

# STUDENT POLICIES AND RIGHTS

## Policies of Non-Discrimination

### A. Notification of Non-Discrimination

Jacksonville State University has filed with the Federal Government an Assurance of Compliance with all requirements imposed by or pursuant to Title VI of the Civil Rights Act of 1964 and the Regulation issued thereunder, to the end that no person in the United States shall, on the ground of age, religion, race, color, sex, disability, veteran's status, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity sponsored by this institution. Under this Assurance, this institution is committed not to discriminate against any person on the ground of age, religion, race, color, sex, disability, veteran's status, or national origin in its admission policies and practices or any other policies and practices of the institution relating to the treatment of students and other individuals, including the provision of services, financial aid, and other benefits, and including the use of any building, structure, room, space, material, equipment, facility, or other property. Any person who believes himself/herself, or any specific class of individuals, to be subjected to discrimination prohibited by Title VI or the Act and Regulation issued thereunder may, by himself/herself or a representative, file a written complaint with the United States Commissioner of Education or with this institution, or both.

### B. Notification of Non-Discrimination on the Basis of Disability

Jacksonville State University has filed with the Federal government an Assurance of Compliance with Section 504 of the Rehabilitation Act of 1973 as amended. The university does not discriminate on the basis of disability, and no qualified disabled person shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity.

The coordinator of Section 504 and compliance officer for ADA is Elizabeth Morrow, emorrow@jsu.edu, (256) 782-5282, 120 Salls Hall.

Students seeking accommodations should call Disability Resources at (256)782-8380 or visit the Student Success Center, 2nd Floor, Houston Cole Library.

### C. Notification of Non-Discrimination on the Basis of Sex

JSU does not discriminate on the basis of sex in the educational programs or activities that it operates. JSU is required, by Title IX of the Education Amendments of 1972 and Department of Education regulations to implement Title IX, not to discriminate in such a manner. This requirement to not discriminate in educational programs and activities extends to employment by the university and to admission thereto. Questions regarding Title IX and the implementing regulations should be referred to JSU's Title IX Coordinator, to the Assistant Secretary of Education for Civil Rights, or to both. For more information about JSU's Title IX grievance procedure, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment and how JSU will respond to such complaints, please visit our Title IX website (<https://www.jsu.edu/titleix/>) or contact our Title IX Coordinator.

Jasmin Nunez, Title IX Coordinator

Angle Hall, Suite 301-A  
(256) 782-5769  
titleix@jsu.edu

Office for Civil Rights (OCR)  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Customer Service Hotline 800.421.3481  
Fax 202.453.6012 TDD: 877.521.2172  
Email: OCR@ed.gov  
Web: <http://www.ed.gov/ocr> (<http://www.ed.gov/ocr/>)

Office for Civil Rights, Region IV  
61 Forsyth Street S.W.  
Suite 19T10  
Atlanta, GA 30303-8927  
Telephone: (404) 974-9406  
Facsimile: (404) 974-9471  
Email: OCR.Atlanta@ed.gov

## Policy on Privacy Rights of Students

### Notification by the University

At least annually the university shall notify its eligible students of its policy on privacy rights of a student as follows:

#### Access to Records

(a) Subject to the limitations contained in (b) which follows, the education records of an eligible student shall be accessible to such students. Such right of access shall include: The right to be provided a list of the types of education records which are maintained by the institution and are directly related to students; the right to inspect and review the content of those records; the right to obtain copies of those records, which may be at the expense of the eligible student (but not to exceed actual cost to the institution of reproducing such copies), the right to a response from the institution to reasonable requests for explanations and interpretations of those records; the right to an opportunity for a hearing to challenge the content of those records; if any material or document in the education records of the student includes information on more than one student, the right to inspect and review only such part of such material or document as related to such student or to be informed of the specific information contained in such part of such material.

(b) The following materials will not be available to an eligible student: Financial records of the parents of the student or any information contained therein; confidential letters and statements of recommendations, which were placed in the education records prior to January 1, 1975, if such letters or statements are not used for purposes other than those for which they were specifically intended; if the student has signed a waiver of the student's right of access, confidential recommendations (1) respecting admission to any education agency or institution, (2) respecting an application for employment and (3) respecting the receipt of an honor or honorary recognition

#### Procedures for Granting Access.

(a) An eligible student desiring access to his/her education records shall make a request in writing to the appropriate office. Requests concerning: (1) Admissions should be made to the Office of Admissions. (2) Student records should be made to the University Registrar; (3) Financial records should be made to the Vice President of Business Affairs; (4) Financial aid records should be made to the Director of Financial Aid; (5) Placement, counseling, disciplinary, health and security records should be made to the Associate Vice President for Enrollment

Management & Student Affairs; (6) school and departmental records should be made to the Dean of the appropriate school; (7) employment records should be made to the Director of Human Resources.

