

**Ferris State University  
Code of Student Community Standards  
(Student Handbook) 2009-2010**

### **Bulldog Values**

Your commitment to being a student at **Ferris State University** begins with a fundamental understanding of and appreciation for the core values of the institution. It is expected that all students will uphold the **Bulldog Values**.

### **As a Ferris State University student, I will be an active learner:**

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

### **As a Ferris State University student, I will take responsibility for my health and wellness:**

- I recognize that eating properly, getting adequate sleep and exercise are all factors in maintaining my health and that good health is conducive to my success.
- I recognize that the use/abuse of alcohol and other drugs is detrimental to my health and a potential barrier to my success.
- I will be responsible for my wellness and make use of appropriate University resources to assist me as needed.

### **As a Ferris State University student, I will be an ethical member of the University community:**

- I will respect the rights and property of others, recognizing that this includes the larger community of Big Rapids.
- I will discourage bigotry and strive to learn from differences in people, opinions and ideas.
- I will abide by the Student Code of Conduct/Student Community Standards/laws of the State of Michigan.
- I will involve myself in leadership, service and/or personal development opportunities outside of the classroom as part of my comprehensive educational experience.

**It is expected that you will have a lot of fun while investing in your future by keeping the focus on your academic success!**

## **Section I**

### **Overview: Code of Student Community Standards**

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.

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 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.

The Code of Student Community Standards, which is the official policy of the University, 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.

#### **A. Definitions**

For the purposes of this code, the following definitions shall apply.

1. The term "University" means Ferris State University.
2. The term "student" includes the following:
  - a. A person who has been notified of his/her acceptance for admission to Ferris State University, who is admitted and enrolled in any 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 resides in Ferris State University housing, whether or not that person is enrolled in any school or division of Ferris State University.
  - c. 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 Ferris State University.
3. The term "faculty member" means any person hired by the University to conduct classroom responsibilities.
4. The term "Director of Student Conduct" means the Director and all appropriate designees, including hearing committees.
5. The term "Vice President for Student Affairs" means the Vice President and all appropriate designees.
6. The terms "University official" or "staff member" includes any person employed by the University, performing assigned administrative, professional, or para-professional responsibilities.
7. The term "University property" includes all land, buildings, facilities, and other property that is owned, used, or controlled by the University, including adjacent streets and sidewalks.
8. 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.

#### **B. Investigations**

The Department of Public Safety shall have the responsibility of the investigation of acts that involve potential violation of federal, state, and local laws or University policies. The Vice President for Student Affairs may

designate another University 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.

### ***C. 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. An interested party to a proceeding 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 person conducting the proceeding or the presiding officer of the commission hearing the matter.
2. If a time limitation is not specified for a particular action or proceeding under this code, the action or proceeding 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. An interested party to a proceeding 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 proceeding or the presiding officer of the committee hearing the matter.
3. Any interested party to a proceeding 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.

### ***D. Student Rights & Responsibilities***

#### **Student Rights**

Each Ferris State University 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 hearing.
10. Not to be falsely accused of violating policies of the *Code of Student Community Standards*.

### **Student Responsibilities**

Ferris State University, 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.

Ferris State University expects all students to maintain a current local and permanent address. Addresses may be updated with the Timme Center for Student Services. It is the student's responsibility to regularly check his/her mail 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.

### ***E. Importance of Free and Open Discussion***

Nothing in this Code shall be construed as limiting free and open discussion of all matters, including matters of morality and public safety.

### ***F. Disclaimer***

Ferris State University reserves the right to amend or develop additional policies or procedures as necessary to ensure the promotion of safety for the community. University officials will make every attempt to communicate changes to those affected in a timely manner.

## **Section II**

# **Disciplinary Procedures**

Ferris State University's procedures for imposing disciplinary sanctions are designed to provide students with the guarantees of due process and procedural fairness, to ensure equal protection for all students, and to 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.

### ***A. Jurisdiction***

The Ferris State University Code of Student Community Standards shall apply to conduct that occurs on Ferris State University property, at Ferris State University sponsored activities, and to off campus conduct that adversely affects the Ferris State University community and/or the pursuit of its objectives. 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. Additionally, the Code shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending. The Director of Student Conduct shall decide whether the Code shall be applied to conduct occurring off campus, on a case by case basis, at his/her sole discretion.

