTION PROCESS FLOW CHART**



## **FORMAL RESOLUTION PROCESS**

The Office of Community Standards or a designee may determine that a formal resolution process is necessary at any point during the process. The Office of Community Standards or designee will notify the Student Group/Organization representative and other relevant parties that a Formal Resolution Process is being initiated.

The Office of Community Standards, typically the Assistant Director or designee, will serve as the Hearing Officer who oversees the Formal Resolution Process for Student Group/Organization Conduct Cases.

The Office of Community Standards retains final authority to determine responsibility and/or assign outcomes.

**The Hearing Officer will determine, on a case-by-case basis, whether to proceed with an Administrative Hearing or a Panel Hearing.**

## **FORMAL RESOLUTION PROCESS HEARING TYPES**

**Administrative Hearing**—Administrative hearings are coordinated and conducted by the Hearing Officer, who determines whether the Student Group/Organization has violated the Code of Student Organization Conduct and assigns appropriate outcomes. The Hearing Officers make their determinations using the Preponderance of Information/Evidence standard of proof as defined herein.

**Panel Board Hearing**—The Hearing Officer coordinates the Panel Hearing, advises the Hearing Board, and ensures that proper procedures are followed during the Panel Hearing. The Hearing Officer can participate in the hearing (i.e., asking questions). The Hearing Board (three (3) trained university officials, one serving as the Hearing Chair) determines whether the Student Group/Organization is responsible for violating the Code of Student Organization Conduct by a simple majority vote, and no panel member may abstain from voting. If a student group/organization is found “Responsible” for one or more violations, the hearing board members will make recommendations for the assigned outcomes. The Hearing Board members make their independent determination using the Preponderance of Information/Evidence standard of proof as defined herein.

## **INVESTIGATION**

The Hearing Officer will complete any needed investigation. The Hearing Officer will typically complete any investigation within thirty (30) business days from the date the Notice of Investigation is sent or the date the case is referred to the Formal Resolution Process, unless exigent circumstances arise.

In the event that exigent circumstances arise requiring a delay beyond thirty (30) business days, the University will notify the Student Group/Organization representative and relevant parties of the delay, including the reasons for the delay and the anticipated timeline for completing the investigation.

## **HEARING NOTICE**

Upon completion of the investigation, the Office of Community Standards or its designee will send notice (including the time, date, and location of the hearing) to the Student Group/Organization representative and any other relevant parties at least five (5) days before any Formal Resolution hearing (Panel or Administrative Hearing).

## **ACCESS TO INFORMATION/EVIDENCE**

**Administrative Hearing:** If the case is resolved through an Administrative Hearing, the Hearing Officer will review all evidence with the alleged student group/organization during the hearing in a manner deemed appropriate.

The Hearing Officer will make the final determination of the relevance of any information gathered during the investigation. They can exclude any information found during the investigation or provided if deemed irrelevant and/or redundant.

In cases where retaliation is a legitimate safety concern, the information may be redacted or presented in a manner that prevents identification.

**Panel Hearing:** If the case is resolved through a Panel Hearing, the Hearing Officer will prepare a written investigation report. The Hearing Officer will provide the Student Group/Organization representative with the investigative report at least two (2) days before the Panel Hearing.

The Hearing Officer will make the final determination of the relevance of any information gathered during the investigation. They can exclude any information found during the investigation or provided if deemed irrelevant and/or redundant.

In cases where retaliation is a legitimate safety concern, the information may be redacted or presented in a manner that prevents identification.

#### **HEARING TYPE CHANGE REQUEST**

The Student Group/Organization may request an Administrative Hearing or Panel Hearing in writing to the Office of Community Standards. If a hearing is scheduled and the Student Group/Organization requests an alternative hearing type, they must submit a written request to the Office of Community Standards at least three (3) business days before the scheduled hearing.

#### **DETERMINATION OF RESPONSIBILITY**

Notice will be sent to the Student Group/Organization Representative and relevant parties, via a Decision Notice Letter outlining the determination and rationale, within ten (10) business days of the hearing.

A determination is independently made for each alleged prohibited conduct violation; the possible findings are “Responsible,” “Not Responsible,” or “No Finding” based on the preponderance of the information.

The Decision Notice Letter will provide information (including date, time, and location) of an Outcomes Meeting.

