

- Whether the conduct was physically threatening.
- The effect of the conduct on the Complainant's mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether there is a power differential between parties; and,
- Whether the conduct implicates concerns related to academic freedom or protected speech.

Although it is not possible to list all examples of conduct that constitutes sexual and gender-based harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual and gender-based harassment depending upon the totality of the circumstances, including the persistence and severity of the conduct and its pervasiveness:

- Sexual advances — whether they involve physical touching or not.
- Sexual epithets, jokes, references to sexual activity, comments on an individual's body, or comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, cartoons, or other images.
- E-mail, instant messaging, voicemail messages or postings on social networking sites or blogs containing sexual content or references.
- Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments of a sexual nature.
- Making sexual comments or jokes about a person's pregnancy, calling a pregnant person sexually charged names, spreading rumors about their sexual activity, and making sexual propositions or gestures.
- Attempting or threatening to subject another person to unwanted physical contact.
- Repeatedly following another person in or about a public place or places, sending unwanted text messages, letters, email and/or voicemails, or persistent pursuit of another person.
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

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. Please refer to JSU's Gender-Based and Sexual Misconduct policy for misconduct subject to that policy.

Smoking. The university is smoke free. Smoking violations include but are not limited to:

- Smoking in any area of campus.
- The unauthorized sale of cigarettes and other tobacco products is prohibited anywhere on university property.

It should be noted that the presence of ashes, in or about residence rooms, halls and/or university buildings creates a rebuttable presumption that a student has violated the university's smoking policy.

Any student found responsible for violating this policy may be subject to a \$300 fine, educational sanctions, and additional sanctions. Aggravating factors, such as the presence of a weapon, threats, or a fight, may result in a \$300 fine and suspension from the university.

Students who are complicit may be subject to a \$150 fine, housing probation, and/or additional disciplinary action from the university.

University Housing. Any student found responsible for violating this policy, regardless of where the incident occurred, while living in university housing may be subject to, a \$150 fine, and additional sanctions, including education and a room change without a refund. Upon a second offense, an individual may be subject to a \$300 fine, and additional sanctions such as education and a room change without a refund. Upon a third offense, a student may be suspended without a refund from university housing for a period of at least one (1) year and subject to an additional \$300 fine.

If evidence of smoking is found in a common space, the rebuttable presumption will be that all student tenants are responsible for violating the smoking policy.

****Please note that students found responsible for smoking, drug use, and/or tampering with fire safety equipment may be subject to separate fines associated with each individual charge originating from the same documented incident.**

Soliciting. No student or non-student entity may sell, solicit, survey, or publicize on university property without the prior written approval of the Dean of Students.

Stalking. A course of conduct directed at a specific person that would cause a reasonable person to fear. Stalking involves repeated and continued harassment, which causes the targeted person to feel emotional distress, including fear and apprehension. A stalker may know the targeted person, may be a past partner, or may be a stranger. Here are some examples of stalking behaviors:

- Pursuing or following.
- Non-consensual (unwanted) communications or contact- including face-to-face, telephone calls, voice messages, electronic messages, or unwanted gifts.
- Showing up at one's home or place of work unannounced or uninvited.
- Constantly calling and hanging up.
- Trespassing.
- Surveillance and other types of observation.
- Use social networking sites and technology to track you.

Cyberstalking: Using the Internet or other electronic means to harass someone.

Student Contractual Agreement. All students or student organizations planning to conduct programs on or off the university campus requiring a contractual agreement with non-university agencies, must obtain permission of the Dean of Students.

Student Posting. Posters, banners, or any other printed material may only be displayed on bulletin boards inside authorized university operated buildings or on authorized buildings. Trash receptacles are specifically unauthorized display areas.

Theft. Theft or attempted theft. Theft is defined as the wrongful taking and carrying away of the personal goods or property of another. Theft violations include but are not limited to:

- Attempted or actual theft of university property or services or property belonging to any member of the university community.
- Misappropriation of funds or receipt of funds through fraudulent or dishonest means.
- The unauthorized possession of university property or property belonging to any member of the university community.
- Unauthorized use or abuse of computer time and/or computer systems, information, passwords, or computerized data.
- Obtaining or attempting to obtain telephone service by any devious means, including but not limited to, unauthorized charging of another person for service, utilizing fraudulent mechanical means to gain service, and/or tampering with connections, facilities, or documents.
- Any student found responsible for violating this policy may be subject to a \$100 fine, restitution of the fair market value of the stolen property, educational sanctions, and additional sanctions.

Threats or intimidation. All hostile, threatening, or intimidating behavior that, by its very nature, would be interpreted by a reasonable person to threaten or endanger the health, safety, or well- being of another.

Examples of such behavior may include, but are not limited to:

- Act(s) that alarms or seriously disrupts another person's ability to participate in any aspect of university life.