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Kendall College of Art and Design of Ferris State University
reserves the right to make changes and revisions to the Code of
Student Community Standards.
CODE OF STUDENT AND COMMUNITY STANDARDS

The Code of Student Community Standards, which is the official policy of Kendall College of Art and Design of Ferris State University (KCAD), is comprised of principles and policies on Student Rights, Student Dignity, Misconduct, Victims’ Rights, Alcohol and Other Drug Policies, Disciplinary Procedures, and other principles and procedures.

KCAD works collaboratively with Ferris State University to provide a safe, educational and ethical community where respect, responsibility, accountability, dignity, diversity and fundamental fairness are valued. The KCAD Code of Student Community Standards is not meant to replace the University’s Code of Student Community Standards; rather, the KCAD Code of Student Community Standards describes how the Code is defined and implemented at the KCAD campus.

Kendall College of Art and Design (KCAD) Values

Your commitment to being a student at KCAD begins with an understanding of and appreciation for the College's core values.

Student-centeredness through:
- An intimate environment
- Intellectual growth
- Individual creativity and diversity
- Collaborative experiences
- Professional preparedness

Institutional enrichment through:
- Professional development
- Creative and scholarly activity
- Industry involvement
- Collaboration
- Self-directed governance
- Alumni relationships

Civic responsibility by encouraging and supporting:
- Diversity
- Community involvement
- Leadership
- Ethical responsibility and aesthetic integrity
- The role of arts and design in the community

These values are in alignment with the core values of Ferris State University, which include:
- Collaboration
- Diversity
- Ethical Community
- Excellence
- Learning
- Opportunity
Embodied in these core values are certain expectations of you as a member of the learning community, including, but not limited to, the following:

As a KCAD student, you will be an active learner.

• It is expected that you attend class. Appropriate class attendance includes being on time, coming prepared and being attentive.
• It is expected that you study. Studying is an intentional, deliberate act requiring hard work. This includes seeking out the various resources designed to help you be academically successful.
• It is expected that you will treat your professors and fellow classmates with courtesy and respect.
• It is expected that you will be ethical in your scholarship and will practice academic integrity. This includes properly crediting others for their ideas that you may find useful.

As a KCAD student, you will take responsibility for your health and wellness.

• Good health and healthy habits are conducive to your success.
• It is expected that you recognize that the use/abuse of alcohol and other drugs is detrimental to your health and a potential barrier to your success.
• It is expected that you will be responsible for your wellness and make use of appropriate resources to assist you as needed.

As a KCAD student, you will be an ethical member of the KCAD community.

• It is expected that you respect the rights and property of others, recognizing that this expands beyond the KCAD campus.
• It is expected that you embrace diversity and equity, and strive to learn from differences in people, opinions and ideas.
• It is expected that you abide by the Student Code of Community Standards and the laws of the State of Michigan.
• It is expected that you involve yourself in leadership, service and/or personal development opportunities outside of the classroom as part of your comprehensive educational experience.

Student Conduct Learning Outcomes

KCAD believes in providing community education through the conduct process and community programming. As a result of these educational efforts, students will be able to:

1. Explain the effect of their behavior on the community and their responsibility to play an important role in creating a positive community for everyone.
2. Recognize the impact of their choices and behavior on their life and learning goals
3. Propose alternative life choices and evaluate those decisions as they relate to their role in the community and their own goals as a member of this community.
4. Demonstrate personal responsibility for actions, take ownership for decisions, and become increasingly invested in their social and educational experiences.
5. Recognize various campus resources that can help them better prepare for success in the educational environment, including their Conduct Case Manager.
SECTION I: MISSION AND DEFINITIONS

EDUCATIONAL MISSION
Ferris State University exists to afford quality educational programs and experiences for the benefit of the students and communities it serves. In order to operate effectively, the University community requires a system of order in which its members, including the faculty, students, administration, and staff, support the educational functions and objectives of the University. It is the responsibility of each member of the University to promote standards of personal integrity that are in harmony with the educational mission of the institution.

Kendall College of Art and Design’s Mission
As a college within Ferris State University, Kendall College of Art and Design prepares students for leadership in the visual arts, design, art history, and art education; provides innovative, collaborative education that fosters intellectual growth and individual creativity; and promotes the ethical and civic responsibilities of artists and designers, locally and globally.

Rights and Freedoms
As a member of the University community, students are expected to respect and value the rights of others, support the academic environment, and encourage the proper use of all University facilities. Students are expected to observe national, state, and local laws as well as University rules, regulations, and policies. However, in developing this policy, the University wishes to reaffirm its traditional support of freedom of speech, freedom of inquiry, and freedom to dissent.

Definition of Terms in the Code
For the purposes of this code, the following definitions shall apply.
1. The term “University” means Kendall College of Art and Design of Ferris State University (KCAD) as well as Ferris State University.
2. The term “KCAD” means Kendall College of Art and Design of Ferris State University.
3. The term “student” includes the following:
   a. A person who has been notified of his/her acceptance for admission to KCAD, who is admitted and enrolled in any credit-bearing or non credit-bearing course or program in any school or division of Ferris State University, or who is a continuing student between academic periods.
   b. A person who has withdrawn after allegedly violating the policies regarding misconduct, who is not officially enrolled in any credit-bearing course or program but who has a continuing relationship with KCAD and Ferris State University.
4. The term “faculty member” means any person hired by the University to conduct classroom responsibilities.
5. The term “Director of Student Conduct” means the Director and all designees as assigned, including Conduct Case Manager and the University Committee on Discipline. The University’s Director of Student Conduct has experience and extensive training on issues related to dating violence, domestic violence, sexual assault, and stalking as well as the procedures for conducting investigation and hearing processes that protect the safety of the victims and promote accountability.
6. The term “Vice President for Student Affairs” means the Vice President and all appropriate designees as assigned.
7. The term “Dean of the College” means the KCAD Dean of the College and all appropriate designees as assigned. The KCAD Dean of the College has experience on issues related to academic conduct and is the primary administrator that will oversee student conduct related to academic misconduct at KCAD.
8. The terms “Dean of Student Success” means the KCAD Dean of Student Success and all appropriate designees as assigned. The KCAD Dean of Student Success has experience on issues related to personal conduct and is the primary administrator that will oversee student conduct related to non-academic behavioral concerns at KCAD.
9. The terms “University official” or “staff member” includes any person employed by Ferris State University, performing assigned administrative, professional, or para-professional responsibilities.
10. The term “Responsible Employee” includes anyone who has the authority to address harassment, has the duty to report harassment or other student or employee misconduct to appropriate school officials, or is an individual a student could reasonably believe has such authority or responsibility.
11. The term “Campus Security Authority” is defined as an official of an institution who has significant responsibility for students’ safety, security and well being, and is an individual a student could reasonably believe has such authority or responsibility. Students can report crime to any campus security authority, including, but not limited to, local police, University Police, Deans, Program Chairs,
12. The term “Title IX” refers to Title IX of the United States Education Amendments of 1972 and the related regulations and guidance, specifically as it relates to sexual harassment, gender discrimination and harassment, sexual assault and sexual violence. The University has adopted specific procedures for ending the discrimination, preventing its recurrence, and remediying the effects of the discrimination.

13. The term “Complainant” is defined as any person or group who submits a complaint alleging that a student violated this Student Code of Community Standards. When a student believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will have the same rights under this Student Code of Community Standards as are provided to the Complainant, even if another member of the University community submitted the complaint itself.

14. The term “Respondent” is defined as a student who is alleged to have violated the Code of Student Community Standards.

15. The term “Witness” is defined as an individual who has had direct involvement in an incident and/or who was provided with information regarding the incident directly from the respondent, alleged victim, or both. This also may include individuals, who in their professional capacity have contributed information that led to allegations and subsequent charges.

16. The term “Support Person” is defined as any individual chosen by the complainant or respondent to provide support before, during and after the conduct conference process. This person may be an attorney, but at no point may this individual represent in place of the individual they are there to support.

17. The term “Conduct Case Manager” is defined as any University official who is authorized by either the Dean of the College or the Dean of Student Success to meet with students regarding alleged violations of the Code of Student Community Standards, to recommend appropriate charges and sanctions, to serve as a part of the University Committee on Discipline process, and to monitor the completion of assigned educational and/or administrative sanctions.

18. The term “University Committee on Discipline (UCD)” is defined as a panel comprised of faculty, staff and students who are authorized to determine, through a conduct conference, whether a student has violated the Code of Student Community Standards and to recommend sanctions in response to a finding of responsibility.

19. The term “Student Conduct Appeals Officer” is the Dean of the College or the Dean of Student Success or their designee, who is authorized to determine the merits of an appeal request, and to uphold, modify or dismiss a decision made regarding sanction recommendation(s).

20. The term “business days” is defined as all days, excluding those when the University officially is not in session. Non-session days are identified as those that occur between the last day of final examinations of one semester and the first day of classes of the following semester, including official closing days for Thanksgiving, Memorial Day, and the Fourth of July.

CRIMINAL INVESTIGATIONS

The University’s Department of Public Safety in conjunction with the Grand Rapids Police Department shall have the responsibility of the investigation of acts that involve potential violation of federal, state, and local laws or University policies.

The Dean of the College or the Dean of Student Success may designate another official to conduct investigations as well. All cases shall be investigated and the results promptly submitted to the appropriate office for evaluation and/or action.

Time Limitations

1. Time limitations that are specified in the following sections of this code may be extended for a reasonable period of time if an extension is justified by good cause under the totality of circumstances.
   a. A respondent in a conduct conference may make a request for an extension of a specific time limitation.
   b. A request for an extension must be submitted in writing to the Dean of the College or the Dean of Student Success. The written request can be submitted to kcadconduct@ferris.edu.

2. If a time limitation is not specified for a particular action under this code, the action must be taken or conducted promptly or within a reasonable period of time as determined from a consideration of the totality of the circumstances.
   a. A respondent in a conduct conference may make an appropriate objection concerning the promptness or reasonableness of the time within which an action is taken or a proceeding is conducted.
   b. An objection must be made to the person conducting the conduct conference or the chair of the University Committee on Discipline conduct conference regarding the matter.

3. Any respondent in a conduct conference may appeal a decision concerning an objection or request concerning a time limitation.
a. The appeal must be taken to the person or body that is authorized under this code concerning the time limitation.
b. The decision concerning the appeal is a final decision and is not subject to a further appeal.

STUDENT RIGHTS & RESPONSIBILITIES

Student Rights
Each student has the right to the following:
1. The freedom to exercise all his or her citizenship rights, without University interference or fear of University disciplinary action for such activity.
2. All the rights guaranteed by the Constitution and laws of the United States and the State of Michigan.
3. Freedom from discrimination or harassment on the basis of race, sex, age, religion, national origin, disability, sexual orientation, or gender identity under federal and state laws.
4. Information pertaining to his or her academic standing, graduation requirements, and course requirements.
5. Confidentiality of his or her records, consistent with federal and state laws, and University policies.
6. Join associations of their common interest(s).
7. Peacefully protest, demonstrate, or picket as long as it does not disturb the functions or operations of the University.
8. Initiate a complaint that may bring about an investigation and/or disciplinary action involving another member of the University academic community.
9. Be provided all pertinent information that may be considered part of his or her conduct conference.
10. Not to be falsely accused of violating policies of the Code of Student Community Standards.

Student Responsibilities
Free Inquiry and Expression
KCAD, like all academic institutions, exists for the advancement of knowledge, the pursuit of truth, the development of students, and the promotion of the general well being of society. Free inquiry and free expression are indispensable to the attainment of these goals. Students are expected to exercise their freedom to learn with responsibility and to respect the general conditions that maintain such freedom. Enjoyment of the freedoms described here depends in part on a student maintaining effective communication with the University.

Maintaining Local and Permanent Address
KCAD expects all students to maintain a current local and permanent address. Addresses may be updated at the Student Services Office on the 7th floor of the Kendall building.

Responsibility to Regularly Check & Respond to University Notices via Email
It is the student’s responsibility to regularly check his/her University email and respond to University notice appropriately. The University has developed general regulations concerning student conduct, which safeguard the right of every individual student to exercise fully the freedom to learn without undue interference.
STUDENT DIGNITY AND HARASSMENT POLICY

Statement of Principles
The University expects all students and employees to conduct themselves with dignity and respect for students, employees, and others. It is each individual’s responsibility to behave in a civil manner and to make responsible choices about the manner in which they conduct themselves. Harassment of any kind is not acceptable at the University. The University does not condone or allow harassment of others, whether engaged in by students, employees, supervisors or administrators, or by vendors or others doing business with the University. Harassment is the creation of a hostile or intimidating environment in which verbal or physical conduct, because of its severity or persistence, is likely to significantly interfere with an individual’s work or education, or adversely affect a person’s living conditions.

To assist with the understanding of what harassment is, this Code of Student Community Standards contains specific definitions of two of the more prevalent types of harassment — racial harassment and sexual harassment.

Definition of Racial Harassment
Racial harassment includes any conduct, physical or verbal, that victimizes or stigmatizes an individual on the basis of race, ethnicity, ancestry, or national origin. Such behavior could involve any of the following:

- The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person;
- Physical or verbal conduct, intentional or otherwise, that has the purpose or effect of (or explicitly or implicitly threatens) interference with an individual’s personal safety, academic efforts, employment, or participation in University sponsored activities; or
- The conduct has the effect of unreasonably interfering with an individual’s work or academic performance or creating an intimidating, hostile, or offensive working, learning or living environment.

Definition of Sexual Harassment
Based on the definition contained in the Equal Employment Opportunity Commission guidelines, adapted to include educational environments, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s employment or academic advancement;
- Submission to, or rejection of, such conduct by an individual is used as a factor in employment or academic decisions affecting such individuals; or
- Such conduct has the purpose or effect of substantially interfering with an individual’s work or academic performance or creating an intimidating, hostile or offensive working, living or academic environment.

While sexual harassment most often takes place in situations of power differential between the persons involved, sexual harassment may also occur between persons of the same status (e.g., student-to-student). The person exhibiting sexually harassing conduct need not realize or intend the conduct to be offensive for the conduct to constitute sexual harassment.

