

I. Purpose

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

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

II. Philosophy

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

III. Statement of Values

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

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

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

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

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

IV. Statement of Freedom of Expression

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

Members of the university community are encouraged to engage in opportunities of free speech and expression to be intellectually and culturally challenged and therefore better prepared to deal with the issues

they encounter in a changing and diverse society. These encounters can occur with activities and discussions that embody courtesy, mutual respect, and clarity.

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

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

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

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

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

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

V. Scope of Authority

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

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

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