

STUDENT CODE OF CONDUCT

To maintain an atmosphere on the Jackson State University campus that is conducive to academic pursuits and fosters the growth and development of all members of the University community, a series of procedures and regulations governing student conduct and behavior has been established. Included in these procedures and regulations, which collectively are known as the Student Code of Conduct, are statements concerning expectations regarding student conduct, guarantees of student rights, and procedures for adjudicating allegations concerning student misconduct. The sanctions for violation of these regulations are also contained in the Student Code of Conduct. All students at Jackson State University are expected to read and become familiar with all sections of the Student Code of Conduct. Each student is individually responsible for adhering to the regulations contained in the Student Code of Conduct.

The Associate Vice President for Student Affairs or designee may extend or accelerate existing timelines, as well as establish and enforce additional deadlines not stated in these procedures as necessary for prompt and effective case resolution. Further, the Associate Vice President for Student Affairs or designee, in collaboration with Legal Counsel and the respective campus Provost may modify these procedures at any time, as a whole or on a case-by-case basis where necessary to comply with applicable law, regulation, guidance or as deemed appropriate. Policy changes will be communicated with the campus community via e-mail.

A student, student group, or student organization found to have violated these regulations will be subject to action, ranging from a student conduct warning or probation, to suspension or expulsion. The severity of the sanction is dependent upon the severity of the offense as determined by the Student Affairs Conduct Committee, Inter-Residence Hall Committee, or Student Affairs Appeals Committee.

Discipline will be levied when appropriate, but not in which a qualified, licensed, mental health professional has communicated to the University in writing that the actions were caused by severe psychological problems sufficient to warrant the immediate withdrawal of the individual from the University. In each instance, the individual may not re-enroll at Jackson State University for at least two full academic semesters and then only upon the written recommendation of the mental health professional. A student who withdraws from the University prior to his or her scheduled student conduct hearing will not be readmitted until the student conduct hold is cleared.

Any and all questions concerning the Student Code of Conduct, its enforcement or interpretation, should be directed to the Department of Public Safety or the Dean of Students Office.

PHILOSOPHY OF STUDENT CONDUCT AND DISCIPLINE

Conduct of students enrolled at Jackson State University obliges proper and appropriate conduct both in and out of the classroom. Students are expected to conduct themselves in a manner to be a credit to themselves and to the University. Facilitating growth toward a mature and well-balanced personality in each student is accomplished in part through formal classroom and laboratory instruction and in part through other experiences and associations afforded by the University. University rules and procedures, including the disciplinary system, are intended to further the educational purpose of the University and to aid in the development of the individual student. Rules and procedures apply to the conduct of each student during the time of enrollment.

An educational approach to discipline is employed whenever possible. The University Student Conduct System and appeals processes are designed to provide and help maintain an atmosphere within the University community that is conducive to academic pursuits. However, stringent student conduct measures against a student or a group of students, such as suspension or expulsion, are instituted only when appropriate.

The Student Conduct Process vs. the Criminal Process

The student conduct process is quite different from the criminal court system. Typically, the student conduct process involves an informal setting when compared to the criminal court system. Student conduct hearings are supportive and educational. While students may have a support person during a hearing (an advisor), another major difference between the two processes are that in the student conduct process, students are expected to speak for themselves instead of a representative speaking on their behalf.

While there are differences between the two processes, they are not considered entirely mutually exclusive. Consequently, in relationship to the same incident, a student may be arrested for criminal charges and also have violations brought against them for violating the Student Code of Conduct.

The primary purpose of the student conduct process is to educate students while correcting behavior which does not meet the standards of the Jackson State University community. However, the ultimate goal of the student conduct process is to help students learn from their mistakes while helping them understand the consequences of their actions, as well as how their actions may have negatively impacted the campus community and its members. As a result, the terminology used will be somewhat different from the criminal process.

Student Conduct	Legal System
Conduct Hearing	Trial
Conduct	Discipline
Referred	Written-Up
Incident Report	Police Report
Confronted	Charged
Accused Violator	Offender/Suspect
Violation	Offense/Crime
Responsible or Not Responsible	Guilty or Not Guilty
Student Conduct Leaders	Jurors
Sanction	Penalty

STUDENT ORGANIZATION PROCESS AND SANCTIONS

Student Organizations (including fraternities and sororities) are responsible for knowing and complying with all Policies listed in the JSU Student Handbook, as well all supplemental Policies from the departments or organizations they are associated with. Student Organizations, like individual students, are responsible for the conduct of their members both on and off Jackson State University's campuses.

