GENERAL CHANGES:

1. OSARP removed “Held in Abeyance” as an option to determine as a potential finding.
2. OSARP removed the term “Attorney” throughout the Handbook. Attorneys may participate as a Support Person in the OSARP process.
3. OSARP restructured the format of the JMU Student Handbook to create more distinct sections for the Accountability Process and Sexual Misconduct Process.

DEFINITIONS, MISSION, PHILOSOPHY, AND STRUCTURE

1. OSARP implemented a “Definitions” section to the Handbook to clearly define terms and phrases in one location that apply to the whole handbook.

JURISDICTION

1. Language was added for clarity in this section regarding the definition of a student and how OSARP records are handled for those who were an undergraduate student at JMU and then return for another degree or courses.

RECORDS AND TRANSCRIPT NOTATIONS

1. Language was added for clarity in this section about releases provided for records checks.

THE ACCOUNTABILITY PROCESS

Administrative Witness (Accountability Process)

1. Language added that provides for rights, like having a support person for an administrative witness who also qualifies as a reporting party.

Reporting Party (J43-100 Physical Force or Attempted Physical Force)

1. OSARP does not compel, mandate, or require students to participate in the adjudication process. The added sentence reflects the student’s ability to choose not to participate.

Reporting Party (Accountability Process)

1. OSARP does not compel, mandate, or require students to participate in the adjudication process. The added sentence reflects the student’s ability to choose not to participate.

Reporting Party Witness (Accountability Process)

1. OSARP does not compel, mandate, or require students to participate in the adjudication process. The added sentence reflects the student’s ability to choose not to participate.

Responding Party Witness (Accountability Process)

1. OSARP does not compel, mandate, or require students to participate in the adjudication process. The added sentence reflects the student’s ability to choose not to participate.

Support Person

1. This is a completely new section located with the various participant roles, rights, and restrictions.

Determining an Alleged Policy Violation

1. Language was added for clarity in this section regarding the definition of a student Administrative Case Review
2. Inclusion of a statement makes it clearer to the Responding Party that they should come to their Administrative Case Review prepared with all information they want considered in the adjudication of the case.
3. Inclusion of a bullet to more clearly describe what happens if a case occurs within the last three weeks of a semester.

ACCOUNTABILITY BOARD

1. OSARP more clearly defined who can serve as an Accountability Board Member.

ACCOUNTABILITY BOARD CASE REVIEW PROCEDURES

1. Clarification language added regarding what rejecting an Administrative Case Review and choosing to have a case re-heard by the Accountability Board means.
2. Updated the make-up of the Accountability Board for cases.
3. Added notation that a Reporting Party may submit a request to remove a Board member based on bias, if applicable.
4. OSARP added that the Board Chair is able to prohibit information from being shared, or instruct the Board to disregard information shared, if it violates the rights of the Responding Party.
5. Language adding for a Reporting Party to be able to provide more clarification during an Accountability Board Case Review.

APPEALING A DECISION: SUBMITTING AN APPEAL

1. Updates on the make-up of the appeal board members.
2. Clarification language on when an Accountability Board Case Review or Appeal Review is heard by a University Case Administrator.
3. Clarification language that Responding Parties do not attend Appeal Reviews based on an alleged violation of procedural standards.
4. Updates to the appeal process to state that if there is found to be a violation of procedural standards that can reasonably be said to have materially affected the interests of the Responding Party, the result should be a re-hearing of the Accountability Board Case Review with the procedures properly followed.

INTERIM SUSPENSION

1. Updates made to allow for the Director of OSARP or designee to provide specific provisions to the Interim Suspension Status.
2. Language clarifying that information shared in an Interim Suspension Appeal Review may be considered evidence for the Accountability Board Case Review.

SEXUAL MISCONDUCT

Responding & Reporting Party - Responsibilities and Rights - Sexual Misconduct

1. The Title IX Office does a full investigation where they collect all evidence and statements for a case; therefore, the rights were adapted to remove the submission of evidence and to discuss the right to submit character statements to be used in determining sanction(s), if a Responding Party were to be found responsible of an alleged violation(s) of Sexual Misconduct.