#### **PRIVACY**

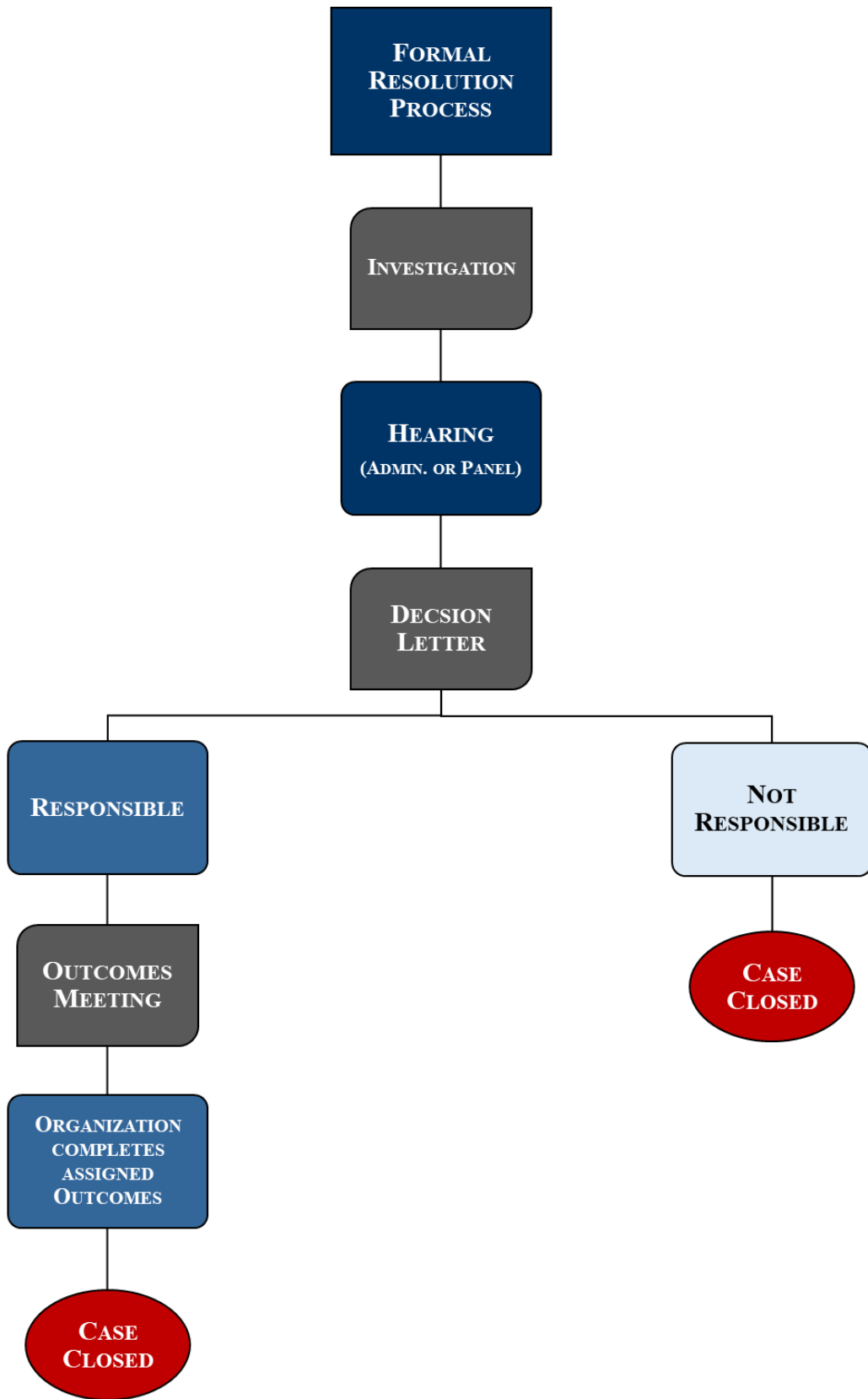
Private information is not confidential and can be shared when applicable and/or necessary. The information shared is limited, and measures are taken to protect sensitive information. Information related to a report of prohibited conduct will only be shared with those university officials or individuals who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the issuance of interim measures. While not bound by confidentiality, these individuals are expected to be discreet and to respect and safeguard the privacy of all individuals involved in the process. Any information shared will be in accordance with the Family Educational Rights and Privacy Act (FERPA). Jacksonville State University will limit the disclosure as much as possible and will maintain privacy to the greatest extent possible.

University Officials participating in the conduct process will not share information discussed or the documents presented outside the process to protect the privacy of all individuals involved.

Individuals involved are expected to exercise discretion to minimize information sharing and respect the privacy of all parties. Providing materials (e.g., Investigative Report, Incident Report, evidence, etc.) to any other party not expressly participating in this process may be considered retaliatory and is not permitted.