The process for resolving complaints against Student Organizations mirrors the process for individual students with a few exceptions. Please note that interim measures may be taken, if deemed necessary, prior to the adjudication of alleged violations.

PRELIMINARY REVIEW

All reports or complaints of alleged misconduct involving a Student Organization will be reviewed by the Dean of Students Office. The University has the authority to determine whether the Student Organization, individual members, or both should receive notification of alleged violations on a case-by-case basis. Examples of the criteria used by the Dean of Students Office in making that determination are:

- One or more of the Organization's members and/or leaders committed or supported the acts in the particular incident.
- The behavior or actions taken can be attributed to an Organization-sponsored, associated, or financed activity.
- The Organization leadership had prior knowledge that the particular behavior or action would be occurring and made no reasonable effort to intervene.
- One or more of the Organization's members and/or leaders were not honest about the particular incident.

It is the Dean of Students Office's sole judgment to proceed with formal notifications of allegations. The Dean of Students Office will take the steps deemed appropriate to gather relevant information pertaining to a particular report or complaint. If the Dean of Students Office concludes that there is enough information to meet the preponderance of the evidence standard, the student conduct process will be initiated.

GENERAL STUDENT CONDUCT PROCESS FOR STUDENT ORGANIZATIONS

The conduct process for Student Organizations mirrors the process for individual Students, with some nuances. Additional information about the student conduct process can be found in the JSU Student Handbook.

- Hearing notification (Alleged Violations) distributed to the Organization's president/leadership, as well as the primary advisor.
- During the hearing, organization members will be given a chance to respond to the alleged violations.
- The Student Affairs Conduct Committee will make a decision pertaining to the Student Organization being found responsible or not responsible. If the Student Organization is found not responsible, the case will be exonerated. If the organization is found responsible, sanctions will be given to individuals, as well as the organization, where applicable. Please note: decisions are

made on a case by case basis. Student Organization members may receive individual sanctions and/or the Student Organization may also have sanctions to complete.

SANCTIONING FOR STUDENT ORGANIZATIONS

The goal of all student conduct proceedings is to educate those involved and repair harm done to impacted communities. To accomplish this, JSU utilizes two main categories of sanctioning. The first is educational sanctioning. This can take the form of an essay, project, program, or anything else that requires the Student Organization involved to reflect on their experience. The second category of sanctioning is referred to as a status sanction. A status sanction typically limits some form of activity for a period of time.

Sanctions that may be imposed for cases involving all Student Organizations include, but are not limited to, the following:

Disciplinary Reprimand

A disciplinary reprimand is a written notice that a Student Organization has violated the Code of Student Conduct and that another violation will result in a more severe sanction.

Disciplinary Probation

Disciplinary Probation is a designated period of time during which the Student Organization is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Code of Conduct. Suspension of social privileges, including the ability to host social functions, may accompany this sanction.

Loss of University Privileges and Services

Loss of University privileges and services includes, but is not limited to, loss of space reservation privileges.

Loss of Membership Recruitment

Loss of membership recruitment is the prohibition of any event or activity with the goal of increasing student membership or interest in joining the organization for a designated period.

Social Suspension

Social Suspension is the loss of all social function privileges for a defined or indefinite period of time. A social function shall be defined as any event that has the primary characteristics of a "party." These characteristics include: socialization as the primary purpose and activity, dancing, and/or music (DJ, band, etc.).

Suspension of Recognition

Suspension of Recognition is a designated period of time during which a Student Organization loses recognition by the University and access to all University services. A suspended Student Organization must cease all organizational activities. In addition, all of the Organization's social media presence will need to be deactivated for the duration of the suspension. After the designated period of suspension, the

organization may submit a reactivation request to the Dean of Students Office (deanofstudents@jsums.edu).

Organizational Learning and Engagement

Educational sanctions provide a Student Organization the opportunity to review conduct expectations, understand how behavior can contribute to a positive and beneficial University experience, and learn of campus resources which support academic and non-academic success.