(b) In the event the records are not produced for inspection as set out above, or there is some question as to the right or duty of the office to produce them for inspection, the matter shall forthwith be submitted to the head of the office involved for determination. An appeal of his decision may be made immediately to the President of the University, who may notify the Records Grievance Committee, if appropriate.

#### *Challenges of the Content of Records*

(a) Any dispute with an eligible student regarding the content of his/her education records will be settled if possible through an informal meeting and discussion with the student.

(b) If the dispute is not settled through informal meeting and discussion referred to above, either the student or the appropriate official of the University may request a formal hearing on the matter. The hearing shall be conducted and the decision rendered by the Records Grievance Committee appointed by the President. At said hearing the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues involved. A decision shall be rendered in writing by the Committee within a reasonable period of time after the conclusion of the hearing, in no case to be more than 15 days.

#### **Release of Personally Identifiable Records**

(a) An eligible student may request in writing that directory information not be made accessible to any party except those set forth in (b) below. Any such request shall be made within seven days after the formal registration period ends; this request may not be withdrawn during the semester in which made. Directory information includes the student's name, mailing address, telephone listing, JSU email address, enrollment status: full time, part-time; currently enrolled or not, major field of study; participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received. The University reserves the right to deny directory information.

(b) Without the written consent of an eligible student, other education records shall not be made accessible to any party other than the following: Other University officials and teachers who have a legitimate education interest in such records; officials of other schools in which the student seeks and intends to enroll; the Comptroller General of the United States; the Secretary of the Office of Education; the U.S. Commissioner of Education; the Director of the National Institute of Education; the Assistant Secretary for Education; authorized state educational authorities; the appropriate authorities in connection with the student's application for, or receipt of, financial aid; state and local officials or authorities to which such information is specifically required to be reported or disclosed by state law adopted prior to November 19, 1974; organizations conducting studies for, or on behalf of, educational agencies of institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are conducted in such manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations, and such information will be destroyed when no longer needed for the purpose for which it is conducted, accrediting organizations in order to carry out their accrediting functions; parents of a dependent student or such parents, as defined in section 152 of the Internal Revenue Code of 1954;

or in compliance with judicial order, or pursuant of any lawfully issued subpoena, upon condition that the students are notified of all such orders or subpoenas in advance of the compliance there-with by the educational institution.

(c) The written consent of the eligible student referred to in (3b) above must be signed by the student, must be dated, shall include a specification of the records to be released, the reason for such release and the names of the parties to whom such records will be released shall be provided to the eligible student upon payment of the reproduction cost.

(d) The restriction on the release of education records or personally identifiable information contained therein, as set out in (3b) above, shall not prohibit the release of information from the education records of an eligible student to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of a student. The factors which should be taken into account in determining whether records may be released under this section include the following: The seriousness of the threat to the health or safety of the student or other persons; the need for such records to meet the emergency; whether the persons to whom such records are released are in a position to deal with the emergency; and the extent to which time is of the essence in dealing with the emergency.

(e) No personal information on a student will be released without a written statement from the University to the party receiving the information that no other party is to have access to such information without the consent in writing of the eligible student.

The USA Patriot Act (USAP) amends the Family Educational Rights and Privacy Act (FERPA) to permit education institutions to disclose education records to federal law enforcement officials without student consent as follows:

(a) By certifying that "specific and articulable facts" support the request, a U.S. Assistant Attorney General or higher-ranking official may obtain an *ex parte* court order that requires an educational institution to turn over education records considered relevant to a terrorism investigation.

(1) Institutions do not violate FERPA by responding to such an order without student consent.

(2) The institution need not make a record of the disclosure, as FERPA ordinarily requires.

(3) A College or university "shall not be liable to any person; for good faith disclosure of education records in response to such an *ex parte* order.

#### **Release of Student Transcript**

In accordance with the Buckley/Pell Amendment to the Family Educational Rights and Privacy Act, 1974, Jacksonville State University requires a signed letter of authorization or a signed JSU Transcript Request Form, with the original signature of the student making the request or a request through the secure National Student Clearinghouse website in order to release that student's transcript(s). Additionally, the signed request must include the name and address of the institution or individual who is to receive the transcript(s), and the appropriate payment for the transcript(s). Fax requests will be accepted with the inclusion of a Visa/MasterCard, or Discover number along with expiration date of card and the V code in addition to the aforementioned information. Official transcripts may only be faxed to other institutions or potential employers. Official transcripts may not be faxed to an individual due to the many questions of legal validity and real identity of the recipient of