In cases resolved by a Hearing Board, confidence is placed in the character and judgment of the board members, and they should hear, examine, and consider all information relevant to the specific issues before the body. Members should feel free to require the counsel of the board advisor, the university, the complainant, or the respondent to explain the information presented. Members are expected to commit themselves diligently and in good faith to the business of the board and to disqualify themselves, if necessary.

**FORMAL RESOLUTION PROCESS FLOW CHART**



## **FORMAL RESOLUTION: GENERAL PROCEDURAL ASSURANCES**

The following is a list of procedures generally provided to any student group or organization participating in the University disciplinary process. Each case presents a unique set of facts and circumstances. None of the procedures listed below is guaranteed, except for receiving notice and an opportunity to be heard. Additionally, procedures not listed below may be applicable or available to the student. The Hearing Officer determines what procedures are available on a case-by-case basis.

1. The Student Group/Organization Representative will receive notification of the alleged violation, including the date, time, and place of any meeting or hearing regarding the alleged violation(s).
2. During the formal hearing, the Student Group/Organization Representative may be accompanied by one (1) advisor of their choice, and at their own expense.
3. The Student Group/Organization Representative may request access to any information that may be used during any administrative proceeding as permitted under the Family Educational Rights and Privacy Act (FERPA).
  - Access to materials will be provided before a hearing upon written request to the Office of Community Standards.
  - In cases where retaliation is a legitimate safety concern, the information may be redacted or presented in a manner that prevents identification.
4. The Student Group/Organization Representative has the opportunity to introduce documents, call witnesses, and present information during their hearing. This opportunity is accompanied by the obligation to provide the name of and rationale for each witness in writing to the Hearing Officer at least three (3) business days in advance of a meeting or hearing.
  - In cases where retaliation is a legitimate safety concern, the Office of Community Standards may limit the opportunity to call or examine witnesses.
  - In cases where retaliation is a legitimate safety concern, evidence may be redacted to protect the identity of witnesses.
  - The presentation of information is not unlimited. The Hearing Officer may at any time direct the student to move on from irrelevant or redundant witnesses, documents, facts, or arguments.
  - All parties have the right not to have irrelevant prior sexual history or sexual character admitted as evidence in a conduct hearing.
  - Moral character evidence is generally not considered relevant evidence.
5. The Student Group/Organization Representative will receive a finding of “Responsible,” “Not Responsible,” or “No Finding” based on the preponderance of the information, and will be notified of such decision in writing. The burden of proof is the Preponderance of Information/Evidence standard: “more likely than not.”
6. The Student Group/Organization Representative may appeal the decision of a disciplinary proceeding in accordance with University Appeal procedures, which are outlined in the “Appeals” section of the Code of Student Organization Conduct.

**The Office of Community Standards may elect to consolidate multiple reports or complaints based on their underlying nature to increase efficiency.**

## **THE OUTCOMES MEETING**

At the conclusion of the applicable resolution process (including any appeals process), the Office of Community Standards will provide notice to the Student Group/Organization Representative (including date, time, and location) of an Outcomes Meeting. An Outcomes meeting is not guaranteed and will not be utilized for the Early Resolution, Prescribed Resolution, or Informal Resolution processes, and may or may not be utilized for the Expedited Resolution Process.

The purpose of this meeting is to determine the outcomes necessary to effectively address the behavior and repair any harm caused by the Student Group/Organization related to the violation(s). It will include requesting input from the Student Group/Organization Representative and other parties as applicable.

At the conclusion of the outcomes meeting, the Office of Community Standards or designee will make the final determination of the outcomes, taking into account the Hearing Board's recommendations for cases resolved through a Formal Resolution (Panel Hearing) and input from the Student Group/Organization, when provided.

The Office of Community Standards will communicate outcomes in writing via an Outcomes Notice Letter, no more than ten (10) business days following the date of the Outcomes Meeting, to the Student Group/Organization Representative and other parties as applicable. The letter will list the assigned Outcomes, including the length of any active status, the details for completing the Outcome(s), and the due date.

The Office of Community Standards or designee will oversee the completion of Outcomes. The Student Group/Organization will follow the directives outlined in the outcomes notice letter, and the case will be considered closed once the outcomes are completed. If the Student Group/Organization fails to complete any assigned Outcomes successfully or fails to complete the outcome by the determined due date, as outlined in the Outcomes Notice Letter, the Student Group/Organization will be placed on social suspension pending the completion of the Outcome(s), and may be subject to additional disciplinary actions at the discretion of the Office of Community Standards or designee.

The Outcomes implemented at the conclusion of the disciplinary process may include Status, Educational, or Structural Outcomes.