Further information regarding policies and procedures applying to Registered Student Organizations (RSO) may be found in the *Registered Student Organization Handbook* published by the Office of Student Leadership and

Activities. Any individual involved with an RSO is encouraged to read the RSO Handbook.

## **B. Disciplinary Procedures for Personal Misconduct<sup>1</sup>**

### **1. Applicability of Procedures**

- a. Disciplinary proceedings for acts of personal misconduct are governed by the following procedures.
- b. Disciplinary proceedings for an act of personal misconduct that is committed simultaneously with an act of academic misconduct are governed by the following procedures unless the Vice President for Student Affairs and the Vice President for Academic Affairs agree otherwise.
- c. The disciplinary procedures in this section do not govern proceedings involving the alleged violation of campus motor vehicle and Housing Services contractual provisions, though violations of related policies may be referred for disciplinary action. The procedures likewise do not govern proceedings involving the university's use of "holds" to collect money from students.

### **2. Initiation of Proceedings<sup>2</sup>**

- a. A report that a student has committed an act of personal misconduct may be filed by any person.

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<sup>1</sup>For more information about the differences between the Ferris State University student disciplinary system and the court system, please see Section VI, Appendix A.

<sup>2</sup>For a visual flowchart of the Disciplinary Process, please see Section VI, Appendix B: Disciplinary

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- b. A report that a student has committed an act of personal misconduct must be submitted in writing to the Director of Student Conduct or appropriate designees.
- c. After reviewing a complaint, the Director of Student Conduct has the discretion to decide whether disciplinary proceedings should be instituted. If the Director of Student Conduct decides to initiate proceedings, the case will be assigned to a hearing officer or committee. A student may request that the case be or not be assigned to a specific hearing officer or committee, with the understanding that the Director of Student Conduct has complete discretion over the eventual assignment.
- d. Due process<sup>3</sup> will be afforded to all Ferris State University students when charged with violating University regulations or policies.

### **3. Notice**

- a. The Director of Student Conduct shall make arrangements for Disciplinary Hearings; thereafter, with notice to the student, the Director may dismiss the case. The Director of Student Conduct shall send notice of the hearing to the student's address as it then appears in the official records of the University to be delivered by U.S. postal service or campus mail, personally to the student, or in a manner most likely to inform the student that a hearing date has been set and charges are pending. ***The University considers it a student's responsibility to check their mail regularly and respond to disciplinary notification appropriately.***
- b. The notice shall inform the student of the following:
  - i. The opportunity to read all written reports regarding the circumstances and allegations of the case.
  - ii. The opportunity to attend a hearing. A student's hearing shall be scheduled minimally three business days after the date of the notice. For hearings scheduled with a University Committee on Discipline, the hearing shall be scheduled minimally five business days after the date of notice.
  - iii. The opportunity to give a reaction to the reports and to offer any additional information which

might help in the resolution of the case.

- iv. The student is not required to answer any questions asked during the hearing; the choice to remain silent will not be taken as an admission of responsibility.
- v. The opportunity to review all information related to the case that may adversely affect the student and to ask questions related to this information.
- vi. The opportunity to present witnesses who may substantiate information related to the incident. A list of witnesses must be submitted no later than one business day before the hearing. The hearing officer reserves the right to limit the number of witnesses based on the relevancy to the facts of the case.

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<sup>3</sup>For more information on due process, please see Section VI, Appendix C: What is Proper Due Process?

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- vii. The opportunity to have a support person present during the hearing; the support person may not participate in presenting the case, question witnesses, or make statements during the hearing.
- c. The student will receive written notification of the decision of the disciplinary meeting within ten (10) business days, barring unforeseen circumstances.
  - d. The opportunity to submit an appeal, subject to the conditions of the appeal process, by the deadline date stated in the written outcome of the hearing. Conditions for an appeal are enumerated on pages 14-15 of this handbook.

#### 4. **Disciplinary Hearing**

A hearing shall be conducted before a hearing officer or a hearing committee at the discretion of the Director of Student Conduct.