Other Types of Harassment
The attributes of harassment previously described in this section are also the attributes of most other types of harassment. Harassment may be based upon a person’s status that is protected by law (e.g., religion, veteran status, handicap, etc.) or may be based on some other reason not specifically covered by law. In any event, harassment of any type is not acceptable at the University.

Harassment Concerns
Any person who believes that he/she has been subjected to harassment of any kind (sexual, racial, or otherwise) should approach the individual whom he/she believes responsible. He/she should identify the specific behavior, explain that he/she considers the behavior to be offensive and/or harassing, and ask the individual to stop the behavior. If assistance is needed to approach the individual, the Dean of the College, Dean of Student Success, the Director of Student Engagement, the Director of Personal Counseling Center or the University’s Equal Opportunity Director should be contacted.
If approaching the individual is not possible (e.g., the person who believes that he/she has been subjected to harassment is uncomfortable or uncertain as to how the situation should be handled or is concerned that the situation may become volatile) or if approaching the individual does not resolve the matter, it should then be reported immediately to the Dean of the College of the Dean of Student Success. If for some reason, the person who believes that he/she has been subjected to harassment is uncomfortable discussing the situation with any of these individuals, the situation should be reported to any member of the University Administration. The circumstances surrounding the matter will be fully investigated, including the nature of the harassment and the context in which it occurred.

All reports of harassment and subsequent investigations will be kept as confidential as possible. Anyone found to have violated this policy would be subject to discipline up to and including suspension or dismissal. Discipline may include, but is not limited to, official reprimand, official apology, sensitivity training, and/or other disciplinary action including dismissal. Likewise, because intentionally false accusations of harassment can have serious effects on innocent people, anyone found to have intentionally falsely accused another person of violating this policy will be subject to discipline, up to and including suspension or dismissal.

Consensual relationships between University employees and students

Consensual relationships of an amorous or sexual nature, that might be appropriate in other circumstances, are deemed inappropriate when they occur between an employee of the University and a student for whom he or she has a professional responsibility. For example, such a relationship would be inappropriate between a faculty member, administrator, supervisor, advisor, coach, or residential staff member and a student for whom he or she has professional responsibility. Even when both parties have consented to the development of such a relationship, the relationship can raise serious concerns about the validity of consent, conflicts of interest, and unfair treatment for others and may result in serious consequences. Employees and students of the University are expected to make responsible choices.

It is the policy of the University that any University employee, who has professional responsibility for students, shall not assume or maintain professional responsibility for any student with whom the University employee has engaged in an amorous or sexual relationship. Whether the relationship predated the assumption of professional responsibility or arose out of the professional association, the University employee shall immediately disclose the relationship to the relevant unit administrator. The unit administrator shall immediately arrange a meeting of the parties to the relationship to discuss alternative oversight of the student, and to attempt to reach cooperatively, agreement on changes that will move professional responsibility for the student to another University employee. If no agreement is reached, the unit administrator shall determine and direct the best method to deal with the situation.

UNIVERSITY POLICY ON ALCOHOL AND DRUGS
AND STATEMENT SUPPORTING DRUG-FREE SCHOOLS AND COMMUNITIES

Statement of Purpose

This policy is designed to communicate a comprehensive approach to dealing with issues related to alcohol and other drugs. The policy will assist all members of the Ferris State University community, as it provides an educational context for these issues, identifies resources available, and enunciates specific policies that relate directly to faculty, staff, and students. The foundations for this policy reflect the University’s core values:

- **Collaboration**: Ferris contributes to the advancement of society by building partnerships with students, alumni, business and industry, government bodies, accrediting agencies, and the communities the University serves.
- **Diversity**: By providing a campus that is supportive, safe, and welcoming, Ferris embraces a diversity of ideas, beliefs, and cultures.
- **Ethical Community**: Ferris recognizes the inherent dignity of each member of the University community and treats everyone with respect. Our actions are guided by fairness, honesty, and integrity.
- **Excellence**: Committed to innovation and creativity, Ferris strives to produce the highest quality outcomes in all its endeavors.
- **Learning**: Ferris State University values education that is career-oriented, balances theory and practice, develops critical thinking, emphasizes active learning, and fosters responsibility and the desire for the lifelong pursuit of knowledge.
- **Opportunity**: Ferris, with a focus on developing career skills and knowledge, provides opportunities for civic engagement, leadership development, advancement, and success.
Commitments and Values
By fulfilling these commitments, the University is teaching these values. However, values cannot be taught in the abstract; they must be lived in the concrete world of the everyday tasks at the University. Therefore, every member of the University community must be committed to:

- Behave ethically - to be honest, forthright, loyal, trustworthy, and compassionate.
- Act civilly - to treat everyone with respect and courtesy; to resolve disputes openly and without rancor.
- Be productive - to fully engage each person’s intelligence, talents, and energy in fulfilling the mission and achieving the goals of the University.
- Be responsible - to be accountable for individual performance and behavior.

Applicability of this Policy on Alcohol and Other Drugs
This policy on Alcohol and Other Drugs pertains to all activities on University property. This policy also pertains to off-campus, University-sponsored activities and to off-campus activities (social or otherwise) sponsored by students, organizations or individuals associated with the University.

The University, like all other institutes of higher education, supports the Drug Free Schools and Community Act Amendments of 1989. This legislation promotes the adoption and implementation of a program to prevent the abuse of alcohol and illicit use of alcohol and other drugs by employees and students. This program has given us direction to compile and distribute annually this educational material to each employee and student affiliated with our University.

One purpose of this material is to make all of us more aware of the health risks involved with alcohol abuse and illicit alcohol and other drug use, as well as to be aware of the resources available should we determine that we would like or need assistance. In addition, it is important for each of us to be aware of legal consequences and University sanctions indicated by violations of local, state and federal laws and University policies and procedures.

Health Concerns and Health Risks
Any individual choosing to abuse alcohol or illicitly use alcohol and other drugs needs to be more aware that there may be a wide variety of health risks associated with this behavior. Chemical dependency, or addiction to alcohol and other drugs, is a chronic progressive illness that, if untreated, can be fatal.

Long term effects of alcohol abuse or alcoholism may include liver damage, especially cirrhosis (scarring of the liver); heart disease, including congestive heart failure; ulcers and gastritis; malnutrition; cancer of the mouth, esophagus or stomach; brain damage and possible psychosis; and fetal alcohol effect and fetal alcohol syndrome in infants of drinking mothers.

Use of other illicit drugs may pose some of the following hazards:

- Cocaine results in changes in blood pressure, heart and breathing rates, severe weight loss and liver damage, and it may cause seizures, coma and possibly death.
- Marijuana can affect coordination, short-term memory, visual tracking and heart rate. Regular use can produce reproductive system changes, damage to the respiratory system (lungs) and the immune system.
- Depressants in large doses can cause altered perception, blurred speech and a staggering gait. Very large doses can cause respiratory depression, coma and possibly death. In combination with alcohol, another depressant, these effects can be intensified and this multiplies the risk.
- Hallucinogens, like phencyclidine (PCP), can produce a range of effects that include slowed time and body movement, worsened muscular coordination and dulled senses. Speech can be blocked and often incoherent. Violent PCP episodes may result in self-inflicted injury. Increasing use may produce persistent memory problems and speech difficulties, depression, anxiety and violent behavior. Large doses may result in convulsions, coma, heart and lung failure and possible stroke.
- Narcotics (codeine, heroin, and a variety of prescription medications) will produce an initial feeling of euphoria followed by drowsiness, nausea and vomiting, constricted (shrinking) pupils, watery eyes and itching. Overdose may produce slow and shallow breathing, clammy skin, convulsions, and coma and possible death. Due to frequent use of needles with this class of drugs, infectious diseases, including AIDS are a major concern.
• Inhalants, volatile breathable substances, which are abused by sniffing or inhaling, may interfere diversely with breathing or produce irregular heartbeats that can lead to heart failure and death. Long-term use has resulted in bone marrow damage, drastic weight loss, impairment of vision and memory, and the ability to think clearly.

It is not necessary to become addicted to or dependent upon any of these drugs to experience a wide variety of personal and/or family problems. “Harmful involvement” with any of the drugs mentioned here may show up in a number of different ways. Use of alcohol and/or the other drugs may result in poor judgment; poor coordination; lessened concentration; slower reaction times; impaired eyesight; slips and falls; self-induced burns due to fire; injuries from improper use of hazardous materials, tools or shop machinery on the job or in class; and motor vehicle crashes. In addition, personal motivation and productivity may decline. Quality of work and cooperation with others may also be jeopardized.

The impact of alcohol abuse and illicit alcohol and other drug use is also seen in both family and social circles. Continued use and abuse often times may increase problems in existing dysfunctional family/social systems or may give rise to the development of dysfunctional family/social systems impacting on significant others, spouses, children, parents, and friends. Friendships and work relationships may suffer and personal relationships, including marriages, very often become strained to the point of separation or divorce. The incidence of alcohol and other drug use involved in car crashes, violent and petty crime, and domestic violence and sexual assault is well documented and very high.

It is important to note that while we as individuals may not be personally affected by the behaviors and consequences noted above, each of us at one time during our lives will probably have to deal with a friend, family member, or co-worker who is struggling with his or her use/abuse of alcohol and/or other drugs. It is therefore important for all of us to know how we can access available resources in our community.

As a community, we encourage individual members to reach their full potential as persons and citizens, unencumbered by destructive or counterproductive patterns of behavior.

**Alcohol and Other Drug Helping Resources**

Campus and/or community resources are available to employees and students seeking assistance when alcohol and other drug use/abuse becomes a personal concern or problem. University students can take advantage of the assistance and referral services of the Personal Counseling Center’s counseling staff. The Personal Counseling Center is located in the Kendall Building, Activities and Resource Center. This office is open from 8:00 AM to 5:00 PM, Monday through Friday. The telephone number is (616) 451-2787 x 1136. Employees can get referral assistance, including a list of alcohol and other drug counseling service providers available in the Grand Rapids area, from the Counseling Center.

Counseling services, individual and/or group, provided to students at the Personal Counseling Center are completely confidential and are provided at no charge. Off-campus service provider fees can vary and payment arrangements, many times, can be flexible from a sliding fee scale for those with little or no ability to pay, to fees for those with health insurance coverage. Employees and students with insurance should be advised that all health insurance policies written in Michigan are required by state law to provide at least some coverage for alcohol and other drug services.

In addition to providing or directing individuals to counseling services, the Personal Counseling Center maintains a list of campus-based and Grand Rapids area self-help, support groups (e.g. Alcoholics Anonymous or Al Anon). These programs have often provided a good first step for those struggling with alcohol and other drug problems, concern about a loved one or as an additional support for those involved with a counseling program.

**University Standards for Conduct**

The possession, use or distribution of illicit drugs and the unlawful use of alcohol (e.g. underage use, distribution to minors, or operating a University vehicle while under the influence) by employees or students on University property, or as part of University activity is specifically prohibited by Ferris State University regulations, and/or by state or federal law. Those University regulations governing the use of alcohol and other drugs are so noted below for your information:

Consistent with state and federal law, the University will maintain a workplace and an educational environment free from the unlawful manufacturing, distribution, dispensation, possession or use of a controlled substance, (as defined under the Controlled Substances Act, 21 U.S.C. 812 and the Drug Free Schools and Communities Act, as may be amended from time to time). The unlawful manufacture, distribution, dispensation, possession or use of alcohol and other drugs, including narcotics by employees and students, is prohibited on any property under the control of and governed by the Board of Trustees of Ferris State University, or on any site where work or student
activity is performed by individuals on behalf of the University. The University Student Community Standards Administrative Policies and Procedures include specific sections related to alcohol and other drug use or abuse.

SUMMARY OF CERTAIN APPLICABLE LAWS AND LEGAL SANCTIONS

Limited Scope and Purpose of Summary
This summary is not intended to be an exhaustive review of all alcohol-related laws and legal sanctions. Not all laws that may apply to a particular situation are included here. This summary is intended only to inform and educate and should not be construed as legal advice.

Grand Rapids Ordinances
Consumption in Public Places [Section 9.241.]
It shall hereafter be unlawful for any person to consume alcoholic liquor in any public place in this City, or in any place to which the public is admitted, except those places which are properly licensed therefore by the Liquor Control Commission and then only the particular kind or style of alcoholic liquor which is licensed for sale on said premises, and the owner or operator of any such place shall be deemed to be a violator.

Furnishing to Minors [Section 9.246]
No person shall knowingly sell, give, furnish or offer to sell, give or furnish alcoholic liquor to any person who shall not have attained the age of twenty-one (21) years.

False Representation as to Age [Section 9.242]
No person under twenty-one (21) years of age shall falsely represent himself or herself to be twenty-one (21) years of age or older to purchase, acquire or attempt to purchase or acquire for himself or herself, or for any other person, any alcoholic liquor.

False Representation as to Age to Gain Entry or to Acquire Alcohol [Section 9.245]
No person shall make false representation as to his or her age or the age of another in gaining entry or attempting to gain entry to any establishment which sells, serves or furnishes alcoholic liquor; or in obtaining or attempting to obtain any alcoholic liquor for himself or herself or for any other person.

Michigan State Laws
Driving Under the Influence
A person shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, nor shall the owner of a vehicle authorize the operation of a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles if either . . . (a) the person is under the influence of intoxicating liquor or controlled substance . . . (b) the person has an alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.

Driving While Impaired
A person shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles, when, due to the consumption of an intoxicating liquor or a controlled substance, the person’s ability to operate the vehicle is visibly impaired.

Minor Driving With Any Bodily Alcohol Content
A person who is less than 21 years of age shall not operate a vehicle upon a highway or other place open to the general public or generally accessible to motor vehicles, including an area designated for the parking of vehicles if the person has any bodily alcohol content. A person found in violation shall be guilty of a misdemeanor punishable by community service for not more than 45 days and/or a fine of not more than $250.