## **INTERIM MEASURES**

Regardless of the Resolution method, university-issued interim measures may be necessary. In cases where it is determined that certain continued operations of a Student Group/Organization constitute a reasonable threat of harm to individuals or the campus community, damage of University Premises, or disruption to the educational mission of the University, the Office of Community Standards or designee may issue interim measures, up to and including an interim suspension of all Student Group/Organization activities, pending final disposition of the matter. Upon issuance of an interim measure, the Office of Community Standards or designee will notify the Student Group/Organization representative and other appropriate parties in writing.

Below are some of the Interim Measures the Office of Community Standards or designees may implement. ***This list is not exhaustive.***

**Interim Social Suspension**—The Student Group/Organization is not permitted to host any social events or programs, including, but not limited to, socials, mixers, bands, DJs, or any other activity that may appear to violate the guidelines.

**Interim Suspension**—A Student Group/Organization may be placed on an interim suspension pending investigation of the allegations. Interim suspension generally refers to all organizational operations or activities and will remain in effect throughout the university's investigation, unless otherwise notified by the Office of Community Standards.

The issuing university official retains the right to review and modify any interim measures as they see fit and in response to changing circumstances.

### **REVIEWING INTERIM MEASURES**

The Student Group/Organization may submit a written petition to the Office of Community Standards for an administrative review of the decision to impose the interim measure within five (5) business days of receiving the notice of the interim measure.

The petitioning Student Group/Organization must include an explanation of the reason for their request and any supporting information, and/or documentation. Requests without a basis or sufficient information, or review requests that are considered frivolous in nature, will not be reviewed. General complaints will not automatically be construed as a petition to review an interim measure.

This Review of an Interim Measure procedure only addresses interim measures issued in the context of a disciplinary proceeding, as defined by the Code of Student Organization Conduct.

Upon receipt of a petition with supporting documentation, the Office of Community Standards will review the petition and make a determination based on the totality of the circumstances. Please note that additional university officials may be consulted before a decision is rendered on the petition. The review is not a hearing on the merits of the underlying allegations but merely a review to determine what, if any, interim measures are appropriate.

The review may result in the continuance, removal, and/or modification of the interim measures, including modifications that may be more restrictive than the initial measures. The issuing university official retains the right to review and modify any interim measures as they see fit and in response to changing circumstances.

The University will notify the Student Group/Organization Representative in writing of the review outcome within ten (10) business days of receiving the written petition. This notification will include the University's decision and the rationale for that decision.

## OUTCOMES

A Student Group/Organization may receive outcomes as a result of the disciplinary process. Assigned Outcomes are designed to address the behavior, repair any harm caused, prevent recurrence, and be educational and supportive.

The Outcomes implemented at the conclusion of the disciplinary process may include Status, Educational, or Structural Outcomes.

### STATUS OUTCOMES

Status Outcomes may include, but are not limited to:

- **Restriction of Privileges:** Restriction of Privileges precludes a Student Group/Organization from participating in certain activities or may require a Student Group/Organization to forfeit specific privileges. A Student Group/Organization under a status of Restriction of Privileges is not in good standing with the University (e.g., Social Suspension).
- **Additional Requirements:** A measure or stipulation assigned to the Student Group/Organization that is implemented to monitor progress and/or a prevention measure of further similar behaviors from occurring. (e.g., follow-up meetings).
- **Warning:** A Warning is given to notify a Student Group/Organization that their behavior and conduct have been inconsistent with the University's expectations. A warning has no immediate effect upon a Student Group/Organization's status. Once given a warning, a Student Group/Organization should expect different Outcomes to result from subsequent violations, when/if similar behaviors occur.
- **Disciplinary Probation:** Disciplinary Probation serves to notify a Student Group/Organization that it must avoid any further violations for a specified period of time to avoid additional disciplinary action. Disciplinary Probation may include restrictions on privileges and/or additional requirements. Student Groups/Organizations on probation are not in good standing with the University. If a Student Group/Organization on probation is found responsible for any subsequent violations, the outcomes may escalate.
- **Deferred Suspension:** Deferred Suspension is a status for a specified period of time. If the deferred suspension is revoked due to any subsequent violation resulting in a responsible finding under the Code of Student Organization Conduct, the suspension for the Student Group/Organization may take effect immediately, without the right to appeal. Deferred Suspension may include Restriction of Privileges and/or additional requirements. Student Groups/Organizations on deferred suspension are not in good standing with the University.
- **Suspension:** Suspension is a status for a specified period of time that includes, but is not limited to, the revocation of the University's registration of the Student Group/Organization for a stated or an indeterminate period of time, cessation of University funding, restriction of all operations at the University, and restriction of use of University resources. If the Student Group/Organization also holds a charter from an inter/national organizational governing body, the University may also request that the inter/national organizational governing body revoke the charter of the Student Group/Organization.