This may include, but is not limited to, the following:

- Membership Review
- Internal Student Organization policy revision
- Risk Management Training
- Hazing Program/Training/Presentation
- Removal of Organization Officers
- Temporary or Permanent Restrictions on Accessing University Facilities
- Educational Program – The Organization is to host an educational program on a topic assigned by the Student Affairs Conduct Committee. This program can be open to the entire community.
- Mandatory Follow-Up Meetings between the Dean of Students Office, the Center for Student Engagement and Leadership staff, and Organizational Leadership, as well as advisors.
- Educational Presentation from a JSU Administrator to the Organization's Members.

HONOR CODE

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

On the campus of Jackson State University, the Division of Student Affairs collaborates with various academic and student support entities to provide a safe environment for students. The office is located in the JSU Student Center, 3rd Floor. When non-academic incidents occur and an individual has a reasonable belief that a student has violated the Student Code of Conduct, the incident should be reported to Public Safety or the Dean of Students Office for formal reporting. Said report shall be reviewed and referred to the appropriate entity for appropriate actions as outlined herein.

VIOLATIONS & SANCTIONS

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

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

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

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

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

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

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

1.40 ANIMALS (pets). Having pets or other animals (e.g. dogs, cats, snakes, birds, hamsters), with the exception of service animals (when accompanied by their owner) and tropical fish in an aquarium or other approved containers in buildings, including student residences, classrooms, and offices, except when needed in connection with an approved

disability or with the written permission of the Associate Vice President for Student Affairs or designee, is prohibited.

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

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

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

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

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

Note: Self-defense is that which reasonably appears necessary, in view of all the circumstances of the case, to prevent injury and remove oneself from the situation.

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

2.00 CAMPUS VIOLENCE. Violence, threats, harassment, intimidation and other disruptive behavior by members of the University community or visitors will not be tolerated. Such behavior may include but is not limited to fighting, participating in hazing (in any capacity), verbal or written statements, sexual assault, gestures, or expressions which communicate a direct or indirect threat of physical harm. It also includes conduct which materially interferes with the normal operation of the University and conduct and/or expressions which are obscene, intimidating, or which are blatantly offensive to the prevailing standards of an academic community. See also Jackson State University's Campus Violence Policy.

Note: Self-defense is that which reasonably appears necessary, in view of all the circumstances of the case, to prevent injury and remove oneself from the situation.

2.05 CONTEMPT OF HEARING. Contempt of hearing violation includes (1) the failure to appear before a student conduct body after proper notification of a scheduled student conduct hearing or conference, (2) failing to adhere to hearing procedures, (3) willful disobedience to, or displaying open disrespect for a University Student Affairs Conduct Committee member such as the use of profanity, threatening behavior, or derogatory remarks, comments, and/or gestures, and (4) failure to comply with student conduct conditions as sanctions imposed by a student conduct body or student conduct administrative officer or staff person. Contempt charges will require the student to pay a student conduct fine in addition to other sanctions imposed.

2.10 DAMAGE TO PROPERTY/DESTRUCTION OF PROPERTY. Damage, vandalism or destruction to property owned or leased by the University or personal property belonging to an individual, including but not limited

to, car vandalism, walking on roofs of a University building, defacing structures and facilities, littering, unauthorized biking, skate boarding in inappropriate areas, marking, egging, littering, painting, use of sidewalk chalk, spraying, the painting of residence hall rooms, hall ways, lobby areas, classrooms, doors, bricks, and siding without the proper authorization.

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

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

2.30 DISORDERLY OR DISRUPTIVE CONDUCT. Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community.

2.40 DISTRIBUTION OF ILLICIT PRINTED MATERIAL. Distribution of printed materials that are libelous, obscene, or that encourages imminent violations of public laws or University regulations.

2.50 DRUG PARAPHERNALIA/POSSESSION OF/USE OF DRUGS (Illegal). The consumption, sale, distribution, manufacturing, purchase, passing of, or being in the presence of or the vicinity of illegal drugs, narcotics, the accessory to, or aiding and abetting of any controlled substances, are strictly prohibited from all locations of the university, and beyond the premises according to all local, state, and federal laws. Illegal drugs also include all prescription drugs without a valid medical prescription. This policy also applies to engaging in smoking marijuana and/or other illegal substances in personal vehicles on University owned property.