- a. A hearing officer is generally an employee of the University who has received training to act in such capacity. A hearing committee may include employees and/or students of the University. *Please note that the majority of hearings are conducted by an individual hearing officer rather than a hearing committee. A hearing officer will follow the same hearing procedures as a hearing committee in a condensed and non-scripted format as described below.*
- b. A University Committee on Discipline (UCD) hearing 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.
  - i. The UCD shall be selected by the Director of Student Conduct from a hearing committee list containing names of at least five students, five faculty, and five staff members.
  - ii. No UCD hearing shall be held unless all three members of the hearing committee are present. If any member of a hearing 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 hearing committee list.
  - iii. The decision of the UCD will serve as a recommendation to be approved by the Director of Student Conduct and/or the Dean of Student Life.
- c. The hearing officer or committee's 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 of the hearing. The hearing officer or committee may question all witnesses. When it appears

necessary to avoid undue hardship, the hearing officer may, at his/her discretion, grant a reasonable continuance of the hearing.

- d. At the hearing, the Director of Student Conduct and the charged student may present and question witnesses, present other evidence, and question other witnesses. The student charged with a violation may respond to the charges but shall not be ordered to respond by the hearing officer or committee, nor shall failure to respond be considered an admission of responsibility. The burden of proving that the student has committed the violation(s) as charged shall be upon the University.
- e. The decision of the hearing officer or committee shall be based solely upon matters presented and introduced at the hearing and must be based upon a preponderance of the evidence. A committee decision shall be made by majority vote.
- f. The hearing officer or committee shall make a finding as to whether the student has committed only the violation(s) as charged. If the hearing officer or committee finds that the student has committed the violation(s), the hearing officer or committee shall, after review of any disciplinary record the student may have, require one or a combination of the disciplinary sanctions enumerated under this code.
- g. Within ten University business days after the conclusion of the hearing, the Office of Student Conduct shall render a written decision of the hearing and outline any sanctions imposed.
- h. If the charged student fails to attend the hearing after proper notification by the Office of Student Conduct, the hearing will proceed and a decision may be made in his or her absence. Or if the charged student withdraws from the institution prior to the adjudication of his/her case and the former student chooses not to appear, the hearing will proceed and a decision may be made in his or her absence. A representative may not appear in lieu of the charged student.
- i. When an extension of time appears necessary to avoid undue hardship, the hearing officer or committee may extend the time to enable a student to respond to an accusation or prepare a response.

## 5. **Victim's Rights**

Ferris State University has policies set up to preserve the rights of victims of violent crimes involved in disciplinary process. The University has established the following victim's rights:

- a. The right of the victim to have a support person accompany him/her throughout disciplinary proceedings. A support person will not represent the victim nor will he/she speak during a hearing. A support person may not act as legal counsel.
- b. The right of the victim to choose to be visually screened from the accused during the hearing process.
- c. The right of the victim to determine his/her level of involvement in the hearing process. The victim may be present during the hearing process and participate in questioning the charged student and witnesses. The victim may choose instead to be only involved as any other witness; in which case the victim may submit a list of questions prior to the hearing. If they are deemed relevant by the hearing officer or committee chair, the questions will be asked during the hearing.
- d. The right not to have irrelevant past conduct discussed during the hearing.
- e. The right to make a "victim impact statement" to be submitted in writing at the time of the hearing. The impact statement will be considered by the hearing body only if the charged student is determined to be "in violation" of University policy.
- f. The right to be informed of the ultimate outcome of the hearing within constraints established under applicable confidentiality statutes. After the accused has been notified of the initial decision, the victim will also be notified as soon as practical. The victim will also be apprised that the accused may

appeal the initial decision.

- g. The right to review all case evidence that is to be admitted during the hearing process. Evidence will be available consistently to both the victim and the accused.
- h. The right not to be discouraged from proceeding with appropriate adjudication channels.
- i. The right to be treated with dignity.

## 6. **Sanctions**

The Director of Student Conduct or his/her designee is authorized to impose any one or a combination of the following sanctions for acts of misconduct. Also, the University may impose other sanctions singularly or in combination with any of the following:

### a. **Official Reprimand**

An official reprimand is a written warning informing a 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 official reprimand, a student should have a clear understanding of the University's expectations for his/her future behavior.

### b. **Disciplinary Probation**

This probationary condition is in effect for a specified period of time and may involve the loss of specified privileges. Disciplinary Probation is the highest level of warning a student may be placed on while still actively attending the University. 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, which shall result in further action up to and including suspension or dismissal.