A Student Group/Organization placed on Suspension is prohibited from sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off University Premises. A suspended Student Group/Organization may not solicit or initiate the recruitment of any new members. Suspension may also include the forfeiture of other specifically listed privileges. Suspension should be for a specific, determined period of time and will include a written return agreement outlining specific conditions for return. The Suspension may be delayed at the discretion of the Office of Community Standards or designee.

If the Student Group/Organization dissolves or loses recognition as a result of organizational conduct and then attempts to seek recognition under a different organizational name, the University reserves the right to deny the request for recognition or withdraw recognition. This conclusion may be based on any of multiple factors, including but not limited to overlapping membership, similarity of purpose, and the timing of the dissolution or prior loss of recognition, and the request for new recognition.

Continued operation of the Student Group/Organization after suspension or loss of recognition will result in a violation of Failure to Comply and may result in additional outcomes or restrictions, up to and including an

extension of the Suspension beyond the terms originally outlined in the initial Outcomes Letter and/or Return Agreement.

A Student Group/Organization that has completed a period of suspension and has met conditions for return as outlined in the Return Agreement may seek reinstatement by complying with the registration requirements of the Dean of Students Office.

*For more information on the requirements, please refer to the Dean of Students Office – Student Organizations Website at [jsu.edu/studentlife/](http://jsu.edu/studentlife/).*

### **EDUCATIONAL OUTCOMES**

Educational Outcomes may include, but are not limited to, educational programming, community service, interventions, restrictions, workshops, or other Outcomes determined to help develop the Student Group/Organization's culture and community.

The Office of Community Standards or designee will determine Educational Outcomes after consultation with the appropriate University Office(s) and/or other appropriate stakeholders as necessary.

### **STRUCTURAL OUTCOMES**

Structural Outcomes are related to the structure, membership, or governance of the organization. Structural outcomes, developed in collaboration with the inter/national organizational governing body (if applicable), may include, but are not limited to, changes to Student Group/Organization operating procedures, a review of Student Group/Organization membership and leadership, an external review of the Student Group/Organization, and adjustments to Student Group/Organization advisor support.

Structural Outcomes may be included alongside any Status and Educational Outcomes, but only after consultation with the appropriate University department(s), the Student Group/Organization inter/national governing body (if applicable), the Student Group/Organization representative, Student Group/Organization advisors, and/or other appropriate stakeholders as necessary.

**VIOLATION RUBRIC**

The purpose of this rubric is to establish the preferred resolution process for various types of organizational misconduct. Not all violations may be listed, and the Resolution Procedures are determined on a case-by-case basis and at the discretion of the Office of Community Standards or its designee.

	<i><b>Tier 1 – Prescribed Process</b></i>	<i><b>Tier 2 – Partnership Process</b></i>	<i><b>Tier 3 - Formal Resolution Process</b></i>
<i><b>Violation/ Prohibited Conduct</b></i>	Minor Alcohol Violations Minor Drug Violation Fire Safety Equipment Unauthorized Activity Unauthorized Use of Jacksonville State University’s Name Minor Violation of University Policies	Minor Abuse of Process Aiding in Academic Misconduct Mid-Level Alcohol Violations Mid-Level Assault Attempt Bribery Damage/Destruction of Property Disorderly Conduct Mid-Level Drug Violation Mid-Level Endangerment Harassment Hazing (cases not involving substantial threat to physical or emotional harm, i.e., errand running, cleaning) Violation of University Policy Mid-Level Violation of the Law	Abuse of Process Significant Alcohol Violations Assault Biased Incident Bullying/Cyberbullying Dangerous Weapons and Firearms Significant Drug Violations Endangerment Hazing (cases involving substantial threat to physical or emotional harm, including forced/coerced alcohol consumption) Retaliation Sexual Misconduct Violation of the Law Repeat or egregious violations of this policy

## APPEALS

The following appeal procedures are outlined and considered following the outcome of a case, after a decision regarding responsibility has been determined. The purpose of an appeal is to ensure that the original findings of fact, the reasoned integration of them, and the imposition of the Outcomes are consistent with University policies and procedures.

### REQUESTS FOR APPEAL

The appeal will be submitted in writing to the Office of Community Standards using the [Appeal Submission Form](#) found on the Office of Community Standards website at [jsu.edu/community-standards/](http://jsu.edu/community-standards/).