the Fax message. A transcript cannot be released to another individual without written authorization from the student. Telephone requests will not be accepted. Transcripts may be mailed directly to an institution or individual from the JSU Registrar's Office, or issued directly to the student in a sealed JSU envelope. Official transcripts may NOT be released if the student account currently has a balance or HOLD at the time the transcript request is processed. All accounts in the office of Student Accounts must be clear. Transcript requests received in the Registrar's Office will be processed in a timely manner. Any request that is held until semester grades are posted or until degrees are confirmed will be processed on the next business day after such occurrence. Payment must be made upon request, however, and all accounts must be clear at the time the transcript request is processed. Any transcript request received in the Registrar's Office without a proper signature or without appropriate payment or with a Record "HOLD" will be returned to the student with instructions to resubmit the request with the appropriate inclusions. JSU reserves the right to alter, amend, or modify this policy at any time and will publish at least annually its policy on release and costs of student transcripts.

## Permanent Educational Record

The permanent educational record of the student consists of all classes the student has taken at JSU, the grades earned for those classes, all classes transferred to JSU from other institutions of higher education, the grades earned for those classes and all non-traditional credit that has been granted by JSU to the student: CLEP, AP, Military Service Schools or Work Experience.

## Social Security Number

The student's social security number is confidential. However, the Federal Taxpayer Relief Act of 1997 requires all institutions to report certain data using the social security number. Therefore, the social security number must be provided to Jacksonville State University in accordance with the legislation. Federal law requires that students who apply for financial aid must use their social security number.

Authority for requesting the disclosure of a student's social security number is in Section 7(a)(2) of the Privacy Act 1974 (5 U.S.C. 522a).

## University Code of Student Conduct

The Office of Community Standards and Student Ethics supports the Jacksonville State University mission by remaining student centered and educational in its disciplinary procedures. The Code of Student Conduct ([http://www.jsu.edu/community-standards/docs/code\\_of\\_conduct-20-21.pdf](http://www.jsu.edu/community-standards/docs/code_of_conduct-20-21.pdf)) is a way for the University to publicly expect all students (undergraduate, graduate and non-degree seeking) to maintain standards and respect for the University community. Jacksonville State University's conduct system has authority in all non-academic disciplinary matters. The University reserves the right to discipline students and recognized 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. 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 the possible Code of Student Conduct proceedings for the accused.

As the JSU administration is currently structured, the University's Director for Community Standards and Student Ethics is responsible for implementation and application of this policy.

Jasmin Nunez  
301 Angle Hall  
(256) 782-8080  
jnunez@jsu.edu

Full information on JSU's Code of Conduct ([http://www.jsu.edu/community-standards/docs/code\\_of\\_conduct-20-21.pdf](http://www.jsu.edu/community-standards/docs/code_of_conduct-20-21.pdf))

The Code of Student Conduct is further outlined in the Jacksonville State University Handbook (<http://www.jsu.edu/studentaffairs/handbook.html>). A hard copy may be obtained from the Dean of Students office, 402 Theron Montgomery Building.

## Alcohol and Other Drug Policy

### Purpose

The purpose of the Jacksonville State University (JSU) Alcohol and Other Drug Policy is to promote student responsibility, respect for the community and self, and to establish a University community that is safe, healthy, and conducive to academic endeavors. While students must define their own values and make their own choices, the University expects all of its members to comply with both JSU Policy and federal, state, and local laws as they apply to alcohol and other drugs. Furthermore, the University recognizes the harmful effects of alcohol abuse, illicit and illegal drug use, and prohibited prescription drug practices such as pharma shopping, selling prescription drugs, or using prescription drugs other than as prescribed.

### Outline of Policy Topics

The JSU Alcohol and Other Drug Policy will address the following topics:

1. Jurisdiction of the University
2. Alcohol Policy for Students
3. Other Drugs Policy for Students
4. Assistance for Alcohol and/or Drug Abuse
5. Summary of Federal, State, and Local Alcohol and Other Drug Laws

### Jurisdiction of the University

Jurisdiction of the University is generally considered to include student conduct which occurs on, near, or off University property and/or student conduct which has an adverse effect on the University, the members of the University community, or the fulfillment of the University's mission. We expect all our students to uphold our policies and federal, state, and local laws anywhere they go as long as they are a student with JSU or have a relationship with the University.

### Alcohol Policy for Students

Jacksonville State University has established the following policy in regards to alcohol use by students.

1. Alcohol possession and consumption on campus is permitted only for students of legal age (21).
2. It is unlawful and a violation of University Policy to use or possess identification that makes an individual appear older or misrepresents an individual as someone else.
3. The consumption of alcohol stronger than 80 proof is not permitted on campus.