Legal Sanctions
There are legal sanctions under the state and federal law, for the unlawful possession, use or distribution of alcohol and other drugs. Sanctions for violations of state and federal law may result in punishment for a misdemeanor or felony, depending on the nature of the crime. In the State of Michigan, the Michigan Controlled Substances Act #368 of 1978 lists a range of sanctions from up to six months in jail and up to $500 in fines or both for misdemeanor convictions, to up to mandatory life in prison and up to $75,000 in fines for felony convictions. Under the Federal Narcotics, Penalties and Enforcement’s Act of 1986 Federal trafficking penalties range from not more
than one year in jail or $100,000 in fines for first offense violations, and up to life imprisonment with fines of not more than $4,000,000 for repeat offenders or more serious violations.

Summaries detailing both Michigan law and Federal trafficking penalties will be available for employee or student review in the KCAD Administration Office, the University’s Office of Public Safety, or the University’s Office of Student Conduct.

Student Policies and University Sanctions

Individual Students
Consistent with State and Federal Law, the University prohibits the unlawful manufacture, distribution, dispensation, possession or use of alcohol and other drugs. The University also places limitations on the use and possession of alcohol on campus, above and beyond legal standards. Individual students who are found in violation of University policies, guidelines, or expectations with regard to alcohol and other drugs are subject to discipline, pursuant to established University procedures.

Student Groups
Student organizations are expected to follow all guidelines outlined in the KCAD Registered Student Organization Handbook. A violation of University policies, guidelines or expectations can result in both individual and group discipline, pursuant to established University procedures.

University Sanctions
The University will impose sanctions on employees and students (consistent with local, state and federal law, and within applicable collective bargaining agreements) for violations of the standards of conduct, as expressed in any University regulations. Sanctions resulting from employee or student violations of these standards of conduct will result in disciplinary action up to and including termination for employees and dismissal for students. In addition, for both employees and students, the sanctions may include referral to appropriate authorities for prosecution of violations of stated policies.

Student sanctions in the University Code of Community Standards Administrative Policies and Procedures specifically include administrative warnings, behavioral contracts, disciplinary probation, suspension from the University, or dismissal from the University without opportunity to enroll in the future. In addition, these include the opportunity for other sanctions to be imposed, such as the requirement of reimbursement for damages, loss of special privileges, or participation in campus provided educational programs.

The University considers involvement in the student disciplinary process to be part of a student’s learning experience. Through a system of progressive discipline, it is anticipated that a student will realize the importance of functioning within the University’s policies, procedures, and regulations. Though every case involving the violation of University policies or procedures is considered on the basis of the merits in that case, there are some categories of violations for which the anticipated sanction would be suspension or dismissal from the University. Such serious infractions include, but are not limited to, the distribution of alcohol to minors, distribution of illegal drugs or the use, possession, or distribution of alcohol or illegal drugs that result in a serious safety or health matter for any member of the campus or local community.

Policy Distribution
This Policy on Alcohol and Other Drugs shall be distributed to students through the Code of Community Standards and through the KCAD website [www.kcad.edu].

FREEDOM ON THE CAMPUS AND UNIFORM REGULATIONS OF CAMPUS ACTIVITY/FACILITY

Statement of Principles
The University recognizes, endorses, and abides by the principles of free speech that flow from the First Amendment to the United States Constitution. Protected speech cannot be completely suppressed solely because of the audiences’ approval or disapproval of its content. Yet, there is no absolute right to assemble or to make or hear a speech, at any time or place regardless of the circumstances, content of speech, purpose of assembly, or probable consequences of such meeting or speech. In addition, the First Amendment will not protect expression where reasonable content-neutral University rules and regulations have not been followed.

Rights Reserved to the University
The University reserves the right to deny permission to University organizations or units and/or community groups that may wish to sponsor lecturers, entertainers, groups, or exhibitions that may be in conflict with the University’s policies or local ordinances. The KCAD Student Engagement Office and/or the President’s Office shall be responsible for administering policies and procedures to regulate
campus activities and to control the use of University facilities in order to, amongst other legitimate purposes, maintain order on campus, avoid disruption of the educational mission, promote an educational atmosphere, and promote safety and security. Such policy shall be issued by Dean of the College or the Dean of Student Success and approved by the President of KCAD.

All events and activities that may be sponsored on the University campus must be pre-registered with the President’s Office or the Student Engagement Office; and the Administration will determine if the activity or event is appropriate and in the best interests of the University. The sponsoring organization, unit, or community group is responsible to provide adequate provision for the health, safety and welfare of the general public. If the sponsoring agency fails to insure the proper behavior and conduct of its audiences, the sponsoring agency may be subject to penalty or discipline where applicable, if damages or mishap occur during the course of its sponsored activity. The University must insist on proper conduct and proper use of its facilities in accordance with University policy.

Uniform Regulation of Campus Activity and Facility Use
The University regulates and controls the use of its facilities in order to, amongst other legitimate purposes, maintain order on campus, avoid disruption of the educational mission, promote an educational atmosphere, and promote safety and security. Consistent with these purposes and the requirements of the First Amendment, campus activity and facility use are subject to the following requirements and limitations:

1. The University may place reasonable time, place, and manner restrictions on campus activity/facility use to the extent the restrictions are not based on the content of the presentation, are narrowly tailored to serve a significant institutional interest, and leave open ample alternative channels of communication. Such restrictions may relate to advance notice, security, parking, advertising, indemnification, insurance, health and safety, as well as other areas.

2. A request for a campus activity/facility use may be denied by the University, after proper inquiry, where the activity/event will constitute a clear and present danger to the University’s orderly operation because of the speaker’s advocacy of such actions as:
   a. The violent overthrow of the government of the United States, the State of Michigan, or any political subdivision thereof;
   b. The willful damage to, destruction of, or seizure and subversion of the University’s buildings or other property;
   c. The forcible disruption of, impairment of, or interference with, the University’s regularly-scheduled classes or other educational functions;
   d. The physical harm, coercion, intimidation, or other invasion of lawful rights of the University’s officials, faculty members, or students;
   or
   e. Other campus disorders of a violent nature.

   For purposes of this subpart, “advocacy” means preparing the group addressed for imminent action and steeling it to such action, as opposed to the abstract espousal of the moral propriety of a course of action by resort to force; and there must be not only advocacy to action but also a reasonable apprehension of imminent danger to the essential functions and purpose of the University.

3. Expression that does not constitute protected speech is not protected by the First Amendment and may be regulated or suppressed. Where it is patently clear, after investigation, that the activity/event will result in such unprotected expression, the University may restrict or exclude the event. Such unprotected expression includes the following (these are terms of art that must be applied according to the definitions established by the United States Supreme Court):
   a. Defamation: Oral or written falsehoods communicated to third parties that would harm the reputation of another.
   b. Fighting Words: Insulting or fighting words – those which by their very utterance inflict injury or tend to incite an immediate breach of the peace.
   c. Obscenity: The material in question is patently offensive, appeals to prurient interests, and taken as a whole, lacks serious literary, artistic, political or scientific value.

4. When a request for a campus activity or facility use is denied by the University, the sponsoring organization will be given notification of the reason(s) for the denial. Any aggrieved sponsoring organization may appeal the denial in writing within five (5) working days to the KCAD President’s Office. If requested, the KCAD President, or his/her designee, will provide an informal hearing within three (3) working days of the filing of the appeal. No later than five (5) working days after the filing or after the hearing, whichever is later, the KCAD President or his/her designee will decide the appeal and notify the sponsoring organization of his/her decision and the reason[s] for that decision. The decision of the KCAD President is final.
Prohibition of Certain Conduct by Campus Speakers
A speaker must not urge the audience to take action which is prohibited by the rules of the University or which is illegal under federal or Michigan law. Advocating or urging the modification of the government of the United States or of the State of Michigan by violence or sabotage is specifically prohibited. It is the responsibility of the sponsoring student organization to inform speakers of these prohibitions.

Sponsorship of Campus Speakers
For the purpose of the Code for Student Community Standards, sponsorship of a campus speaker must be by a student organization that has been recognized under the general regulations approved by the appropriate University authorities. For the consideration of sponsoring a campus speaker, the student organization must complete the Registration Event form, which is located in the KCAD Activities and Resource Center.

Responsibilities of the Sponsoring Organization
For purposes of preserving a record of all such public meetings and of coordinating them with the business of other activities taking place on University property, the sponsoring organization must (a) make all arrangements for reservation of space with the appropriate University officials, and (b) complete the Event Registration Form to be furnished by the appropriate University office indicating, among other things, the subject to be discussed, the names of all speakers and the time and place of the meeting, and the form is to be certified by the signature of a faculty advisor. All rules for administration of requests from recognized student organizations must conform to the requirements of this subpart. It shall be the responsibility of the institutional officer under whom the program is administered to certify that all appropriate steps have been taken before the event is officially scheduled.

Violation of this Policy
Any student organization violating this policy is subject only to the procedures and penalties applicable to students and student organizations that violate other University rules.

NOTIFICATION OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student’s education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University’s official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student’s education records that the student believes is inaccurate or misleading or otherwise in violation of the student’s privacy rights under FERPA. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student in writing of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the University disclosures of personally identifiable information from the student’s education records, except to the extent that FERPA authorizes disclosure without consent. The University discloses education records without a student’s prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted as its agent to provide a service instead of using University employees or officials (such as an attorney, auditor, collection agent, contract employee, or a clinical/internship facility); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll. To view the FERPA waiver used by Student Conduct, please see Appendix section.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Ferris State University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

   Family Policy Compliance Office
   U.S. Department of Education
   400 Maryland Avenue, S.W.
   Washington, DC 20202-4605

As outlined by the Act, at the discretion of the University, “directory information,” as defined as academic college or program/major, addresses, admission status, athletic participation, class level, dates of attendance, degrees/honors/awards received, enrollment status, name, previous schools attended and telephone, may be released without your consent. However, you may request that all of the items identified as directory or public information be withheld and considered restricted information. To exercise this option you must file a written request at the KCAD Student Services Office. The request for non-disclosure must be filed by the end of the first week of fall term to assure information will not be published in the student directory. A request for non-disclosure will be honored by the institution and remain active until you notify the Registrars Office in writing to remove the restriction.

The University regards all student records as protected by FERPA. Parents requesting access to their child’s records (grades, billing, etc.), including minors (children under the age of 18), are encouraged to ask their son(s) and/or daughter(s) to fill out an Authorization to Disclose Information form at the KCAD Student Services Office located in the Kendall Building.

Assumption of Risk, Consent and Release

All students acknowledge opportunities throughout the school year to participate in a variety of extracurricular activities and events not required as part of the student academic curriculum, including, but not limited to: using fitness rooms, equipment, studios and labs, athletic events; educational, recreational, and social activities and programs that occur on or off campus property; consumption and/or participating in the distribution or selling of food and beverages by students, student organizations, and/or non-University individuals; and travel to and from and participation in events, conferences, and other activities on and off campus.

As a student, you recognize that your participation in such extracurricular activities may involve physical exertion and/or actions or omissions which could cause or result in injuries and/or health problems; contact with a variety of individuals, including non-University persons; risk of loss or damage to property; inconvenience and discomfort; exposure to circumstances and presence in locations with no supervision or protection; and other risks inherent in the particular activity or event in which you may be participating.

To the fullest extent permitted on behalf of you and your heirs, assigns and all other, by law, you knowingly and intentionally release and waive any and all claims of whatsoever kind of nature against Ferris State University, its Board of Trustees, President, officers, employees, advisors, agents, and representatives which may arise out of your participation in these activities and events, including, but not limited to acts, omissions, or negligence of other students, advisors, and other individuals or organization except for the University’s gross negligence or willful and wanton misconduct.

You further agree to be responsible for your own safety, well-being, and conduct, and that neither KCAD, Ferris State University, its Board, President, officers, employees, agents, or representatives will be liable or responsible if you suffer bodily injury, property damage, personal injury, death, and/or other damages or losses, except if caused by their gross negligence or willful misconduct.

You also understand and agree you are solely responsible and assume all risk for damage, loss or theft of personal belongings (equipment, cameras, keys, jewelry, clothes, etc.) brought with you when participating in and traveling to and from such activities or events. KCAD or Ferris State University is not responsible for these personal items and they are not covered by the University’s insurance coverage.

You also authorize being taken to a medical facility for treatment in the event of an emergency, and consent to emergency medical treatment being administered to you in the event you are unable (or your parent or guardian, if applicable, cannot be reached) to authorize treatment.

You recognize that you may appear in photographs, video tapes, recordings, motion pictures, and other records of the extracurricular activities or events in which you participate, and you consent to the University using, at its discretion, such photographs, video tapes, motion pictures, recordings, and other recordings in which you may appear, unless you inform the photographer that you do not wish to be filmed. You also understand that the University cannot control filming between students.
Important Contact Numbers

<table>
<thead>
<tr>
<th>Contact</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Immediate Emergency</td>
<td>911</td>
</tr>
<tr>
<td>City of Grand Rapids Police Dept. Non-Emergency</td>
<td>(616) 456-3400</td>
</tr>
<tr>
<td>Kent County Sheriff’s Department</td>
<td>(616) 632-6100</td>
</tr>
<tr>
<td>Dean of Student Success</td>
<td>(616) 451-2787 x 1113</td>
</tr>
<tr>
<td>Dean of the College</td>
<td>(616) 451-2787 x 1203</td>
</tr>
<tr>
<td>Personal Counseling Center</td>
<td>(616) 451-2787 x 1136</td>
</tr>
<tr>
<td>Spectrum Butterworth Hospital</td>
<td>(616) 391-1774</td>
</tr>
<tr>
<td>Mercy Health St. Mary’s Campus Hospital</td>
<td>(616) 685-5000</td>
</tr>
<tr>
<td>YWCA</td>
<td>(616) 459-4681</td>
</tr>
<tr>
<td>Network 180 Community Mental Health Services</td>
<td>(616) 336-3535</td>
</tr>
<tr>
<td>Title IX Deputy Coordinator - KCAD</td>
<td>(616) 451-2787 x 1113</td>
</tr>
</tbody>
</table>

Big Rapids Phone Numbers

<table>
<thead>
<tr>
<th>Contact</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department of Public Safety-Big Rapids</td>
<td>(231) 591-5000</td>
</tr>
<tr>
<td>Office of Student Conduct</td>
<td>(231) 591-3619</td>
</tr>
<tr>
<td>Equal Opportunity Director</td>
<td>(231) 591-3894</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>(231) 591-2088</td>
</tr>
<tr>
<td>Birkam Health Center - Big Rapids</td>
<td>(231) 591-2614</td>
</tr>
</tbody>
</table>
A. Academic Integrity Violations

Academic misconduct is managed in part through the conduct process in collaboration with faculty. In some cases, students are referred to the Dean of the College by his/her faculty for allegations of academic misconduct. It is under the purview of each faculty member, in collaboration with his/her respective program chair and with support of the Dean of the College, to specify in his/her syllabus and enforce an academic sanction for academic integrity violations.