Receipt of Title IX Report, Alleged Policy Violation(s) Notification, and Preparation for the Sexual Misconduct Case Review

1. Added a statement regarding ranges of sanctions.
2. The Office of the Registrar will now automatically remove a suspension transcript notation when a suspension period ends. This aligns with state law.
3. This section has been reworded to demonstrate that the Title IX office does a full investigation, including gathering all evidence and statements related to the incident, providing the only opportunity for witnesses to provide information and statements to be submitted prior to the adjudication of the case.

4. This section now describes how character statements will be submitted.

**Appealing a Sexual Misconduct Case Review**

1. If there is found to be a violation of procedural standards that can reasonably be said to have materially affected the interests of the party granted the appeal, the result should be a re-hearing of the Sexual Misconduct Case Review with the procedures properly followed. This change created the need to re-work the appeal procedures based on reasons for appeal.

**Sexual Misconduct Interim Suspension Process**

1. This is a completely new process written to specify the process of Interim Suspensions pertaining to Sexual Misconduct.

**RESTORATIVE PRACTICES**

1. A change was made to more clearly outline who may request a Restorative Practices process; the proposed change is from “any member of the university community” to “person impacted by the behavior of a JMU student”.

2. The clause “to the extent permissible by law” was added to notate that RP records can be subject to subpoena and court orders.

3. An addition that restricts Reporting Parties from pursuing the Accountability Process after a formal written agreement is signed. Reporting Parties will know that by signing the formal written agreement, they waive their ability to pursue the Accountability Process unless the obligations in the agreement are not met.

**POLICIES**

**J6-100 Dangerous Practices**

1. The revised language makes the policy more inclusive.

**J8-100 Disorderly Conduct**

1. The revised language more clearly defines what the university considers Disorderly Conduct.

**J38-102 Drugs**

1. As laws change around Virginia and the nation, pertaining to marijuana possession and use, it remains illegal on college campuses as established by the Drug Free Schools and Communities Act. A new notation notifies students that even if state laws change, marijuana possession and use would not be permitted on campus.

**J12-100 Falsification of Information**

1. More clarity provided on communication that is false or misleading regarding a connection to JMU or one of its programs or activities.

**J16-100 Harassment, Bullying, and/or Stalking**

1. Language to align this policy with JMU University Policy 1340’s definition of a hostile environment.

**J21-100 Noncompliance**

1. Added clarification language to be more inclusive of different types of policies and regulations around campus with which students could not comply.

2. Added more clarity on roles that would be considered a university official.
J43-100 Physical Force or Attempted Physical Force

1. OSARP added language to better address situations in which a person escalates a situation by responding to physical force with physical force.

J34-100 Sexual Misconduct

1. Most of the changes were done to mirror changes to definitions in JMU Policy 1340.
2. The addition of a statement in the consent definition, the addition of J34-107 Non-Consensual Relationship, additions to J34-103 Exploitation, and edits to language to ensure this policy mirrors the definitions in JMU Policy 1340.

J35-100 Smoking, Vaping, Tobacco, and/or Nicotine

1. The changes included in this policy are to bring the policy in line with the newly passed amendments to §§ 18.2-246.8, 18.2-246.10, and 18.2-371.2 of the Code of Virginia and JMU Policy 1111.

J36-100 Soliciting, Petitioning, Selling, Surveying and Publicizing


J39-100 Theft or Possession of Stolen Items

1. This title update reflects the full range of this policy.

J42-100 Unauthorized Use or Transfer of Property or Documents

1. The addition to the Unauthorized Use policy is to include an additional method of unauthorized use or transfer of property or documents. This is for instances in which a student may be authorized to use property or documents during specific periods of time but uses that property or document outside of its authorized use time frame.

J44-100 Weapons

1. The additions to the Weapons policy more clearly incorporate JMU Policy 1105, Prohibition of Weapons. Within JMU Policy 1105, types of weapons and their restrictions are defined more comprehensively.

THE BIG FOUR STRATEGIES

Enlightened Citizen Amnesty Process

1. Language adding a new finding of [Dropped-Amnesty], to be added to the existing findings of responsible, not responsible, and dropped. A finding of [Dropped-Amnesty] would not lead to a disciplinary record but would require the completion of an educational program.