### c. **Alcohol On-line Education**

Alcohol On-line Education is an alcohol education program that encourages students to look at their everyday choices regarding alcohol use. This exercise is for first time offenders who have violated residence hall or University alcohol policy or for students that have made poor choices while intoxicated. The goal of this experience is to share with students the risks involved in 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 on-line experience.

### d. **Marijuana 101**

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 experience.

### e. **Harm Reduction Program**

This program is for students who have run into recurrent and/or serious difficulty relating to alcohol and other drugs on or off campus. The Harm Reduction 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 six (50 minute) group sessions. The small group format allows for discussion and facilitation by a trained professional. There is a \$200 programming fee for the class.

### f. **Parental Notification**

A letter may be sent home to the parents or guardians of any student found in violation of an 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.

g. **Individual Assessment/Counseling**

A student may be sanctioned to visit with Ferris State University's Counseling Center for an individual assessment and/or counseling. Sometimes conduct issues arise because students are experiencing difficulty in their lives. The Counseling Center can assist students in addressing these issues to help minimize the chances of future behavioral issues. These situations are handled confidentially.

h. **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 hearing officer, it may be determined that the student may benefit from participating in a two-part strategies program with an Educational Counselor.

i. **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 Student Volunteer Center to find service opportunities that are meaningful to them, or he/she may perform service through in-hall service.

j. **Mediation**

Mediation is an opportunity to peacefully and 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.

k. **Restitution**

A student may be required to pay the costs for the replacement or repair of any property damaged by the student.

l. **Transfer to a Different Housing Unit**

An on-campus student may be required to transfer to a different residence hall or apartment when there exists a need to ensure the safety or the security of a specific person(s) or location where it does not warrant expulsion from Housing.

m. **Expulsion from University Housing**

An on-campus student may be expelled from University Housing, rescinding the student's contract with Housing. A student expelled from University Housing will be banned from entering any University Housing facilities.

n. **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 Ferris.

o. **Dismissal**

A student may be dismissed from the University permanently. When a student is dismissed from the University, the dismissal applies to all campuses. Furthermore, the student may not petition the University for readmission.

*Please Note:* For those individuals who are either suspended or dismissed from Ferris, 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.

Disciplinary sanctions do not become final until the opportunity to appeal has passed. Students who choose to appeal suspension or dismissal decisions may continue to go to class and engage in customary University activities (unless otherwise stipulated) until an appeal decision is made.

## 7. Appeal

The student may appeal the outcome of the hearing by filing a notice of appeal. Appeals for outcomes of less than suspension are reviewed by the Dean of Student Life. Appeals for outcomes of suspension or dismissal are reviewed by Associate Vice President for Student Affairs. All appeals should be directed to the Office of Student Conduct for administration.

- a. The appeal must be filed in writing by the appeal deadline date stated in the written outcome of the hearing. **Appeals must meet one of the following criteria:**
  - i. Failure by the hearing officer or committee to afford the student due process, or a procedural error in the hearing which may have been substantial enough to change the case outcome; and/or
  - ii. The discovery of substantive new evidence which was unknown to the charged student at the time of the hearing that could have a significant effect on the case outcome.
  - iii. The severity of the sanction (**ONLY** in cases that result in suspension or dismissal from the University).

***NOTE: Simply not wanting to be sanctioned or disagreeing with the sanction is not grounds for an appeal.***

- b. An appellate officer or board shall hear appeals as designated by the Vice President for Student Affairs or designee.
- c. Upon review of the written appeal material, the appellate officer or board may recommend one of the following options for approval by the Vice President for Student Affairs or his/her designee:
  - i. 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 hearing officer or committee with specific instructions to correct a procedural error and reconsider the case; or
    - b. The case shall be remanded back to the Office of Student Conduct for a new hearing before a different hearing officer or committee.
  - ii. If the grounds for appeal have not been sufficiently satisfied, the original decision shall remain.
- d. In unique circumstances, there may be times in which an appellate officer and/or board, in conjunction with Vice President of Student Affairs or his/her designee, may adjust or amend a sanction outcome.
- e. Each student shall be limited to one appeal and shall not be entitled to appeal her/his case from one appellate officer to another. The decision of the appellate officer shall be final.
- f. If a student has submitted an appeal, he/she may continue to go to class and engage in customary

University activities (unless otherwise stipulated) until an appeal decision is made.