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

Evidence of marijuana use may include, but is not limited to: the smell appears of smoke, the presence of marijuana seeds, or residue. The possession of illegal paraphernalia, such as a scale, accompanied with drug paraphernalia and/or an illegal substance and/or large quantities of money may result in a minimum of a one year suspension due to intent to distribute.

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

2.55 DRESS. See Decorum Policy. This policy applies in classrooms, dining facilities, and when conducting business within on-campus offices. This policy also applies when students travel on University business, representing the institution. On campus professional staff members reserve the right to refuse service until a student is properly dressed. Examples of inappropriate dress and/or appearance include, but are not limited to:

- Do-rags, scarves, bonnets, etc. for men and women. This policy item does not apply to headgear considered as a part of religious or cultural dress.
- Midriffs or halters, mesh, netted shirts, tube tops or cut-off t-shirts in classrooms, dining hall, Student Center, and offices.
- Short shorts that expose private areas.
- Sagging or unbelted pants.
- Undershirts for men, of any color, outside of the private living quarters of the residential communities.

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

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

COVID-19 Pandemic: Failure to comply with University safety policies and guidance regarding wearing a Face Covering (including failing to wear it properly over one's nose and mouth) on campus, practicing social distancing/physical distancing, and exceeding campus gathering limits.

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

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

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

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

COVID-19 requirement: Students are responsible for ensuring their guests comply with University safety rules, including practicing social distancing and wearing a face coverings while on University property.

2.90 HARASSMENT (Verbal and/or Physical). The excessive physical interference with, or abuse of, any person on University-owned or controlled property or while on the premises of, or while in attendance of University-sponsored or supervised events. This policy also applies to social media use. Harassment includes conduct that is so severe, pervasive, and objectively offensive that a reasonable person with the same characteristics of the victim would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of a University activity, opportunity, or resource.

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

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

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

3.05 HEALTH AND SAFETY VIOLATIONS. Any behavior which creates a risk or danger to others of the University community, including but not limited to riding hover boards or devices similar in nature in residential communities, academic or support buildings, propping open doors to residential communities, throwing objects from windows or balconies, failure to keep one's room in a condition that is safe and sanitary, or failure to maintain reasonable standards of cleanliness and safety as defined by the University. Also includes failure to remove trash from residential communities.

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

COVID-19 Pandemic: This policy also relates to University safety policies and guidance regarding wearing a face covering (including failing to wear it properly over one's nose and mouth) on campus, practicing social distancing/physical distancing, and exceeding campus gathering limits.

3.10 HOUSING VIOLATION. Failure to comply with housing and residence life regulations including visitation policies, health and safety concerns such as possession of burning candles, failure to dispose of trash, etc.

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

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

3.35 LITTERING, THROWING OBJECTS OUT OF WINDOWS. The inappropriate disposal of refuse, including ejecting or dropping any object from windows in residential communities or balconies or other University buildings or vehicle.

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

3.55 PROBATION VIOLATION. Failure to comply with the sanctions placed on a student for a specified amount of time violating the Student Code of Conduct and/or breaking of any laws.

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

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

COVID-19 requirement: Tampering with or intentionally damaging items required by the Centers for Disease Control and Prevention (CDC) for the health and safety of all. Stealing, discarding, or purposely tampering with roommate, suitemate, or campus COVID-19 safety items. Deliberate failure to abide by any health or safety standards for any University related function (campus events, classroom operations, etc.)

3.76 GENDER-BASED HARASSMENT. Gender-based harassment includes harassment based on actual or perceived gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, even if the acts do not involve conduct of a sexual nature.

3.79 RELATIONSHIP (Dating and Domestic) VIOLENCE. Relationship violence is abuse, violence, or intentionally controlling behavior between partners or former partners involving one or more of the following elements: (i) battering that causes bodily injury; (ii) purposely or knowingly causing reasonable apprehension of bodily injury; (iii) emotional abuse creating apprehension of bodily injury or property damage; (iv) repeated telephonic, electronic, or other forms of communication — anonymously or directly — made with the intent to intimidate, terrify, harass, or threaten. Relationship violence can occur in all type of relationships (e.g., heterosexual, same sex, or any other type of relationship).