Additionally, upon review of the allegation, the Dean of the College may schedule the student for a conduct conference relating to the allegation of academic misconduct, which is defined as any activity that tends to undermine the academic integrity of the institution. The University may discipline a student for the following acts of reported academic misconduct:

1. Cheating/Copying/Unauthorized Collaboration
   A student may not use unauthorized assistance, materials, information, or study aids in any academic exercise, nor should a student give assistance, materials, information, or study aids to another student in any academic exercise.

2. Fabrication
   A student must not falsify or invent any information or data in an academic exercise including, but not limited to, records or reports, laboratory results, and citations of the sources of information.

3. Facilitating Academic Dishonesty
   A student must not intentionally or knowingly help or attempt to help another student to commit an act of academic misconduct. Additionally, each student is responsible for taking reasonable precautions to ensure his or her work is not accessed by or transferred to another individual wherein it may then be used to commit a violation of the University academic integrity policy.

4. Interference
   a. A student must not steal, change, destroy, or impede another student’s work. Impeding another student’s work includes, but is not limited to, the theft, defacement, or mutilation of resources so as to deprive others of the information they contain.
   b. A student must not give or offer a bribe, promise favors, or make threats with the intention of affecting a grade or the evaluation of academic performance.

5. Plagiarism
   a. Proper Acknowledgement. A student must not adopt or reproduce ideas, words, or statements of another person, including previous work of their own submitted for previous course credit, without appropriate acknowledgment.
   b. Requirement for Acknowledgement v. Common Knowledge. A student must give credit to the originality of others and acknowledge indebtedness whenever he or she quotes or paraphrases another person’s words, either oral or written and whenever he or she borrows facts, statistics, or other illustrative material, unless the information is common knowledge.
   c. Sources used Verbatim. In instances where students are using content directly quoted from a source, that content MUST be indicated through the use of quotations AND properly cited both in-text and at the end of the document.

6. Violation of Course Rules
   A student must not violate course rules as contained in a course syllabus that are rationally related to the content of the course or to the enhancement of the learning process in the course.

7. Violation of Professional Standards and Ethics
   A student must not violate the professional standards or ethical code related to one’s intended profession as defined by the academic program or department.

Violation of Professional Standards and Ethics
A student must not violate the professional standards or ethical code related to one’s intended profession as defined by the academic program or department. A student who has been found to be in violation of academic misconduct may receive a failing grade in the course, and be subject to any of the disciplinary procedures and sanctions outlined in the policy of student responsibilities and University Disciplinary Procedures (see Section IV), including suspension or dismissal from KCAD.
Disciplinary Procedures Specific to Academic Misconduct
1. A professor/instructor uncovers a violation of academic honesty will discuss the matter with the student.
2. The professor/instructor will confirm the conversation in writing with the student, the Program Chair, and the Dean of the College.
3. The Dean of the College and the Program Chair will review the circumstances with the professor/instructor and the student.
4. If the violation is disputed, the Grade Grievance Procedure will be followed.
5. If the violation is undisputed, notification of a grade reduction, failure of the course, withdrawal from the course or any other action will be discussed with the student by the Dean of the College.
6. A second or continual violation of academic honesty will subject the student to dismissal from KCAD/University. All records of violations and subsequent actions are filed in the KCAD Academic Affairs Office.

B. INDIVIDUAL MISCONDUCT ON OR OFF UNIVERSITY PROPERTY
Individual misconduct is managed in part through the conduct process in collaboration with faculty, staff and students. In some cases, students are referred to the Dean of Student Success for allegations of individual misconduct. The Dean of Student Success may schedule the student for a conduct conference relating to the allegation of individual misconduct, which is defined below.

The University may discipline a student for the following acts of reported individual misconduct that occur on University property or at a University-sponsored function. Additionally, the University may discipline a student for the following acts of reported individual misconduct that are not committed on University property or acts that arise from University activities that are being conducted off the University campus or if the misconduct:

a. Undermines the security of the University community,
b. Adversely affects the University community and/or the pursuit of its objectives, or
c. Compromises the integrity of the educational process. Such acts include, but are not limited to, the following:

1. Acting as an Accessory
   Acting as an accessory to any unlawful act or the violation of any University policy. Threatening or attempting to engage in any unlawful act or violation of any University policy or being present when a violation of policy occurs.

2. Advertising/Solicitation
   a. Any posting of advertising materials must be done by authorized University staff only.
   b. Solicitation is not permitted in University buildings and/or grounds, excluding any approved University sponsored charity fundraiser programs.

3. Actions That Endanger
   Actions that endanger the student, the University community, or the academic process. These actions include, but are not limited to the following:
   a. Attempts to cause fear or alarm: Behavior that causes fear or alarm.
   b. Direct threat of harm to self/others: Verbal or physical behavior that represents a direct threat of harm to self or others.
   c. Creating a condition that endangers: Engaging in behavior that creates a condition that endangers self or others.

4. Computers and Information System Misuse
   Unauthorized and/or inappropriate use of computers is prohibited. Such use includes, but is not limited to: damaging or altering records or programs, furnishing false information or invading the privacy of another user by using files, programs, or data without permission, engaging in disruptive and annoying behavior, or engaging in any unauthorized use of or access to computer hardware, software, accounts, or passwords. Additionally, any and all actions in violation of the Digital Millennium Copyright Act are prohibited.

5. Damage To or Destruction of Property
   Damage to, destruction, or misuse of property belonging to the University or others.

6. Dishonest Conduct
   a. False Accusation: Knowingly presenting a false accusation of misconduct toward another student or individual.
   b. Misrepresentation: Intentionally misrepresenting the truth to a university official including providing false information or statements.
   c. Forgery: Producing, using or possessing any falsified university or official document, identification, or form of monetary payment.
   d. Altered Identification: Producing, using or possessing any falsified document for the purpose of gaining entry or access, or
undue benefits.
e. Alteration, or misuse of any University document, record: Abuse of the disciplinary system; and giving to University officialinformation known to be false.

7. Disorderly Conduct
Behavior that unreasonably disturbs the peace of the university or local community. Behavior that interferes with teaching, research,administration, or other University or University-authorized activity or that disrupts the University environment either during an eventor incident or as a result of an event or incident. This includes, but is not limited to the following:
a. Physical or verbal behavior without injury: Individual action that causes disruption.
b. Mutual fights without injury: Mutual physical behavior that does not include injury.
c. Excessive Noise or Community Disruption: Personally creating excessive noise or creating a condition that produces excessive noise.
d. Urinating in Public: Urinating in a public place, such as on private property or on a public building.
e. Throwing Objects: Throwing objects with the potential for disruption or danger.

8. Disruption of Operations (Disruptive Behavior)
Behavior that obstructs or disrupts the normal operations of the university and/or academic process or infringes on the rights ofother to freely participate in its programs or services. This includes instances of classroom disruption that go beyond mereverbalization of dissent.

9. Failure to Comply
a. Failure to comply with the directions of authorized University officials in the performance of their duties.
b. Failure to comply with the directions of authorized community safety officials in the performance of their duties (i.e. LawEnforcement Personnel, Emergency Medical Personnel, Fire Department Personnel, Emergency Management, etc.)
c. Failure to identify oneself when requested to do so.
d. Failure to comply with reasonable requests of other students.
e. Failure to comply with an assigned sanction.

10. Processing and/or Butchering of Animals/Game
Individuals are not permitted to process (butcher/clean/hang) animals/game (deer, rabbits, fish, goat, etc.) or hides anywhere in ornear any property controlled by the University.

11. Guests
Students are responsible for the actions of their guests and are responsible for ensuring their guests adhere to all University policies.

12. Harassment
Behavior that creates a hostile or intimidating environment in which verbal or physical conduct, because of its severity orpersistence, is likely to significantly interfere with an individual’s work or education, feelings of personal safety, or adversely affect aperson’s living conditions.

This includes allegations of:

- Domestic violence – Violence committed by the victim’s current or former spouse, current or former cohabitant, or a person similarlysituated under domestic or family violence law, or anyone else protected under domestic or family violence law.

- Dating Violence – Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there wassuch relationship will be gauged by its length, type, and frequency of interaction.

- Stalking – A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others’ safety, or to suffer substantial emotional distress.

*Please refer to the Ferris State University Employee and Student Dignity policy for more information:
http://www.ferris.edu/HTMLS/administration/studentaffairs/studenthandbook/administrative/homepage.htm

Please Note: Sexual Harassment may also fall under Section V: Sexual Misconduct.
13. Hazing
Hazing is defined as any conduct which subjects another person (whether physically, mentally, emotionally, or psychologically) to anything that may endanger, abuse, degrade, or intimidate the person due to an affiliation with a group or organization, regardless of the person’s consent.

14. Initiating or Circulating a Report
Initiating or circulating a report or warning concerning an impending bombing, fire, or other emergency or catastrophe, knowing that the report is false; making a false report or threat concerning a fire or that a bomb or other explosive has been or may be placed in any University building or elsewhere on University property; or transmitting such a report to an official agency, students, or others.

15. Intoxication / Excessive Consumption of Alcohol
Intoxication is defined as being under the influence of alcohol or other drugs, regardless of age, where such behavior causes a disturbance or other concern to the University.

16. Lewd, indecent, or obscene conduct
Behavior that can reasonably be deemed as lewd, indecent or obscene is not permitted on or off-campus.

17. Unauthorized Parking
Parking on driveways, roadways, sidewalks, and lawns, posted or not, is prohibited.

18. Personal Identification and Key Security
a. Failure to Provide ID on Request: KCAD students are required to carry their student ID at all times. All students (and their guests) are required to provide identification upon request of a University official, including student staff members.
b. Duplicate or Disseminate Student ID: Additionally a student may not duplicate and/or disseminate his/her student ID. It is expected that students will take proper precautions to ensure the safety of their student ID.
c. Another’s ID: A student may not use or possess another student’s ID.

19. Physical Harm/Abuse of any Person, Including the Following:
 a. Physical behavior or violence: Physical behavior directed toward another person(s) that endangers the health or safety of another person;
b. Behavior Restricts Freedom: The use of physical force or violence to restrict the freedom of action or movement of another person;
c. Direct Threat: Physical behavior that involves an expressed or implied threat to interfere with an individual’s personal safety, academic efforts, employment, or participation in University sponsored extracurricular activities and causes the person to have a reasonable apprehension that such harm is about to occur;
d. Causes Fear: Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, employment, or participation in University sponsored extracurricular activities and causes the person to have a reasonable apprehension that such harm is about to occur.

20. Possession of Firearms, Explosives or other Weapons
A weapon, for the purpose of policy, is defined as: [1] a loaded or unloaded firearm, whether operable or inoperable, [2] A knife, stabbing instrument, brass knuckles, blackjack, club, or other object specifically designed or customarily carried or possessed for use as a weapon, [3] an object that is likely to cause death or bodily injury when used as a weapon and that is used as a weapon or carried or possessed for use as a weapon, or [4] an object or device that is used or fashioned in a manner to lead a person to believe the object or devices is a firearm or an object which is likely to cause death or bodily injury.
  a. No individual may possess a weapon, except as provided by the Ferris State University business policy on weapons, including individuals who hold a concealed weapon permit.
  b. No individual may possess an explosive device, or materials used on the construction of an explosive device.
  c. No individual may possess chemical or other dangerous substances or compounds.
  d. No individual may possess any item that could reasonably be viewed as or mistaken for a weapon, such as airsoft guns.

Answers to questions or issues related to firearms or other weapons may be located in the University’s Campus Violence and Weapons Prohibition policy, which you will find at http://bit.ly/ferrisweapnspolicy

21. Release of Access Codes
Release of access codes for University computer and duplicating systems and other University equipment to unauthorized persons; use of an access code for a purpose other than that for which the code was originally authorized and/or intended.
22. Rioting
Rioting is defined as acting with violence and/or aiding, encouraging, and/or participating in a riot.

23. Sexual Misconduct/Harassment/Assault
The University does not tolerate sexual assault in any form, including instances of acquaintance or date rape. Sexual assault is a violation of the dignity and respect policies of the University, as well as other policies, local, state and federal law. The university will strongly pursue disciplinary action, up to and including dismissal from the University. Additionally, the university will never employ mediation as a means of resolution for sexual assault complaints.

Effective Consent:
Effective consent must be achieved for EACH act of sexual contact between two adults. Consent IS (1) Informed; (2) Freely and actively given; (3) Mutually understandable words or actions and (4) Indicating an agreement to engage in mutually agreed upon (sexual) activity.

Points to remember:
- Every individual has the right to NOT be acted upon by someone else in a sexual manner unless clear permission is given.
- Consent to one form of sexual activity never can imply consent to other forms of sexual activity.
- Consent may be given verbally or nonverbally, but must be clear and free of coercion. No means no, but silence ALSO means NO.
- Effective consent completely rules out the need for the victim to show resistance to indicate non-consent. There is no duty of the alleged victim to fight off or stop the sexual aggressor.
- Consent is invalid if achieved through force, threat, intimidation, coercion, when given by a mentally or physically incapacitated person, or when given by a minor.
- Consent can be withdrawn at ANY time as long as that is communicated clearly.

Sexual misconduct, as defined by the University Sexual Assault policy in Section V of this code book, includes but is not limited to the following:
a. Non-consensual/unwelcome/unwanted touching: Unwelcome, unwanted touching or fondling of a sexual nature without effective consent
b. Exhibitionism: Displaying intimate parts of one’s own body before an unwilling individual, including masturbation, etc.
c. Non-consensual penetration: Penetration of another individual’s body with an inanimate object or digit.
d. Non-consensual oral sex
e. Non-consensual Sexual Intercourse
f. Non-consensual Confinement or Restraint
g. Statutory Sexual Misconduct: Engaging in sexual activities with anyone who is under the legal age of consent for the state of Michigan (16 years old).
h. Voyeurism: Attempting to secretly view others for sexual gratification.