## 7. **Interim Suspension**

- a. The Vice President or his/her designee may act immediately without following the hearing procedures established by the University and impose an interim suspension 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. 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 must be sent to the student by regular mail 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 the Director of Student Conduct will be initiating disciplinary action against the student.
- c. The Director of Student Conduct shall initiate disciplinary proceedings against 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 Director of Student Conduct may require that the student be escorted to and from the disciplinary proceedings by members of the University police department.
  - iii. Every attempt will be made to act expeditiously with the disciplinary proceedings.
- d. Within fourteen (14) 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 hearing to determine whether the interim suspension should continue or whether the student should be reinstated and allowed to return to University property.
  - i. The request must be submitted in writing to the Vice President for Student Affairs.
  - ii. The Vice President for Student Affairs or his/her designee shall select a hearing officer or committee as provided by University policy.
  - iii. The hearing officer or committee shall hold a review hearing within seven (7) business days after being selected by the Vice President for Student Affairs or his/her designee.
  - iv. The hearing officer or committee will review the information upon which the summary action was based and recommend any further action.
  - 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 hearing in accordance with the provisions in this code.
- vii. The hearing officer or committee will make a decision by the end of the hearing and notify the student and the Vice President for Student Affairs or his/her designee concerning the recommendation.
- viii. The hearing officer or committee may affirm the original decision and advise the student that the interim suspension and temporary exclusion will continue until the student is notified otherwise in the course of subsequent disciplinary proceedings, or the hearing officer or committee may recommend that the student be reinstated pending the conduct proceedings.
- ix. The Vice President for Student Affairs or his/her designee will consider the recommendation of the hearing committee but is not bound by the recommendation. The Vice President for Student Affairs 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.

#### 8. **Responses to Mental Health Crisis**

The University must respond to 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. University staff will 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.

It is important to note that the residence halls are not managed by mental health professionals. Students should be reasonably healthy in terms of mental and emotional health in order to successfully live in a residence hall environment. The University has professional counseling services on campus, but unless a student is in crisis or acting out, it cannot identify a student who is having serious problems.

The student may be referred to the Office of Student Conduct or Dean of Student Life to participate in the standard administrative hearing 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:

- The student may be required to adhere to a behavioral contract.
- The student may be referred for counseling with criteria for future behavior stipulated in a behavioral contract.
- In some circumstances, it may be necessary for the student to move to a new environment either in another residential area or off-campus.
- 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.
- An Interim Suspension may be imposed until the student's health circumstances and/or behavioral issues can be properly addressed and resolved.

An Interim Suspension may be implemented if the Vice President for Student Affairs or 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.

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.

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.

## **Section III**

### **General University and Housing Policies Regarding Misconduct**

#### ***A. Academic Misconduct***

The university may discipline a student for academic misconduct, which is defined as any activity that tends to undermine the academic integrity of the institution. Academic misconduct includes, but is not limited to, the following:

1. **Cheating**

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.

A 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 an act of academic misconduct.

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 student must not adopt or reproduce ideas, words, or statements of another person without appropriate acknowledgment. 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.

#### 6. **Violation of Course Rules**

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

### ***B. Personal Misconduct On or Off University Property***

The University may discipline a student for the following acts of reported personal misconduct which occur on University property or at a University-sponsored function. Additionally, the University may discipline a student for the following acts of reported personal 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 Ferris State 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. For any posting of advertising materials within Ferris' Housing facilities approval must be given by the Office of Student Leadership and Activities, with the final approval authority resting with the Housing Services Office. See the Office of Student Leadership and Activities for posting policy procedures. The stuffing of apartment and residence hall mailboxes is not permitted.
- b. Solicitation is not permitted in University buildings and/or grounds, excluding any approved University sponsored charity fundraiser programs. University Housing reserves the right to individually approve or deny activities.

#### 3. **Actions That Endanger**

Actions that endanger the student, the University community, or the academic process.

#### 4. **Computer 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 or destruction of property belonging to the University or others.

#### 6. **Dishonest Conduct**

Including, but not limited to, false accusation of misconduct; intentionally misrepresenting the truth; forgery, alteration, or misuse of any University document, record, or identification; abuse of the disciplinary system; and giving to a University official information known to be false.