3.82 RETALIATION. Retaliation is an adverse action or attempt to seek retribution against the complainant, or any person or group of persons involved in the investigation and/or resolution of a sexual misconduct complaint. Retaliation can be committed by any person or group of persons, not just a respondent. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

3.84 SEXUAL ASSAULT. The forcing of, or attempting to force, another person regardless of sexual gender, personal affiliation, and/or affiliation with the University, to participate in sexual intercourse and/or other sexual activities against his/her will is prohibited. Such misconduct includes verbal coercion, threats and physical restraint, and will not be tolerated. Violators of this section who are found responsible as defined under the University's Title IX and Sexual Misconduct Policy are subject to sanctions as prescribed in the Student Handbook and will also be subject to criminal prosecution.

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

3.90 SEXUAL EXPLOITATION. A course of conduct when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent.

3.93 SEXUAL HARASSMENT. Sexual Harassment is unwelcome conduct of a sexual nature that if sufficiently severe, persistent or pervasive, and objectively offensive to a reasonable person, has the effect of creating a hostile or stressful living, learning, or working environment, or whenever toleration of such conduct or rejection of it is the basis for an academic or employment decision affecting an individual. Conduct is considered "unwelcome" if the person did not request or invite it and considered the conduct to be undesirable or offensive.

Sexual harassment includes any conduct or incident that is sufficiently serious that it is likely to limit or deny a student's ability to participate in or benefit from the University's educational programs or a faculty or staff member's ability to work, which may include a single incident of sexual assault or other serious sexual misconduct

3.97 SEX OFFENSES. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

4.00 STALKING. Stalking is a course of conduct involving more than one instance of inappropriate and unwanted attention, harassment, threatening or intimidating physical or verbal contact, or any other course of conduct directed at a person that could be reasonably regarded as likely to alarm or place that person in fear of harm or injury, including physical, emotional, or psychological harm. This includes the

use of technology to pursue, harass, threaten, intimidate, or otherwise make unwelcome contact with another person.

4.05 SMOKING. The inhaling, exhaling, or burning of any type of lighted pipe, cigar, cigarette, or any other smoking equipment, whether filled with tobacco or any other type of material in University owned buildings or in University owned vehicles. Smoking is also prohibited during any University sponsored outdoor events hosted on University property.

Smoking shall only occur at a reasonable distance (25 feet or more) outside any enclosed area where smoking is prohibited, so as to ensure that secondhand smoke does not enter the area through entrances, windows, ventilation systems, or any other means. The policy applies to all students and student guests.

4.10 TECHNOLOGY. Students and recognized organizations are cautioned that any material posted on the internet, including social networking sites and internet blogs will not be considered private or protected information. Students may be held accountable for inappropriate or unauthorized content posted in this manner and information obtained from such sources may be considered in cases of misconduct. This includes, but is not limited to, Instagram, Facebook, Twitter, Snapchat, LinkedIn, BlogSpot, GroupMe, and YouTube. This charge also includes content included in communication threads via texts, e-mails, group chats, etc.

COVID-19 Pandemic Requirement: This policy also applies to student conduct/behavior associated with technology use, as a health and safety measure, throughout the pandemic. This includes, but is not limited to:

- Zoom Bombing (By Students and Non-Affiliated Parties)
- Online Class Disruptions/Virtual Hearing Disruptions
- Classroom/Virtual Events & Program Chat Behavior

4.15 SOLICITATION. Unauthorized selling, collection of monies, and promotion on campus or within University buildings is not permitted without permission of the Division of Business and Finance. Students may not act as agents for business firms which entail solicitation or the receiving of business offers or goods on University property. Further, students may not solicit on behalf of the University without the permission of the Division of Business and Finance. Use of any residence hall room for business purposes of any nature, (e.g. the selling of food, clothing, jewelry, merchandise, favors, manicures/pedicures, hair relaxing/styling/braiding, barbering, babysitting) whatsoever is prohibited.

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

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

4.35 TRESPASSING. Unauthorized presence on, in or within any building or property owned or operated by the

University (including residential communities), or the unauthorized entry into or remaining in a facility, or in a private room or office under the control of another, after having been asked to leave.