Please see the university statement on student dignity for more information: http://bit.ly/ferrisstudentdignity

24. Unauthorized Entry
a. Unauthorized entry, use, or occupancy of University facilities including, but not limited to, residence hall space, suite, or apartment;
b. Refusal to vacate a University facility when directed to do so by an authorized official of the University.
c. Unauthorized entry into a residential private property, house, or apartment.
d. Trespassing on private property

25. Unauthorized Fireworks
Unauthorized possession, use, manufacture, distribution, or sale of fireworks, incendiary devices, flammable or combustible materials, or other dangerous explosives on University Property is prohibited.

See also, University weapons policy
26. Unauthorized Possession/Use or Distribution of Alcoholic Beverages
The use or possession of alcoholic beverages is prohibited by the University when the following applies:

a. Contrary to Law: On or off University property, or in the course of a University activity or student organization activity, when the possession or use is contrary to law and/or University policy.
b. Creates Danger: On or off University property, when possession or use creates a danger to self or others, including, but not limited to, driving while under the influence of alcohol.
c. Supplying to Minors: The sale, gift, or transfer of alcohol to minors. Or where a party is hosted where underage consumption occurs.
d. In Public/Unauthorized area: In or on any property of the University frequented by the public, except in areas specifically designated by the President of the University.

Please note: Excessive consumption of alcohol is also prohibited by the University regardless of age. This includes instances where an individual receives any type of medical treatment relating to consumption alcohol.

27. Unauthorized Possession or Use of Illegal Drugs, Controlled Substances and/or Misuse of Over-the-counter substances (real or implied)
The term “controlled substance” is defined by Michigan law, and includes, but is not limited to, substances such as marijuana*, cocaine, narcotics, certain stimulants and depressants, and hallucinogens. The University prohibits the following actions:

*Medical Marijuana: The Michigan Medical Marijuana Act (MMMA) conflicts with federal criminal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds, by grant or contract, to maintain drug-free campuses and workplaces. The University receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law. Thus the use, possession, cultivation or distribution of marijuana in any form and for any purpose continues to violate the Ferris State University drug policy and is prohibited at Ferris State University.

a. Contrary to Law: Use or possession of any drug, controlled substance, or drug paraphernalia on or off University property or in the course of a University activity or student organization activity, contrary to law or without a valid and legal prescription for such drugs or controlled substances (this includes possession/use of marijuana regardless of medical marijuana card possession).
b. Creates Danger: On or off University property, when possession or use creates a danger to self or others, including, but not limited to, driving while under the influence of drugs that impair one’s ability to operate a motor vehicle.
c. Use of Facilities: Use of University facilities to manufacture, process, or distribute any drugs or controlled substance contrary to law.
d. Distribution: Sale, attempted sale, gift, transfer, or attempted transfer of drugs, controlled substances, or drug paraphernalia, whether or not such sale, gift, or transfer occurs on or off University property or in the course of a University activity or student organization activity.
e. Manufacture: Possession, production, manufacture or use of any substance that is used as a drug on or off University property.
f. Prescription Misuse: Abuse or misuse of any prescription drug, the unauthorized possession of prescription medication or the sale or attempted sale of a prescription drug.
g. Present: Students may not be present where illegal drugs or controlled substances are present or being used.
h. Medical Purposes: The use, possession, or cultivation of marijuana for medical purposes is not allowed in any University housing or on any University property.

28. Unauthorized Recording
Making, attempting to make, transmitting, or attempting to transmit audio or video of any person(s) on or off campus in bathrooms, showers, bedrooms, or other premises where there is an explicit expectation of privacy with respect to nudity and/or sexual activity, without the knowledge and consent of all participants subject to such recordings.

29. Unauthorized Taking or Possession
Unauthorized taking or possession of University property or services; unauthorized taking or possession of the property or services of others.

30. Verbal Abuse of another Person
Speech that materially and substantially disrupts the operation of the University or infringes on the rights of others, including the following:

a. An expressed or implied threat to:
   i. Interfere with an individual’s personal safety, academic efforts, employment or participation in University sponsored activities; or
   ii. Injure that person or damage his or her property and, under the circumstances, causes the person to have reasonable apprehension that such harm is about to occur; or,
   iii. Cause harm to the community,

b. In limited circumstances, inflammatory speech, spoken or written inflammatory communication that is inherently likely to
provoke a violent reaction by the listener or listeners toward the speaker may be prohibited.

31. Retaliation
   a. Taking or implying adverse action (verbal or physical) against any individual on the basis of a good faith report/allegation made by such individual is prohibited.
   b. Taking or implying adverse action (verbal or physical) resulting from an individual’s participation in an investigation, hearing, conduct conference, or inquiry by the university or other appropriate authority, or the individual’s participation in a court proceeding relating to alleged misconduct is prohibited.

32. Violation of other published University regulations, policies, or rules.

33. Any violation of any local, state, or federal law is against University Policy.
DUE PROCESS AND EQUAL PROTECTION
The University’s procedures for imposing administrative and educational sanctions are designed to:

1. Provide students the guarantees of due process and procedural fairness.
2. Ensure equal protection for all students.
3. And provide for the imposition of similar sanctions for similar acts of misconduct.

At the same time, the procedures reflect the need to be concerned about the individual student involved in a particular case. The procedures therefore provide that the imposition of disciplinary sanctions must also be based upon a consideration of all the circumstances in a particular case, including a student’s prior record of misconduct, if any.

JURISDICTION
On and Off Campus
The KCAD Code of Student Community Standards shall apply to conduct that occurs on KCAD property, at KCAD sponsored activities, and to off campus conduct that adversely affects the KCAD community and/or the pursuit of its objectives.

From Application to Graduation
Each student shall be responsible for his/her conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment, and even if the conduct is not discovered until after a degree is awarded.

After Withdrawal if Incident Occurred While Student
Additionally, the Code shall apply to a student’s conduct even if the student withdraws from school while a disciplinary matter is pending. The Dean of the College or the Dean of Student Success, shall decide whether the Code shall be applied to conduct occurring off campus, on a case-by-case basis, at his/her sole discretion.

Registered Student Organizations
Individuals who are a part of an RSO that violates KCAD policy may be held responsible for their own conduct. Information regarding policies and procedures applying to Registered Student Organizations (RSO) may be found in the Registered Student Organization Handbook published by the KCAD Student Engagement Office. Any individual involved with an RSO is encouraged to read the KCAD RSO Handbook.

DISCIPLINARY PROCEDURES FOR ACADEMIC OR INDIVIDUAL MISCONDUCT

Applicability of Procedures
a. Disciplinary proceedings for acts of misconduct are governed by the following procedures.

b. Disciplinary proceedings for an act of individual misconduct that is committed simultaneously with an act of academic misconduct are governed by the following procedures unless the Dean of the College or the Dean of Student Success agrees otherwise.

c. The disciplinary procedures in this section do not supersede proceedings involving the University’s use of “registration holds”.

Initiation of Proceedings
a. A report that a student has committed an act of academic or individual misconduct may be filed by any person.

b. A report that a student has committed an act of academic or individual misconduct must be submitted in writing to the Dean of the College or the Dean of Student Success, or his/her appropriate designees.

c. After reviewing a complaint, the Dean of the College or the Dean of Student Success has the discretion to decide whether disciplinary proceedings should be instituted.

d. If the Dean of the College or the Dean of Student Success decides to initiate proceedings, the case will be assigned to a Conduct Case Manager or University Committee on Discipline.
Notice of Conduct Conference

a. The Dean of the College or the Dean of Student Success shall make arrangements for conduct conferences; thereafter, with notice to the student, the Dean of the College or the Dean of Student Success may dismiss the case. The Dean of the College or the Dean of Student Success shall send notice of the conduct conference to the student’s address as it then appears in the official records of the University to be delivered by U.S. postal service, personally to the student, to the student’s Ferris email account, or in a manner most likely to inform the student that a conduct conference date has been set and charges are pending.

NOTE: KCAD considers it a student’s responsibility to check their University email regularly and respond to disciplinary notification in a timely manner no later than the date requested in the notification.

b. The notice shall inform the student of the following:

1. The opportunity to read all written reports and findings from any investigation regarding the circumstances and allegations of the case.
2. The opportunity to attend a conduct conference. A student’s conduct conference shall be scheduled minimally three business days after the date of the notice. However, a student may waive their right to this three-day provision. For conduct conferences scheduled with a University Committee on Discipline (UCD), the conduct conference shall be scheduled minimally five business days after the date of notice.
3. The opportunity to give a response to the reports and to offer any additional information that might help in the resolution of the case.
4. The opportunity, during the conduct conference, to review all information and ask questions (or choose NOT to ask questions) related to the case information that may adversely affect the student.
5. The opportunity to present witnesses [see definition of witness, pg. 8] who may substantiate information related to the incident. A list of witnesses must be submitted no later than one business day before the conduct conference. The Dean of the College or his/her designee, or UCD Chair reserves the right to limit the number of witnesses based on the relevancy to the facts of the case. Character witnesses are generally considered irrelevant.
6. The opportunity to have a support person present during the conduct conference; the support person may not participate in presenting the case, question witnesses, or make statements during the conduct conference.
7. Lastly, a student is not required to attend their conduct conference or answer any questions asked during the conduct conference; the choice to remain silent will not be taken as an admission of responsibility. However, a decision will be made in the student’s absence and based on information available at the scheduled time of the conduct conference.

Conduct Conference

A conduct conference shall be conducted before a Conduct Case Manager at the discretion of the Dean of the College or the Dean of Student Success, or his/her designee. Alternatively, in certain circumstances a University Committee on Discipline may be used.

a. A Conduct Case Manager is an employee of the University who has received training to act in such capacity.
b. In certain circumstances a second Conduct Case Manager may be used because of his/her expertise or ability to provide insight.
c. The Conduct Case Manager shall maintain necessary order and shall make all rulings necessary for a fair, orderly, and expeditious conduct conference.
d. The Conduct Case Manager may question any witnesses.
e. When it appears necessary to avoid undue hardship, the Conduct Case Manager may, at his/her discretion, grant a reasonable postponement of the conduct conference, especially in circumstances where additional immediate support services are required [i.e. medical or mental health/emotional support].
f. The decision of the Conduct Case Manager shall be based solely upon matters presented and introduced at the conduct conference and must be based upon a preponderance of the evidence (A determination whether the violation was more likely to have occurred than not).
g. The Conduct Case Manager shall make a finding as to whether the student has committed only the violation[s] as charged based on a preponderance of the evidence. If the Conduct Case Manager or committee reaches a finding of “responsible”, the Conduct Case Manager or committee shall, after review of any disciplinary record the student may have, require one or a combination of the disciplinary sanctions (Administrative and Educational) enumerated under this code.
h. A student will receive written notice of a decision and any applicable sanctions within a reasonable time frame. Cases requiring additional investigation may require additional time.

i. If the student fails to attend their conduct conference after proper notification by the Dean of the College or the Dean of Student Success, the conduct conference will proceed and a decision may be made in his or her absence. Or if the accused student withdraws from the institution prior to the adjudication of his/her case and the former student chooses not to appear, the conduct conference will proceed and a decision may be made in his or her absence. A representative may not appear in lieu of the respondent.

UNIVERSITY COMMITTEE ON DISCIPLINE (UCD)

A University Committee on Discipline shall be convened at the discretion of the Dean of the College or the Dean of Student Success, or his/her designee.

Please Note: the majority of conduct conferences are conducted by an individual Conduct Case Manager rather than a University Committee on Discipline (UCD). A Conduct Case Manager will follow the same conduct conference procedures as a UCD in a condensed and non-scripted format as described below.

a. A University Committee on Discipline (UCD) committee shall consist of three members, including one student, one faculty member, and one staff member, with the committee selecting either the faculty or staff member to preside as the committee chair.

b. If any member of a UCD committee is unable to be present or should request to be excused from serving for any good cause, another committee member shall be selected from the UCD committee list. If necessary, the conduct conference may be rescheduled at the discretion of the Dean of the College or the Dean of Student Success.

c. The UCD presiding chair, in consultation with any other members, shall maintain necessary order and shall make all rulings necessary for the fair, orderly, and expeditious conduct conference. The Conduct Case Manager or committee may question all witnesses. When it appears necessary to avoid undue hardship, the Conduct Case Manager may, at his/her discretion, grant a reasonable continuance of the conduct conference.

d. At a University Committee on Discipline conduct conference, the Dean of the College, the Dean of Student Success, and the respondent may present and question witnesses, present other evidence, and question other witnesses. The respondent may respond to the charges but shall not be ordered to respond, nor shall failure to respond be considered an admission of responsibility.

e. The Conduct Case Manager or committee shall make a finding as to whether the student has committed only the violation(s) as charged. If the Conduct Case Manager or committee finds that the student has committed the violation(s), the Conduct Case Manager or committee shall, after review of any previous disciplinary record, require one or a combination of the disciplinary sanctions (Administrative and Educational) enumerated under this code.

f. The decision of the UCD committee shall be based solely upon matters presented and introduced at the conduct conference and must be based upon a preponderance of the evidence (A determination whether the violation was more like to have occurred than not). A committee decision for each charge shall be made by majority vote.

g. Within a reasonable time frame after the conclusion of the conduct conference, the Conduct Case Manager shall render a written decision and outline any sanctions imposed.

h. The decision of the University Committee on Discipline will serve as a recommendation to be approved and implemented by the Dean of the College, the Dean of Student Success, or his/her designee.

i. If the student fails to attend the UCD conduct conference after proper notification by the Dean of the College or the Dean of Student Success, the conduct conference will proceed and a decision may be made in his or her absence. Or if the accused student withdraws from the institution prior to the adjudication of his/her case and the former student chooses not to appear, the conduct conference will proceed and a decision may be made in his or her absence. A representative may not appear in lieu of the charged student.

j. When an extension of time appears necessary to avoid undue hardship, the Conduct Case Manager or committee may extend the time to enable a student to respond to the allegation and prepare a response.