#### **Disorderly Conduct**

Disorderly conduct that interferes with teaching, research, administration, or other University or

University-authorized activity or that disrupts the University environment either during an event or incident or as a result of an event or incident.

**7. Failure to Comply**

Failure to comply with the directions of authorized University officials in the performance of their duties, failure to identify oneself when requested to do so, failure to comply with reasonable requests of other students, or failure to comply with the terms of the disciplinary sanction.

**8. Game Processing (Hunting)**

Students are not permitted to process (butcher/clean/hang) game (deer, rabbits, fish, etc.) or hides anywhere in or near the residence halls, University apartments, or elsewhere on campus.

**9. Harassment**

See the Student Dignity and Harassment Policy in Section IV of this handbook on pages 41-42.

**10. 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 as a condition of association with a group or organization, regardless of the person's consent.

**11. 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 concerning a fire or that a bomb or other explosive has been placed in any University building or elsewhere on University property; or transmitting such a report to an official agency, students, or others.

**12. Intoxication**

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.

**13. Lewd, indecent, or obscene conduct**

**14. Parking**

Parking on driveways, roadways, sidewalks, lawns and within yellow zones, posted or not, is prohibited. All motor vehicles shall park only in the lot(s) assigned by the parking permit the vehicle was issued by the Department of Public Safety. Any violation of the University Parking Policy and Procedures may result in a ticket issued by the Department of Public Safety and/or disciplinary action.

**15. Personal Identification and Key Security**

Ferris 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. Additionally a student may not duplicate and/or disseminate his/her student ID or University housing key. It is expected that students will take proper precautions to ensure the safety of their student ID, University housing key, and residence hall room or apartment.

**16. Physical Harm/Abuse of any Person, Including the Following:**

- a. Physical behavior that endangers the health or safety of another person
- b. The use of physical force or violence to restrict the freedom of action or movement of another person
- c. 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. 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.

**18. Possession of Firearms or Other Weapons**

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://www.ferris.edu/htmls/administration/buspolletter/bpl1001.pdf>.

**19. 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.

**20. Rioting**

Rioting is defined as acting with violence and/or aiding, encouraging, and/or participating in a riot.

**21. Sexual Misconduct**

Sexual misconduct, as defined by the University Sexual Assault policy in Section IV of this handbook, found on pages 43-46, including unwelcome or unwanted touching.

**22. Unauthorized Entry**

Unauthorized entry, use, or occupancy of University facilities including, but not limited to, residence hall space; refusal to vacate a University facility when directed to do so by an authorized official of the University.

**23. 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.

**24. Unauthorized Possession or Use of Alcoholic Beverages**

The use or possession of alcoholic beverages is prohibited by Ferris State University in the following areas:

- a. 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. On or off University property, when possession or use creates a danger to self or others, including, but not limited to, the sale, gift, or transfer of alcohol to minors.
- c. In or on any property of the University frequented by the public, except in areas specifically designated by the President of the University.

**25. Unauthorized Possession or Use of Illegal Drugs or Controlled Substances**

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 following actions are prohibited by Ferris State University:

- a. 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.
- b. Use of University facilities to manufacture, process, or distribute any drugs or controlled substance contrary to law.
- c. Sale, gift, or 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.
- d. Production, manufacture or use of any substance that is used as a drug on or off University property.
- e. Abuse or misuse of any prescription drug; the unauthorized possession of prescription medication.

**26. Unauthorized Taking or Possession**

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

**27. Verbal Abuse of Another Person, 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,
- b. Inflammatory speech, spoken or written inflammatory communication as a personal insult to the listener or listeners in personally abusive language inherently likely to provoke a violent reaction by the listener or listeners toward the speaker.

**28. Violation of other published University regulations**

Violation of other published University regulations, policies, or rules including Bulldog Values.

**29. Any violation of any local, state, or federal law is against University Policy.**

***C. General Residence Hall Policies***

The following is a list of Housing policies. Knowing these policies and following them are the responsibility of each person from the time he or she becomes a resident of University Housing.