The appeal must be submitted within five (5) business days (or, for the New Evidence grounds for appeal, 30 days) from the delivery of the Outcomes Letter.

All appeals must be based on the grounds outlined in this policy. Discontentment with a particular finding and/or the assigned outcome(s) is not a valid reason for appeal.

An appeal will not be considered unless it is submitted on the Appeal Submission Form and received within the allotted time.

It is the sole responsibility of the appealing student/organization to provide information to support the grounds for an appeal. The appeal must include a full statement of asserted information to support one or more bases of the appeal as outlined under “Grounds for Appeal” below. If there is insufficient information to support one or more of the bases for the appeal, the appeal must be denied.

Documentation to submit with the request, by the type of grounds for the appeal, may include, but is not limited to:

1. **New Evidence:** A statement explaining why the determination should be appealed. A summary of the new evidence, how it was previously unknown or unavailable, and its potential impact should be included, and if applicable, provide that new evidence.
2. **Procedural Error:** A statement explaining why the determination should be appealed. A summary of the procedural error(s), the potential impact on the hearing and/or the determination, and any available evidence of the procedural error(s).
  - o Any challenge for bias should include: a) what the bias was, b) how the bias manifested itself, c) how the bias significantly impacted the outcome, and d) any available supporting evidence of bias.
3. **Appeal of the Outcome(s):** A statement explaining why the outcome(s) are either too lenient or too severe and do not adequately fit the nature of the violation and/or the totality of the circumstances, and/or a summary of why the Student Group/Organization could not reasonably complete them within the allotted timeframe. Any available supporting evidence should also be included.

The appeals process allows for only one appeal per Student Group/Organization. The Student Group/Organization can not submit multiple appeals.

If another party is involved in the matter (e.g., Impacted Individual), the involved party will receive a copy of the submitted appeal and will have five (5) business days to submit a response to the Appeals Officer.

If the appeal involves any member of the conduct process (e.g., a challenge of bias by an investigator or hearing officer), the Appeals Officer may share all or part of the appeal with the party in question to allow them to respond. They will be required to respond within five (5) business days.

### APPEALS OFFICER & APPEALS PANEL

No person involved as an original hearing officer(s) and/or hearing board can serve as the Appeals Officer or on the Appeals Panel.

The Associate Vice President for Student Affairs, or designee, will serve as the Appeals Officer. The Appeals Officer will ensure that appropriately trained university officials are appointed to the Appeals Panel. The Appeals Panel will consist of three (3) University Officials.

### APPEAL PROCEDURES

Decisions will be made by a simple majority vote, and no member of the three (3) appeals panel members may abstain from voting.

The Appeals Panel will first review and determine if the requests adequately meet the grounds for appeal. It is the sole responsibility of the appealing party or Student Group/Organization to provide information to support the grounds for an appeal. The appeal must include a full statement of asserted information to support one or more grounds of the appeal.

If there is insufficient information to support one or more of the listed grounds for the appeal, the appeal must be denied.

Appeals that have sufficient information to support one or more of the listed grounds for the appeal will be reviewed by the Appeal Panel.

Appeals are not intended to be full re-hearings of the original allegation(s). In most cases, appeals are confined to a strictly limited review of the matters being appealed.

The Appeals Panel may review any relevant material, including but not limited to:

- The Determination and/or Outcome(s) documentation
- Investigative Report
- All pertinent evidence
- Any audio/video recording(s)
- Witness statements
- Incident reports
- Prior violations and/or Outcomes against the Student Group/Organization
- Any other relevant documentation/materials

Upon the completion of the review, the Appeals Panel may:

1. Affirm the original finding(s) and of the assigned Outcome(s)
2. Affirm the original finding(s) but grant an appeal of the Outcome(s) – Determine the Outcome(s) are inconsistent and/or inappropriate. The Outcome(s) may be modified as outlined below.
  - The Appeals Panel and/or Appeals Officer may modify the Outcome(s) or
  - The Appeal Panel and/or Appeals Officer will make recommendations and request the Office of Community Standards and/or Hearing Officer(s) to modify the Outcome(s) and submit a more consistent and appropriate outcome(s).
3. Grant the appeal and remand the case to the Office of Community Standards and/or Hearing Officer(s) to correct procedural errors or factual deficits and/or to conduct a new hearing. The appeals panel will provide instructions to further investigate, clarify findings, conduct a new hearing, and/or remedy procedural errors.
  - **Factual Deficits:** refers to missing, weak, or inaccurate evidence necessary to make a determination of responsibility.
  - **Procedural Error:** refers to a failure to follow established policies and procedures, or requirements, often affecting the fairness, validity, or outcome of a process.
4. Grant the appeal and the Appeals Panel and/or Appeals Officer will do one of the following:
  - Make a recommendation to reverse the original finding and dismiss all findings of responsibility.
  - Reverse the original finding and remand the case to the Office of Community Standards and/or Hearing Officer(s) to conduct a new hearing.