Rights of the Respondent/Alleged

In the interest of providing a fair and equitable process, the University has policies established to ensure the rights of the respondent/alleged. For cases involving Title IX allegations of sexual violence these policies mirror the rights afforded to the complainant (See Code of Student Community Standards: Section V).

The University has established the following applicable rights for the respondent:

a. The right to be advised of proper channels for support and appropriate resolution.
b. The right of the respondent to have a support person accompany him/her throughout disciplinary proceedings. A support person is any individual chosen by the complainant or respondent to provide support before, during and after the conduct conference process. This person may be an attorney, but at no point may this individual represent in place of the individual they are present to support.

c. The right of the respondent to determine his/her level of involvement in the conduct conference process. However, it is always preferable that the complainant be present during the conduct conference process.

d. The right to challenge any individual serving as a Conduct Case Manager or University Committee on Discipline on the basis of bias.

e. The right not to have irrelevant past conduct discussed during the conduct conference and only considered as part of the sanctioning process, where appropriate.

f. The right to review all reports and relevant information that is to be considered during the conduct conference or conduct conference process. Evidence will be available consistently to both the complainant and respondent.

g. The respondent and complainant will be notified in writing concurrently. The respondent will also be apprised that the complainant may appeal the initial decision.

h. The right to be treated with dignity and respect throughout the process.

Notice of Decision and Opportunity for Appeal

a. The respondent will receive written notification of the decision of the conduct conference or UCD conduct conference within a reasonable time frame.

b. The respondent, if found responsible, will have the opportunity to submit an appeal, subject to the conditions of the appeal process, within seven (7) days of receiving the written decision letter provided to the student via University student email.

c. For cases involving Title IX sexual violence, the complainant will also have the opportunity to submit an appeal, subject to the conditions of the appeal process, within seven (7) days of receiving the written decision [see Code of Student Community Standards: Section V].

d. All appeals must be in writing and directed to: kcadconduct@ferris.edu or in person to the office of Dean of the College or the office of the Dean of Student Success, 17 Fountain St. NW, Grand Rapids, MI.

SANCTIONS

The Dean of the College, the Dean of Student Success, or his/her designee is authorized to impose any one or a combination of the following administrative and educational sanctions for behavior found to be in violation of the Code of Student Community Standards. The University may impose other sanctions singularly or in combination with any of those listed below. The University recognizes two kinds of sanctions: administrative and educational, and they are often combined in an effort to hold students accountable while also providing resources to aid in a student’s success.

Administrative Sanctions

1. Administrative Warning
   An administrative warning is an official written warning. This warning is meant to inform the student that he/she has been found in violation of the University policy and that he/she should understand that future violations could result in further sanctions. With an administrative warning, a student should have a clear understanding of the University’s expectations for his/her future behavior.

2. Disciplinary Probation Level I
   Disciplinary probation Level I is a period of observation and review. Probation is intended to convey to the student that his/her conduct is unacceptable by University standards. Disciplinary probation Level I will result in the student being on probation for the remainder of the semester up to an additional academic year. Probation may involve the loss of specified privileges.

3. Disciplinary Probation Level II
   Disciplinary probation Level II is the highest administrative sanction a student may be issued and still actively attend the University. Disciplinary probation Level II will result in a minimum of one academic year on probation up to the duration of the student’s academic career. Further violation of University policies at any point during the probationary period will be viewed not only as a violation based upon the act itself, but also as a violation of the probation. This shall result in further action up to, and including, suspension or dismissal from the University.

4. Suspension
   A student may be prohibited from participating in all aspects of University life for a specified period of time, usually a semester or a full academic year. When a student is suspended from the University, the suspension applies to all campuses of the University and...
prohibits that student from entering the grounds of all University campuses. When the term of the suspension has ended, the student may apply for readmission. Should a student choose to reapply and be readmitted to the University, the student would be placed on Disciplinary Probation for the remainder of his/her academic career at the University. A Conduct Case Manager or UCD panel may, in limited cases, decide to defer suspension until the end of the academic year when appropriate [This will never be appropriate in cases involving a victim who is a student].

5. Dismissal
A student may be prohibited from participating in all aspects of the University permanently. When a student is dismissed from the University, the dismissal applies to all campuses and prohibits that student from entering the grounds of all University campuses. Furthermore, the student may not petition the University for readmission.

Further Note on Suspension or Dismissal
For those individuals who are either suspended or dismissed from the University, an AW (Administrative Withdraw) will be placed on the student’s transcript if the suspension or dismissal is effective prior to the deadline for withdrawal from classes published by the University. This means that no grades A through F will be issued for that semester in which the student was suspended or dismissed. If the suspension or dismissal is effective after the deadline for withdrawal an AWF (Administrative Withdraw Fail) will be assigned in the same manner as other students who withdraw after the deadline. That is, after the withdrawal deadline, a suspended or dismissed student would receive a grade of F for the semester in which they were suspended or dismissed.

Effective Enforcement of Administrative Sanctions
Administrative sanctions do not become final until the opportunity to appeal has passed (7 calendar days after notification). Students who choose to appeal suspension or dismissal decisions may continue to go to class and engage in customary University activities until an appeal decision is made, unless there is an interim suspension already in force through the Dean of the College or the Dean of Student Success, or is otherwise stipulated through the conduct process.

Educational Sanctions
Education and safety are primary priorities for the University. To accomplish these goals, the University provides opportunities for students to reflect on and learn from their past experiences. Educational sanctions include, but are not limited to the following:

1. Under the Influence (online)
Under the Influence is an online alcohol education program that encourages students to consider their choices regarding alcohol use. This program is typically issued for first time violations of the alcohol policy. The goal of this experience is to share with students the risks involved in the misuse of alcohol and assist students in gathering information to make more informed choices about their habits. There is a $100 programming fee for this online program.

2. Marijuana 101 (online)
Marijuana 101 is an online drug education course. This program discusses marijuana’s effects on the brain, health issues, school and job performance, and the consequences and realities of using marijuana. This intervention course includes a self-assessment and acts as a first response for a marijuana violation. There is a $100 programming fee for this on-line program.

3. Choices
This program is for students who have run into recurrent and/or serious difficulty related to alcohol and other drugs on or off campus. The Choices program’s goal is for students to learn a set of practical strategies that reduce negative consequences of alcohol, tobacco, and other drug use. All students are required to attend one (50 minute) individual appointment with a counselor and then four (50 minute) group sessions. The small group format allows for discussion and facilitation by a trained professional. There is a $200 programming fee for this in-person class, plus travel expenses to the Big Rapids campus where this programming is held.

4. Prime for Life
This program is for students to learn a set of practical strategies that reduce negative consequences of alcohol and other drug use. The Prime for Life program is provided by the Ferris State Personal Counseling Center in collaboration with the Mecosta County 1016 Recovery Network. All students are required to attend one (50 minute) individual appointment with a counselor and then eight (50 minute) group sessions. There is a $200 programming fee for the cost of administering this program, plus travel expenses to the Big Rapids campus where this programming is held.
5. Community Service
   The student may have the opportunity to choose the type of service he/she would like to perform and have the opportunity to work with staff at the Personal Counseling Center or the Activities and Resource Center to find service opportunities that are meaningful to them.

6. Educational and Career Counseling Referral
   A student may be in the disciplinary process as a result of academic and personal challenges. Through a discussion with his/her Conduct Case Manager, it may be determined that the student may benefit from participating in a strategies program with his/her academic advisor or program chair.

7. Individual Counseling Assessment
   In limited circumstances a student may be sanctioned to visit with the Director of Personal Counseling for an individual assessment. Generally, students will not be sanctioned to “counseling” as that process requires an individual willing to participate to produce positive outcomes. However, students are often strongly encouraged to seek out support and a referral for voluntary counseling support may be made. These situations are handled confidentially.

8. Mediation
   Mediation is an opportunity to appropriately resolve differences with another individual or individuals through the assistance of a trained, unbiased, third-party facilitator. A student or student organization[s] may be encouraged or required to attend mediation in lieu of formal adjudication or as a result of formal adjudication.

9. Restitution
   A student may be required to pay the costs for the replacement or repair of any University property damaged by the student (not typically applied for off-campus conduct as restitution is often required through any court proceeding).

10. Parental Notification
    A letter may be sent home to the parents or guardians of any student found in violation of an alcohol or drug policy violation. The intent of this letter is to ensure that the student, parent, and institution are able to work in partnership to foster student success. This letter informs the parent or guardian that future behavior of a similar nature may jeopardize the student’s status at the University.

    **Parental Notification**
    As allowed under exception from the Family Education Right to Privacy Act (FERPA) a letter may be sent home to the parents or guardians of any student found in violation of any alcohol or drug violation.

    The intent of this letter is to ensure that the student, parent, and institution are able to work in partnership regarding individual student success. The parental notification letter informs the parent or guardian that a student’s relationship with the University is tenuous and may be severed if the student’s behavior is not altered.

    An exception to parental notification for an alcohol or drug-related violation may be made at the discretion of the Dean of the College or the Dean of Student Success, upon written request from the student.

    **Failure to Comply with Sanction/Registration Hold**
    Students who have failed to complete their assigned sanction[s] by the assigned deadline will receive notice of failure to comply. This communication will serve as notification that a registration hold may be placed on their account pending completion of assigned sanction.

    **Appeal Procedures**
    A student found responsible through the conduct process may appeal the outcome of the conduct conference by submitting a written notice of appeal within seven (7) calendar days of receiving notification of the decision. Written appeals should be submitted to kcadconduct@ferris.edu.

    **Note:** Only the student may submit an appeal on his/her behalf. Appeals submitted by any other party will not be considered.
    - Appeals of Suspension or Dismissal: Reviewed by the KCAD President or his/her designee.
    - Appeals of LESS than Suspension or Dismissal: Reviewed by the Dean of the College, the Dean of Student Success, or his/her designee.
    - All appeals should be directed to: kcadconduct@ferris.edu.
Criteria for Appeal
The appeal must be filed in writing by the appeal deadline date stated in the written outcome of the conduct conference. Appeals must meet one of the following criteria:

1. Failure by the Conduct Case Manager or committee to afford the student due process, or a procedural error in the conduct conference which may have been substantial enough to change the case outcome; and/or

2. The discovery of substantive new evidence that was unknown to the complainant/respondent at the time of the conduct conference that could have a significant effect on the case outcome.

3. The severity of the sanction (ONLY in cases that result in suspension or dismissal from the University).

*Please Note: Not wanting to receive or complete an assigned sanction is NOT a valid reason for appeal.

Procedure for when appeal is received
1. An appellate officer or board shall adjudicate appeals as designated by the Dean of the College, the Dean of Student Success, or his/her designee.

2. Upon review of the written appeal material, the appellate officer or board may recommend one of the following options for approval by the Dean of the College, the Dean of Student Success, or his/her designee.

3. If the grounds for appeal have been sufficiently satisfied and the appeal is accepted, one of the following will occur:
   a. The case shall be remanded back to the original Conduct Case Manager or committee with specific instructions to correct a procedural error and reconsider the case.
   b. The case shall be remanded back for a new conduct conference before a different Conduct Case Manager or committee; or
   c. The sanction may be modified.

4. If the grounds for appeal have not been sufficiently satisfied, the original decision is upheld and sanctions are enforced.

5. In unique circumstances, there may be times in which the appellate officer and/or board, in conjunction with Dean of the College, the Dean of Student Success or his/her designee, may adjust or amend a sanction outcome.

6. Each student shall be limited to one appeal and shall not be entitled to appeal his/her case from one appellate officer to another. The decision of the appellate officer shall be final.

7. In cases where suspension or dismissal is applied, if a student has submitted an appeal, he/she may continue to go to class and engage in customary University activities (unless otherwise stipulated, typically by order of an interim suspension instituted by the Dean of the College or the Dean of Student Success, until an appeal decision is made.

Interim Suspension
a. Authority for Interim Suspension: The Dean of the College, the Dean of Student Success or his/her designee may act immediately without following the conduct process procedures established by the University and impose interim measures if it is determined that the student’s or organization’s continued presence on the campus constitutes a serious threat to self, other people, or property.

b. Notice of Interim Suspension: A student who is issued an interim suspension and excluded from the University shall be required to leave the property of the University immediately and shall be notified that he or she will thereafter be treated as a trespasser if he or she returns to University property without proper authorization. Within twenty-four hours after the student is excluded, a written notice will be sent to the student informing the student of the following:
   i. That the student has been issued an interim suspension from the University;
   ii. That the student has been excluded from being on University property;
   iii. That the student will be considered a trespasser if he or she returns to University property without proper authorization;
   iv. The reasons for the interim suspension from the University and the exclusion from University property; and
   v. That a Conduct Case Manager will be initiating disciplinary action against the student.

c. Disciplinary Process after Interim Measures: A Conduct Case Manager shall initiate the disciplinary process for a student who has been issued an interim suspension and excluded from the University.
   i. The student shall thereafter be permitted to enter the University campus only for the limited purpose of participating in the disciplinary proceedings conducted under this section.
ii. The Conduct Case Manager may require that the student be escorted to and from the disciplinary proceedings by members of the University security team.

iii. Every attempt will be made to act expeditiously with the disciplinary proceedings.

d. Appeal of Interim Suspension. Within seven (7) business days after a student has been notified of the interim suspension and exclusion from University property, the student may request an interim suspension review meeting to determine whether the interim suspension should continue or whether the student should be reinstated and allowed to return to University property. Exceptions to this timeframe may be made in circumstances where a student is unable to respond (i.e. incarceration).

i. The request must be submitted in writing to the Dean of the College, the Dean of Student Success or his/her designee. The appeal to be sent to: kcadconduct@ferris.edu.

ii. The Dean of the College, the Dean of Student Success or his/her designee, shall select an appeals officer or committee as provided by University policy.

iii. The designated appeals officer or committee shall hold a review meeting within seven (7) business days after being selected by the Dean.

iv. The appeals officer or committee will review the information upon which the interim action was based and recommend any further action:
   a. The reliability of the information concerning the student’s alleged misconduct including the matter of his or her identity,
   b. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a serious threat to self, other people, or property.

v. The student is entitled to a support person of his or her choice at his or her own expense, but such support person may not act as legal counsel.

vi. The student shall be permitted to enter the University campus for the limited purpose of this meeting in accordance with the provisions in this code.

vii. The appeals officer or committee will recommend a decision to the Dean of the College, the Dean of Student Success or his/her designee.

viii. The Dean of the College, the Dean of Student Success or his/her designee, will consider the recommendation of the appeals officer or committee but is not bound by the recommendation. The Dean of the College, the Dean of Student Success or his/her designee, shall thereafter notify the student that the student is reinstated or that the interim suspension and temporary exclusion are to be continued pending the outcome of the disciplinary proceedings.