4. It is prohibited to serve, provide, or knowingly allow alcohol to individuals under 21.
5. It is prohibited to serve alcohol to someone who is visibly intoxicated or to pressure someone to consume alcohol.
6. It is prohibited for minors to transport, possess, consume, or serve alcohol.
7. Common source and "tap" systems are prohibited. This includes, but is not limited to, kegs, beer balls, punch bowls, and punch served out of a cooler or another unusual container.
8. Drinking games are prohibited.
9. Consumption in student rooms should neither infringe on the rights of other students to study nor negate any normal activity.
10. Persons may not transport or consume open containers of alcoholic beverages in public areas<sup>1</sup>.
11. Full responsibility for compliance with policies and laws belongs to all students.

## Drug Policy for Students

The following define the University's policies regarding drug use.

1. Jacksonville State University prohibits illegal drugs on University property and at University events.
2. Students may not be in illegal possession of any controlled substance. Possession means that such substances are on one's person, in one's living environment, automobile, or known hiding location.
3. Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. The use and/or distribution of legal medication outside the parameters of the medical authorization is prohibited.
4. Illegal drug paraphernalia, use, possession, sale, distribution, trafficking, and manufacturing are prohibited.

## Assistance for Alcohol and/or Drug Abuse

The University offers an array of services for students who require help with alcohol and/or drug use issues. Students needing confidential assistance responding to alcohol and/or drug abuse problems are encouraged to speak with a counselor from:

Counseling Services (<http://www.jsu.edu/ccservices/>)  
147 Trustee Circle  
Telephone: (256) 782-5475

Besides individual sessions, Counseling Services provides educational programming through New Pathways, a psycho-educational program that includes both individual assessment and group participation, Collegiate Recovery Community (CRC), and other recovery and support groups.

Another confidential resource is the RMC Student Health Center: (256) 782-5310.

## Summary of Federal, State, and Local Alcohol/Other Drug Laws

The following is a brief summary of some of the laws JSU students must adhere to relating to alcohol and other drugs.

1. *Aiding Underage Possession/Consumption of Alcohol*: It is unlawful to aid a person under the age of 21 in obtaining alcohol, including falsely representing the person is not a minor.
2. *Unlawful Possession, Receipt, Manufacture, or Distribution of Controlled Substances (Including Marijuana)*: It is unlawful to knowingly sell,

manufacture, possess supplies to create controlled substances, deliver, bring into the state, receive, or be in possession of controlled substances. This includes illegally obtaining prescription drugs and marijuana. Trafficking to persons under 21, or on premises in which a person younger than 18 is present or resides, or in close proximity to a school or college results in significantly enhanced penalties, as does a drug offense that results in the death or bodily injury of a person.

3. *Driving Under the Influence (DUI)*: It is illegal for any person to operate a motor vehicle while under the influence of alcohol. The State of Alabama considers anyone with a blood alcohol content of .08 or higher as under the influence and .02 or higher for someone under the age of 21.
4. *Improper Identification*: It is a criminal offense to use false identification to obtain alcohol.
5. *Minor in Possession*: In the State of Alabama, it is illegal for any person under the age of 21 to purchase, consume, or possess any alcoholic beverage of any kind.
6. *Open Beverage*: It is unlawful to have an open container of alcohol in public places on campus, including Dillon Field.
7. *Open House Party*: In the State of Alabama, it is illegal for a person in control of a residence to allow a party to continue if alcohol or controlled substances are possessed or consumed by persons under age 21 and the adult knows this and fails to take reasonable action to prevent it.
8. *Alabama Dram Shop Act*: Individuals who are injured by a person who received alcohol contrary to Alabama law have cause of action for civil damages against the person who provided the alcohol to the underage minor or caused the individual to become intoxicated or furnished a controlled substance to that person.
9. *Alabama Civil Damages Act*: A person may be liable for damages under civil law to a parent or guardian of a minor if that person unlawfully sells or furnished spirituous liquors to their minor child.
10. *Public Intoxication*: It is unlawful for a person to appear in a public place under the influence of alcohol, narcotics, or other drugs to a degree that she/he endangers her/himself or another person or property, or by boisterous and offensive conduct annoys another person in her/his vicinity.

## Violations of this Policy or Laws Outlined in this Policy

Violations of this policy or laws listed will certainly result in University disciplinary action which, if the student is found responsible, could result in any or all of the following (this list is not exhaustive):

1. Required education or workshops
2. Housing suspension
3. Loss of privileges
4. Separation from the University; temporarily or permanently
5. Probation or registration holds

Violations of the laws listed in this policy could lead to University or local law enforcement action, which could lead to any and/or all of the following:

1. Court appearances
2. Criminal history and background created or extended
3. Fines
4. Jail time
5. Loss of privileges (license, etc.)

6. Workshop or assessment requirements by law
7. Further disciplinary charges from the University

For questions regarding this policy, please contact the Office of Community Standards & Student Ethics. (<http://www.jsu.edu/community-standards/>)