Dismissal will only occur when there is insufficient information to support a finding of responsibility.

## **GROUNDS FOR APPEAL**

**New Evidence:** New evidence is information that was unknown or unavailable during the original hearing or investigation that could substantially impact the original finding or the assigned sanction(s)/outcome(s).

If a witness was not requested, refused to testify, or participate in the investigation, and now the appealing party or person wishes to have their testimony submitted as new evidence, that testimony will not be considered “new evidence” under this ground. The Office of Community Standards and/or the Appeals Officer may determine whether to send the matter back for further investigation based on this appeal request.

**Procedural Error:** A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).

A mere allegation of bias may not be sufficient to meet this ground for appeal.

**Appeal of the Outcome(s):** The Outcome(s) imposed are inconsistent with the violation(s). The Outcome(s) are either too lenient or too severe and do not adequately fit the nature of the violation and/or the totality of the circumstances, and/or the Outcome(s) are of such nature that the Student Group/Organization could not reasonably complete them within the allotted timeframe.

Discontentment with a particular finding and/or the assigned outcome(s) is not a valid reason for appeal.

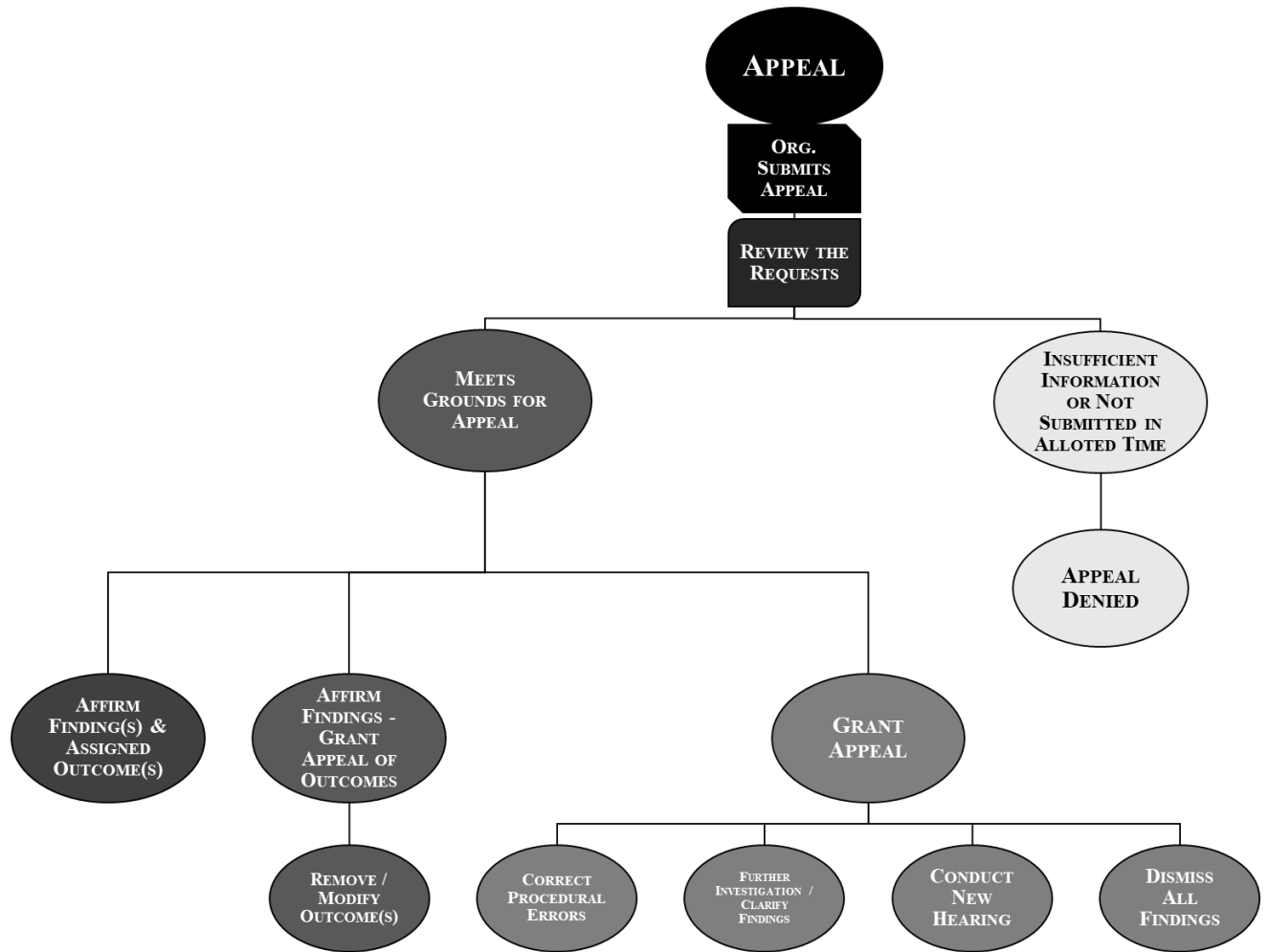
## **APPEAL CONCLUSIONS**

The Appeals Officer will notify the Student Group/Organization in writing by electronic mail of the determination. Generally, the Appeals Panel will adjudicate the appeal within fifteen (15) business days of receiving the complete appeal or, if applicable, from receiving any response(s) to the appeal. In instances where the Appeals Officer requires additional time, they will notify the Student Group/Organization Representative.

The appeals process only allows for one appeal per student or student organization. A student cannot submit more than one appeal. The appeals process only affords one level of appeal. Once an appeal is decided, further appeals are not permitted.

The Appeals Panel’s decision is final.

**APPEAL PROCESS FLOW CHART**



**APPEAL RIGHTS BY RESOLUTION PROCESS CHART**

RESOLUTION PROCESS	DETERMINATIONS	ASSIGNED OUTCOMES	NOTES
EARLY RESOLUTION	Not Applicable	Not Applicable	
PRESCRIBED RESOLUTION (ACCEPTED)	No	No	
EXPEDITED RESOLUTION	No	Yes	