Responding to Behavioral Health Concerns
The University must respond to behavioral challenges created by mental health crises promptly and with compassion. The University may respond in a variety of ways, as necessary, when a student exhibits behaviors resembling or indicating a psychological emergency and/or an inability to appropriately manage their own behaviors effectively.

Assessing Community Impact
University professional staff may assess the student’s overall safety and ability to reasonably manage his/her community experience and academic progress. This assessment will include consideration of any negative impact created for the community in which the student lives.

Behavioral Concerns and Student Conduct
Although the first priority is to provide all appropriate support for students experiencing mental and emotional health concerns, these concerns do not absolve the student of their responsibility to abide by reasonable behavioral expectations set forth in the Code of Student Community Standards. The student may be referred to a Conduct Case Manager to participate in the standard administrative conduct process where deemed appropriate. There may be instances where the student and the University will be best served by employing alternative mechanisms. These include any combination of the following:

a. The student may be required to adhere to a behavioral contract.

b. The student may be referred for counseling with criteria for future behavior stipulated in a behavioral contract.

c. In some circumstances, it may be necessary for the student to move to a new environment either in another residential area or off-campus.

d. A parent or guardian may be contacted regarding the identified behaviors and participate in the development of a plan of assistance
for resolving these issues.
e. The student may be required to obtain an individual assessment.
f. An Interim suspension may be imposed until the student’s health circumstances and/or behavioral issues can be properly addressed and resolved.

**Interim Suspension for Imminent Danger**

An Interim measure may be implemented if the Dean of the College, the Dean of Student Success or his/her designee, determines that a student may be suffering from a mental health crisis, and the student’s behavior poses a current or imminent danger in any of the following ways:

a. Potential physical harm to the student or others;
b. Causing significant property damage;
c. Directly and substantially impeding the lawful activities of others; and/or
d. Creating an environment that severely compromises an individual’s ability to be an appropriate student and/or campus community member.

**Interim Suspension Notification**

A student who is subject to an Interim Suspension shall be notified in writing of the reasons for his/her Interim Suspension. The notification shall include the procedures related to future due process. It may also contain the terms and conditions for consideration for readmission to the University, if appropriate. Students who have received an Interim Suspension for mental health crisis or other health and safety reasons may be required to participate in the normal adjudication process depending on the circumstances of his/her case.

**Parental Notification for Imminent Danger**

In all circumstances involving imminent danger or the possibility thereof, the University reserves the right to attempt to contact the student’s parents(s) and/or other individuals who have been identified as potentially able to respond to and/or assist in resolving an emergency or crisis involving the student.
FINDING SUPPORT AS A SURVIVOR OF SEXUAL VIOLENCE
To meet the immediate needs of survivors of sexual violence crisis intervention is available on campus through the Personal Counseling Center and medical treatment can be found near campus at the Spectrum Butterworth Hospital or Mercy Health St. Mary’s Campus. 24 hour Crisis intervention services are also available through the YWCA.

Personal Counseling Center (Confidential) Hours: M-F 8-5pm
Phone: (616) 451-2787 ext. 1136

YWCA (Confidential) Hours: 24/7 Crisis Line
Phone: (616) 459-4681

Title IX Coordinator-Big Rapids
Phone: (231) 591-2088

Title IX Deputy Coordinator – KCAD
Phone: (616) 451-2787 ext. 1113

Office of Student Conduct – Big Rapids Hours: M-F 8-12pm & 1-5pm
Phone: (231) 591-3619

GENDER-BASED DISCRIMINATION LAW

Title IX Prohibition of Gender-based Discrimination
Title IX of the Education Amendment of 1972 prohibits discrimination based on gender. Sexual violence in all its forms is harassment based on gender and a violation of federal law under Title IX. The University has adopted specific procedures for ending discrimination, preventing its recurrence, and seeking to remedy the effects of the discrimination.

Michigan Law on Sexual Violence
Sexual assault is a violation of Michigan Law and may result in criminal charges and sanctions being pursued against the perpetrator in addition to sanctions imposed under the University conduct process.

PROHIBITION STATEMENT ON SEXUAL VIOLENCE

Prohibition Statement
The University does not tolerate sexual violence in any form. Student and employee dignity policies demand all University community members to act with dignity and treat each other with respect. Sexual violence is a violation of the dignity and respect policies, as well as other policies and criminal law, and the University will strongly pursue disciplinary action and sanctions against all employee and student perpetrators, up to and including termination of employment or dismissal from the University.

Employee and Student Dignity
The University expects all students and employees to conduct themselves with dignity and respect for students, employees and others. It is each individual’s responsibility to behave in a civil manner and to make responsible choices about the manner in which they conduct themselves.

Harassment of any kind, including sexual or racial harassment, is not acceptable at the University. The University does not condone or allow harassment of others, whether engaged in by students, employees, or by vendors of others doing business with the University.

Harassment is the creation of a hostile or intimidating environment in which verbal or physical conduct, because of its severity or persistence, is likely to significantly interfere with an individual’s work or education, or adversely affect a person’s living conditions. It is the responsibility of the President, or his/her designee, to establish and administer University policy to support this principle.
DEFINITIONS OF SEXUAL VIOLENCE AND EFFECTIVE CONSENT

University definitions of Consent and Sexual Assault
If physical contact occurs and there is lack of consent (or a person is not able to consent) or force is involved, a sexual assault most likely has occurred. Lack of consent is a crucial factor. Where force, threat of force, or coercion is involved, the victim has not consented. Furthermore, persons under the influence of drugs or alcohol may lose their ability to consent. While use of alcohol or drugs may render the victim of sexual assault legally unable to consent, use of alcohol or drugs by the perpetrator does not diminish the perpetrator’s personal responsibility or exposure to sanctions imposed through the University conduct process. (Please refer to the FAQ at the end of this section for more information).

Other Prohibited Gender-Based Offenses
• Endangerment of another based on gender
• Discrimination of another based on gender
• Intimidation (fear of harm) based on gender
• Hazing based on gender
• Bullying based on gender
• Relationship violence based on gender
• Stalking (repetitive or menacing pursuit) based on gender

REPORTING, CONFIDENTIALITY AND PRIVACY POLICIES

Reporting Requirements under the CLERY Act
Who on campus is required to Report?
The following, in addition to the Ferris State University department of Public Safety, have been designated as “Mandated Reporting Officials” for sexual violence: All Deans, Directors, Department heads and chairs, the Office of Student Conduct, and Academic Affairs administrators. All faculty and staff, advisors of student organizations, and all employee supervisors are also reporting officials.

Confidential Reporting Options
The University encourages survivors of sexual violence to seek support and talk to someone about what occurred. To that end, it is important to clarify that there are differing roles and expectations regarding individuals who may provide confidentiality.

The following may provide confidentiality when reporting:
• Licensed counselors through the Personal Counseling Center
• Licensed physicians in the Birkam Health Center
• Staff (including student staff) who work or volunteer in the personal counseling or health center.

Note: If it is determined that there exists an immediate threat to the institution or community, there may be a duty to warn.

Note: When reporting to an individual who is able to grant confidentiality, there should be no expectation that the University will conduct an investigation or pursue any disciplinary action as reporting to any of these individuals WILL NOT trigger a University process.

Reporting Options that Maintain Privacy
Any responsible employee who has the authority to confront and address sexual violence must report all information provided to them to the Title IX coordinator or Title IX deputy coordinator (see following contact information below). When reporting to any responsible employee there should be an assurance that the highest degree of privacy will be maintained. ONLY those responsible for directly responding to the incident will be notified.

Reporting the Incident to Law Enforcement
All victims of sexual violence will be made aware of their right to report the incident to law enforcement. The victim will be informed, at the time of the report, of all options available for resolution of their complaint through both criminal and university processes.
Reporting the Incident to KCAD’s Title IX Deputy Coordinator
Title IX Deputy Coordinator: Sandy Britton
Office Location: KCAD, Kendall Building, 7th floor Student Services
Phone: (616) 451-2787 ext. 1113
Email: brittons@ferris.edu

Reporting the Incident to the University Title IX Coordinator
Title IX Coordinator: Kevin Carmody
Office Location: University Center, 129A, Dean of Student Life Office
Phone: (231) 591-2088
Email: kevincarmody@ferris.edu

Reporting the Incident to the Michigan Office of Civil Rights (OCR)
Another option for resolution of discrimination is to file a complaint with the Michigan Department of Civil Rights. Contact information for the Michigan office can be found below:
Phone: 313-456-3700
Toll-Free: 800-482-3604
TTY: 877-878-8464
Email: MDCRServiceCenter@michigan.gov

Interim Measures (Suspension)
The Dean of the College or the Dean of Student Success, or his/her designee, may act immediately without following the conduct process procedures established by the University and impose interim measures if it is determined that the student’s or organization’s continued presence on campus constitutes a serious threat to self, other people, or property.

Investigation Procedures
1. The University will respond to all reports of sexual violence in a timely and equitable manner. One of our many goals of investigating an allegation is to gather all the facts that will help guide us to an appropriate response and outcome. The University will make every reasonable effort to conclude its investigation and subsequent resolution within 60 days of notice provided to the University.

2. The Title IX Coordinator or Deputy Coordinator will designate a University Official to investigate the allegations as appropriate while also following Title IX requirements. The investigator will make available to the complainant and alleged student a variety of support services located both at Kendall College of Art and Design of Ferris State University and in the local community.

3. Once forwarded initial details regarding an incident from the University Title IX Coordinator, the Title IX investigator will attempt to make contact with the complainant, respondent and any appropriate witnesses in order to gather any and all relevant information regarding the alleged incident. Both complainant and respondent will have the opportunity to provide information in person and/or in writing. The Title IX investigator will follow-up for additional information when necessary, but will seek to limit contact in order to avoid re-victimization and maintain privacy to the greatest degree possible.

4. At the conclusion of the investigation, the Title IX investigator will forward all relevant case information to the Dean of the College or the Dean of Student Success for review, and if appropriate, the implementation of a formal conduct process.

Student Conduct Conference
1. If the Title IX investigation determines there is insufficient information to implement a formal conduct process, both complainant and respondent will be notified. This is not a formal determination of responsibility, and does not preclude the possibility of future conduct proceedings if new relevant information is provided.

2. If it is determined there is enough information to implement a formal conduct process, the Dean of the College or the Dean of Student Success will notify the complainant that a conduct conference is to be scheduled. The complainant may provide additional information, including a victim impact statement, to be utilized during the conduct conference with a Conduct Case Manager as determined by the Dean of the College or the Dean of Student Success.
3. If a formal conduct process is appropriate, the respondent will be notified and scheduled. The respondent will be provided at least three days to review all relevant information, which will be utilized during the conduct conference.

4. At the conclusion of the conduct conference, the Conduct Case Manager (and secondary Conduct Case Manager if present) will make a determination on level of responsibility based on the totality of information available at the time of the conduct conference. Both complainant and respondent will receive simultaneous notification of the outcome.

**Conduct Process Outcomes**

If found responsible, the Code of Student Community Standards allows the flexibility of sanctioning to include a range from an administrative warning to permanent dismissal from the institution. In cases involving sexual violence, the University cannot tolerate violence in its community and therefore it is common for those found responsible to be separated from the University. Ultimately, the goal is to eliminate the hostile environment, address the effects of the behavior and seek to prevent any recurrence. Regardless of outcome, both complainant and respondent will be provided resources and support as appropriate.

**Title IX Appeals Process**

1. Once a determination of responsibility has been reached, BOTH complainant and respondent will have equal opportunity to appeal, subject to standard appeal eligibility requirements. Appeals are typically heard based on alleged failure to provide adequate due process, substantive new evidence not available at the time of the initial investigation/hearing, or based on the severity (or lack of severity) of the sanction applied.

2. Appeals are to be in writing and sent to kcadconduct@ferris.edu. The Dean of the College, the Dean of Student Success or his/her designee, will review appeals. Both respondent and complainant will be notified that the appeal has been received, if the appeal has been accepted, and if applicable, any amendments to the charges or sanctions. Once an appeal has been processed by the appellate officer, the decision is final and there will be no further opportunity for appeal.

**Title IX Rights of the Complainant**

Note, although the term complainant is used in the following, we recognize it is not a term that is all encompassing of individual’s experiences, particularly when an act of violence is involved. The complainant may request alternative accommodations to participate at any point in the process without being required to come in contact with the accused.

The University has policies established to preserve the rights of victims of harassment and violent crimes, including victims of sexual misconduct, in the disciplinary process. In addition to those listed here, victim’s rights for sexual misconduct are listed in the Sexual Assault Policy in Section III of the Code of Student Community Standards.

The University has established the following applicable rights for the complainant:

a. The right to be advised of proper channels for support and appropriate resolution. Additionally, the right not to be discouraged from proceeding with the appropriate conduct process.

b. The right of the complainant to have a support person accompany him/her throughout disciplinary proceedings. A support person will not represent the complainant nor will he/she speak during a conduct conference, other than to the individual they are there to support. A support person may not and should not act as legal counsel as this is not a legal proceeding.

c. The right of the complainant to determine his/her level of involvement in the conduct conference process. The complainant may be present during the conduct conference process. The complainant may choose to be only involved as any other witness; in which case the complainant may submit a list of questions prior to the conduct conference. If they are deemed relevant by the Conduct Case Manager or committee chair, the questions will be asked during the conduct conference.

d. The right not to have irrelevant past conduct discussed during the conduct conference.

e. The right to challenge any individual serving as a Conduct Case Manager or University Committee on Discipline on the basis of bias.

f. The right to review all case evidence/documentation that is to be admitted during the conduct conference process. Evidence/documentation will be available consistently to both the victim and the accused. Documentation may also include an impact statement provided by the complainant that may be used in the determination of administrative and/or educational sanctions.

g. The right to be informed of the outcome of the conduct conference within constraints established under applicable confidentiality statutes. The respondent and the complainant will be notified in writing concurrently. The complainant will also be apprised that the respondent may appeal the initial decision.

h. The right to be treated with dignity and respect throughout the process.
Title IX Rights of the Respondent
In the interest of providing a fair and equitable process, the University has policies established to ensure the rights of the respondent/alleged. These policies mirror the rights afforded to the complainant.