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

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

4.50 WEAPONS/FIREARMS. The use, storage, possession, or display of weapons, firearms, self-defense devices, or explosives is strictly prohibited on the premises of the University. Weapons include, but are not limited to the following: mace, pepper spray, rifles, shotguns, tasers, stun guns, ammunition, handguns, air guns, BB guns, bowie knives, daggers, switchblade knives, butcher knives, metallic or brass knuckles, explosives (including dangerous chemicals), water guns, play guns, firecrackers, propelled missiles, and fireworks. The possession or uses of items that resemble guns, knives, or other weapons are also strictly prohibited. A concealed weapons permit may not constitute authorization.

When course content and classroom assignments require the use of such items, the Provost, Associate Vice President for Student Affairs or designee, and the Department of Public Safety will work collaboratively to provide written approval. The initial request should be submitted to deanofstudents@jsums.edu. This policy also applies to any device used as a weapon to intentionally harm another.

Notes:

Students serve as a representative of Jackson State University while enrolled with the University. Consequently, students may be charged with Student Code of Conduct violations for incidents that occur while representing the University. Any student who holds a student leadership position within the University (Campus Activities Board, Greek organization member, Student Government Association member, respective student organization executive board members, student-athletes, etc.) may be relieved of their duties upon receipt of an incident report listing a student leader as an alleged offender. Based on the severity of the incident, student leaders may be relieved of their duties until a final decision is reached. Students are expected to use their assigned Jackson State University student e-mail account, in order to receive all University correspondence, including information pertaining to student conduct violations.

All sanctions imposed on students, student groups, and/or student organizations found responsible of violation(s) are based solely on individual circumstances. No case is exactly the same as another, and sanctions will most likely differ in similar instances. It is primarily the decision of the hearing officer/committee to determine the sanction(s) imposed on each student. The following sanctions may be imposed when students violate the Student Code of Conduct:

Academic Sanctions
Community Service
Counseling Consultation
Community Standards Seminar Completion
Expulsion

Educational Sanction, such as book reviews, modules, research papers, reflective journals, etc.

Fine: The amounts of fines may range from a \$50 minimum to a \$1,000 maximum per violation or charge, excluding any restitution. The amount of the fine per violation or charge is determined at the discretion of the hearing committee or hearing officer.

Indefinite Suspension

Student Conduct Hold

Loss of Privileges

Probation

Removal of animal(s)

Restitution

Subject to Criminal Prosecution

Suspension

Termination of network access

Workshops/Seminars

And other creative sanctions to encourage student development

STUDENT CONDUCT TERMS AND DEFINITIONS

The following actions may be imposed upon any student, student group, or student organization found to have violated the Student Code of Conduct:

COMMUNITY SERVICE. A sanction imposed upon a student as a result of a violation of the Student Code of Conduct. Service is provided by the student to a specific on-campus or off-campus area or department of the University for a specific hours as imposed by the designated Student Conduct hearing body. Monetary compensation is not provided. **NOTE:** Community Service hours completed to satisfy a student conduct sanction will not count toward the community service hours required for graduation.

COUNSELING CONSULTATION. Referral for consultation for alcohol/drug counseling, general mental health assistance, anger management, or other counseling issues deemed necessary by the designated Student Conduct hearing body with the Latasha Norman Counseling Center, Applied Psychological Services, or an outside agency/organization. Students must follow through with consultation and provide official documentation on letterhead for the agency/organization verifying completion of requirements.

EDUCATIONAL ASSIGNMENTS. Based on the nature of the offense, students may be required to complete a research assignment on a topic related to the offense committed. The research assignment must be typed, completed and submitted by the deadline specified. It must be thorough, comprehensive, and scholarly. The completed project must also conform to other specifications that may be given by the designated Student Conduct hearing body.

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

FINE. A monetary payment imposed as punishment for an offense. Payment must be made to the University for violations of the Student Codes of Conduct.

SANCTIONS. Consequences which are required to be completed as a result of being found responsible for violating the Student Code of Conduct. Each sanction has a deadline, which is outlined in the decision letter. Completed sanctions may be submitted in person or via e-mail to deanofstudents@jsums.edu. Sanctions require a 3 business day