INFORMAL RESOLUTION	Not Applicable	Not Applicable	
FORMAL RESOLUTION	Yes	Yes	
IN ABSENTIA	Yes	Yes	Any case that is resolved in absentia, regardless of the resolution process, will retain the right to appeal the determination and/or the assigned outcomes.

*No = The Student Group/Organization does not have the right to appeal*

*Yes = The Student Group/Organization does have the right to appeal*

## RELATED JACKSONVILLE STATE UNIVERSITY POLICIES & RESOURCES

Related University policies can be located in the Student Handbook ([jsu.edu/studentaffairs/handbook](http://jsu.edu/studentaffairs/handbook)), the University's [Policies and Procedures Manual](#), the Office of Community Standards website ([jsu.edu/community-standards/](http://jsu.edu/community-standards/)), the Title IX website ([jsu.edu/titleix/](http://jsu.edu/titleix/)), and/or the Jacksonville State University website ([JSU.EDU](http://JSU.EDU)).

### **RESOURCES**

Jacksonville State University and the Office of Community Standards are dedicated to fostering a safe, inclusive, and supportive environment. We are committed to supporting our students in every aspect of their academic and personal journeys. A wide range of on and off-university premises resources and support services are available to students. The well-being and success of students are our top priorities, and we are here to support you on your journey at Jax State.

For more information on available resources, please visit the [Office of Community Standards website's Resources Page](#) or contact the Office of Community Standards ([jsu.edu/community-standards/](http://jsu.edu/community-standards/)) via email, phone, or in person.

### **OFFICE OF COMMUNITY STANDARDS**

301-A Angle Hall  
256.782.8080  
[communitystandards@jsu.edu](mailto:communitystandards@jsu.edu)  
<https://www.jsu.edu/community-standards/index.html>

### **TITLE IX**

319 Angle Hall  
256.782.5769  
[titleix@jsu.edu](mailto:titleix@jsu.edu)  
<https://www.jsu.edu/titleix/index.html>

### **DEAN OF STUDENTS OFFICE**

402 Theron Montgomery Building  
256.782.5491  
<https://www.jsu.edu/studentlife/index.html>

### **COUNSELING SERVICES**

147 Trustee Circle  
256.782.5475  
<https://www.jsu.edu/counseling/index.html>

### **DEPARTMENT OF PUBLIC SAFETY/UNIVERSITY POLICE**

Salls Hall  
601 Forney Ave  
256.782.5050  
<https://www.jsu.edu/police/>

### **RMC/JSU HEALTH CENTER**

1701 Pelham Rd S  
256.782.5310  
<https://www.jsu.edu/studenthealth/index.html>