The University has established the following applicable rights for the Respondent:

a. The right to be advised of proper channels for support and appropriate resolution.

b. The right of the respondent to have a support person accompany him/her throughout disciplinary proceedings. A support person is any individual chosen by the complainant or respondent to provide support before, during and after the formal conduct process. This person may be an attorney, but at no point may this individual represent in place of the individual they are present to support.

c. The right of the respondent to determine his/her level of involvement in the conduct process. However, it is always preferable that the complainant be present during the conduct process.

d. The right to challenge any individual serving as a Conduct Case Manager or University Committee on Discipline on the basis of bias.

e. The right not to have irrelevant past conduct discussed during the conduct process and only considered as part of the sanctioning process, where appropriate.

f. The right to review all case evidence/documentation that is to be admitted during the conduct conference process. Evidence/documentation will be available consistently to both the victim and the accused. Documentation may also include an impact statement provided by the complainant that may be used in the determination of administrative and/or educational sanctions.

g. The respondent and complainant will be notified in writing concurrently. The respondent will also be apprised that the complainant may appeal the initial decision.

h. The right to be treated with dignity and respect throughout the process.

Sexual Violence Education and Awareness
The University has established a sexual violence taskforce, in part, to address sexual violence education and awareness. The University will engage the educational community to create awareness for increasing bystander intervention and other prevention strategies.

Frequently Asked Questions
How do I know if I have achieved consent?
- Consent must be freely given for EACH act of sexual contact.
- Consent IS informed, freely given, mutually understandable words or actions that clearly indicate an agreement to engage in mutually agreed upon sexual activity.
- No means NO, but silence also means NO.
- There is NO requirement for the victim to show resistance to indicate NON-consent.
- Consent is ALWAYS invalid if achieved through force, threat, intimidation, coercion, when given by someone mentally or physically incapacitated, or when given by a minor.
- Consent can be withdrawn at ANY time, as long as it is clearly communicated.

What behavior, when consent is NOT achieved, may constitute sexual misconduct?
Prohibited behavior includes, but is not limited to the following:
- Any unwanted or unwelcome touching.
- Displaying intimate parts of one’s own body before an unwilling individual [exhibitionism].
- Non-consensual penetration of another’s body with an object or digit.
- Non-consensual oral sex.
- Non-consensual sexual intercourse.
- Non-consensual confinement or restraint for sexual purposes.
- Engaging in any sexual activity with anyone under the legal age of consent for the State of Michigan (16 years of age).
- Attempting to secretly view others for sexual gratification.

Does Information about a complaint remain private?
We seek to maintain privacy of all parties to a complaint. In some cases it may be required for the institution to make a public announcement regarding the incident WITHOUT using names or personally identifiable information. If a report/complaint is made to a responsible employee, only individuals who are tasked with responding specifically to Title IX complaints will be made aware of the incident details.
**Will my parents be contacted?**
No, not unless you contact them yourself directly. However, students are strongly encouraged to inform their parents. University officials will contact parents when requested to do so by a student or in a life-threatening situation.

**Will I have to name the perpetrator of the assault?**
If it is the intention of the survivor to pursue a formal conduct process through the University, details on the incident and the name of the alleged will need to be provided. A sexual violence survivor will not be required to provide the name of the alleged, but if the identity of the alleged is not provided it may limit the institution’s ability to respond.

**What do I do if I am accused of sexual misconduct?**
- DO NOT contact the complainant.
- You may contact an individual who you want to serve in a support capacity through the process. This is any individual of your choosing (i.e. parent, faculty member, staff member lawyer, etc.).
- You may contact the Office of Student Conduct to be provided more information about the conduct process in general.
- You may speak confidentially with a counselor at the Personal Counseling Center on campus.

**Will I have to pay for counseling?**
Counseling is provided at no charge to the student (complainant & respondent) through the Personal Counseling Center.

**Do I need an attorney?**
This in no way constitutes legal advice. Furthermore, the formal conduct process is not a legal proceeding, but rather an educational process through the University. An attorney may serve in the capacity of “support person” for either the complainant or respondent, however they may not “represent” either at any point in the conduct process.

**What should I do about preserving evidence of a sexual assault?**
- Police are specially trained to secure evidence of a crime.
- If you believe you have been a victim of a sexual assault, you should consider going to the Spectrum Health Butterworth Hospital Emergency Medical Center or Mercy Health St. Mary’s Hospital prior to washing self or clothing. You can also go to the YWCA to receive a forensic (evidence collection) evaluation by a nurse practitioner.
- If you go to the hospital, local police will be notified, but you are not obligated to file a report.
- Having evidence collected will keep all your options open.
- If you choose to have evidence collected, bring a change of clothes, as the clothes you are wearing may be requested for evidence.

**Will a victim be sanctioned when reporting sexual misconduct where he/she used drugs or alcohol illegally?**
No. The seriousness of sexual misconduct is a major concern and the University does not want any of the circumstances (e.g. drug or alcohol use) to inhibit the reporting of sexual misconduct.

**Will drugs or alcohol affect the outcome of a sexual misconduct complaint?**
The use of alcohol and/or drugs by either party will not diminish the accused individual’s responsibility.

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution’s sexual misconduct policy, you should contact KCAD’s Title IX Deputy Coordinator. You may also choose to contact the Personal Counseling center to speak with a counselor to confidentially discuss the circumstances of the incident.
SECTION VI: OFF CAMPUS HOUSING

The University Code of Student Community Standards has jurisdiction over conduct that occurs on University property, at University sponsored activities and to off campus conduct that adversely affects the University community and/or the pursuit of its objectives. Grand Rapids neighborhoods offer a variety of housing options. When considering off campus housing options, please be aware of City Ordinances. This summary is not intended to be an exhaustive review of all housing ordinances. This summary is intended only to inform and educate and should not be construed as legal advice.

Here are some Grand Rapids City Ordinances:

1. No more than four unrelated persons may live together in a rental unit.
2. Parking in the front yard is prohibited.
3. Noise and music may not exceed twenty-five decibels.
4. Trash must be stored in a rigid container and removed from the property every seven days*
5. Sidewalks must be cleared from snow within 48 hours of snowfall. *
6. Grass must be cut regularly and may not exceed 12 inches in height*
7. Some neighborhoods have posted seasonal odd/even parking requirements to assist in snow removal, meaning vehicles can only park on one side of the street on a particular day.

*Responsibility is dependent upon lease requirements. Be sure to know who is responsible.

As a renter you also have rights:

1. An individual cannot be discriminated against on the basis of race, color, religion, national origin, gender, disability, age or familial or marital status. If you experience housing discrimination, contact the Fair Housing Center of West Michigan at (616) 451-2980.
2. City Ordinance requires rental properties be maintained to a certain standard. For a list of certified rental properties, visit www.grcity.us/codes.
3. If you experience problems with your unit, report them to your landlord. If the landlord will not address the problem, you may file a complaint online at www.grcity.us/codes
4. Go to www.cridata.org/neighb_gr.aspx to get information about your neighborhood association.

Insurance and Liability

The University does not provide health or rental insurance for students, and is not liable for the loss of, or damage to, students’ personal possessions. Students are strongly encouraged to carry private insurance on personal possessions. Such insurance is available through most homeowner’s policies or individual renter’s insurance policies. However, students without medical insurance coverage through their family or employment may purchase health and accident insurance through the University’s Birkam Health Center. This insurance is underwritten and administered by private companies. Information on rates and coverage is available by calling [231] 591-2614 or [616] 451-2787 x 1136.
CONDUCT PROCESS VS. COURT PROCESS

What are the differences between the University Student Disciplinary System and the Court System?
The purpose of the following is to clarify the basic differences between the University student disciplinary system and the court system. The University student disciplinary system (like all college disciplinary systems) uses a different “standard of evidence” than is required by the criminal court systems. Additionally, the purposes of the systems are very different. For example:

In the criminal court systems the standard of evidence is generally “beyond a reasonable doubt.”

• In college disciplinary systems the standard of evidence is “preponderance of the evidence.” In other words, is it “more likely than not” that a student violated the student code of conduct?
• Both systems must ensure that proper “due process” is followed.
• The two systems run independently of each other.
• The student disciplinary system cannot put students in jail and has no relation to the criminal court system.
• Colleges DO have the legal right and responsibility to determine if their students are responsible for violating their student code of conduct, regardless of what the court system does or does not do.
• The student disciplinary system is intended to be an educational and remedial process, while the criminal court systems are often punitive.
Conduct Case Manager sends conduct conference notification letter.

Conduct Conference

**GOALS**
- Clarification of rights
- Review of report
- Opportunity to be heard
- Determination of responsibility
- Issuance of sanctions

Determination is made by the Dean of the College, Dean of Student Success, Title IX Coordinator or designee if case will be heard as a conduct conference or through a University Committee on Discipline.

University Committee on Discipline

**GOALS**
- Clarification of rights
- Review of report
- Opportunity to be heard
- Determination of responsibility
- Issuance of sanctions

A student, faculty, staff, or community member files a complaint with the Dean of the College or Dean of Student Success.

Monitor to Major Cases

On Campus Incidents

**Official written notification sent to student**

Decision is accepted by student. Sanctions imposed.

- Sanctions Completed
- Case Closed

- Sanctions NOT Completed
- Closed with Registration Hold Pending Completion of Sanctions

Moderate to Major Cases

On Campus Incidents

**Official written notification sent to student**

Case is assigned to the Dean of the College and Dean of Student Success, Title IX Coordinator or designee.

- Suspension or Higher: President of KCAD to review
- Lower than Suspension: Dean of the College or Dean of Student Success to review

If no basis for appeal is found, decision is upheld. Sanctions are imposed.

If appeal has merit, the Dean of the College or Dean of Student Success may dismiss charges or remand back to a conduct representative with further guidance.
What is Proper Due Process?

Proper due process requires the following:

1. Students who allegedly violated the Code of Student Community Standards must be notified in writing that they have been accused of a specific charge or charges.

2. Students must be given adequate notice of their conduct conference date.

3. At the conduct conference an explanation of the charges must be provided to students. (Note: The University provides students with the opportunity to participate in the conduct conference. If students choose to not attend their own conduct conference, it will proceed in their absence.)

4. At the conduct conference, students must be given an opportunity to respond to the charges brought against them. (Again, if students choose to not attend their own conduct conference, it will proceed in their absence.)

Interim Suspension vs. Suspension

An Interim Suspension is a temporary removal of a student from campus pending the outcome of a conduct conference. Every attempt will be made to act expeditiously with the disciplinary proceedings.

A student who has been issued an interim suspension is denied access to University housing, to the campus (including classes) and to all other University activities or privileges for which the student might otherwise be eligible.

The Dean of the College, the Dean of Student Success, or his/her designee may impose an interim suspension:

a. To ensure the safety and well-being of members of the University community

b. To ensure the student’s own physical or emotional safety and well-being; or

c. If the student poses as a definite threat of disruption or interference with the normal operations of the University

Suspension is one outcome of the student conduct process. Any student who has been suspended from the University has been afforded due process including the opportunity to participate in a conduct conference to determine the appropriate consequence(s) of his/her behavior.

A suspension is for a specific period of time, typically a semester or a full academic year. When the term of the suspension has ended, the student may apply for readmission. If the student is readmitted, he/she will remain on Disciplinary Probation for the remainder of his/her career at the University.

Dismissal is another possible outcome of the student conduct process. Any student who has been dismissed from the University has also been afforded due process including the opportunity to participate in a conduct conference to determine the appropriate consequence(s) of his/her behavior.

A student who has been dismissed from the University is not eligible for re-admission to the University. A dismissal is a permanent separation between the University and the student.

Student Complaint Processes

The University has established processes for students to file a formal complaint, when necessary, to address and resolve their concerns. Complaints against another student that allege a violation of University policy should be submitted to the office of the Dean of the College and/or the office of the Dean of Student Success. Although not an exhaustive list, students with complaints of another nature should explore the following possible avenues.

a. Academic Programs (such as advising, instruction, the library, or course requirements). Please refer to the Academic Affairs policy for student complaints at this location: http://www.ferris.edu/htmls/administration.academicaffairs/policyLetters.html

b. Student Affairs (such as Admissions and Records, Enrollment Services, Orientation, Personal Counseling Center, Scholarships and Financial Aid, Student Employment, Student Leadership and Activities). Please refer to The Guide to Helping Students Resolve Their Complaints at this location: http://www.ferris.edu/htmls/administration.StudentAffairs/vpstudentafs/studentcomplaint/stuafs_studentcomplaintsguide.pdf
AUTHORIZATION TO DISCLOSE INFORMATION
(Family Educational Rights and Privacy Act)

The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, provides for the confidentiality of student education records. Institutions may not disclose information about students nor permit inspection of their records without their permission unless such action is covered by certain exceptions as stipulated in the Act.

THIS AUTHORIZATION MAY BE REVOKED AT ANY TIME.

Name of Student: ____________________________________  Student Number: _____________________________

I, ____________________________, allow Ferris State University Administrators, Faculty and Staff to speak with or release
records to _______________________________________ for the purpose of _______________________________
(name of student or parent)

_____________________________________________________________________________________________

_____________________________________________________________________________________________

_____________________________________________________________________________________________

I understand further that (1) I have the right not to consent to the release of my education records; (2) I have the right to receive a copy of such records upon request; (3) and that this consent shall remain in effect until revoked by me, in writing and delivered to Ferris State University, but that any such revocation shall not affect disclosure previously made by Ferris State University prior to the receipt of any such written revocation.

___________________________    _________________________________________
Date       Student’s Signature or Parent’s if Student Under 18

___________________________    _________________________________________
Date       Witness Signature

_________________________________________
Witness Name (please print)

Please return this form to:

_________________________________________
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