**Housing/Campus Policies**

Individuals/groups who fail to comply with and/or violate these policies may find themselves subject to university discipline. Students are responsible for their room or apartment and any activities that occur therein, including the behavior of their guests. The assigned resident does not need to be present, actively involved, or even aware that an incident involving his/her guests has taken place to be held accountable for that incident.

**Taking Responsibility for Confronting Noise and Disruptive Behaviors**

Living in the residence halls and university apartments helps solidify the educational experience and contributes to the growth of an individual. Thus, students are asked to assume initial responsibility in addressing complaints on their own.

If you have a problem with the noise/behavior of another student, you are expected to ask that student to reasonably change his/her behavior. If that student is uncooperative, you should then request assistance from a Housing staff member.

**Disclaimer**

Ferris State University reserves the right to amend or develop additional policies or procedures as necessary to ensure the promotion of safety for the community. University officials will make every attempt to communicate changes in a timely manner to those affected.

**Community Standards**

In order to meet the educational and social needs of students, the University has established a set of community standards for each residence community. These standards are based upon four (4) fundamental rights of all University Housing students:

- Sleep and study in one's own room or apartment
- Live in a clean and sanitary environment
- Have a means of addressing concerns
- Be free of fear from intimidation and physical or emotional harm

It is important to note that living on campus is a privilege, not a right. The information in this section is intended to communicate clear expectations regarding personal conduct, contract obligations, and community responsibilities. Students may be charged with violations of these policies through the University's student

disciplinary process.

Residential life staff members convene community meetings periodically throughout the semester. These meetings provide important information, help students perform essential administrative tasks, and help residents learn to balance their rights, responsibilities, and privileges. Students are responsible for all information discussed at their community meetings and should contact a staff member if they are unable to attend.

1. **Access Panels**

Students may not open, tamper with, or otherwise manipulate pipe chase access doors and panels, or open or gain access to similar spaces of any kind. Improper access to such spaces may result in a \$300 fine.

2. **Activities Resulting in Disturbance, Distress, or Damage**

Individual or group activities that may result in a disturbance or distress to others or that cause or may reasonably cause damage or destruction to self or property are prohibited. When individual responsibility cannot be determined, the residents of a unit, floor, or wing may become collectively responsible for restoration costs. Examples of behavior covered by this policy include, but are not limited to, damage to building, graffiti, etc.

3. **Air Conditioners**

Air conditioners (INCLUDING WINDOW AND FLOOR UNITS) may be permitted if a medical necessity is verified by the Birkam Health Center and approval is granted by Housing Services. Air conditioner units must be provided by the student and may be installed only by the University staff. A fee is charged for such services.

4. **Alcohol Policy**

In order to support legal and responsible drinking habits, the use or possession of alcoholic beverages is defined in the following areas:

- a. Consumption of alcohol may only occur in a residence hall room where ALL assigned residents are 21 years of age or older and ALL guests present are also 21 years of age or older. Students under the age of 21 may not be present in a room where alcohol is being consumed.
- b. Residents under the legal drinking age may not possess or display empty alcohol containers. Empty containers may be considered evidence of possession, consumption, or both.
- c. Under no circumstances are kegs or other types of "common sources" of alcohol allowed in the residence halls.

5. **Child/Day Care**

It is not permissible for any residence hall student to provide child/day care in the halls.

6. **Escorts**

Students and visitors may not enter or roam a hall or living unit where they do not live without an escort who is a resident of that hall or living unit. Allowing unescorted non-residents access to a building or living area, including walking through the residence halls unescorted, is a violation of this policy.

7. **Gambling**

Gambling of any kind in any form with monetary consequences is prohibited.

8. **Guests**

A guest is defined as anyone not assigned to the room/apartment. Residents are responsible for the actions of their guests, and are responsible for making sure their guests adhere to all University policies.

9. **Hallway or Lobby Area Decorations**

Any mode of decoration that contains obscene, profane, pornographic, or otherwise offensive elements, as determined by the hall staff, will not be permitted. This includes the posting of symbols and/or materials identifying any organization that has been "banned" or "suspended" by the University.

10. **Hallway or Lobby Area Usage**

Hall Directors must approve any usage of residence hall facilities by residents, students, recognized student

organizations, and/or any other person or group. Generally, residence hall spaces are reserved for the exclusive use of the staff and residents of that building.

**11. Health Hazards**

Situations or items such as piled, soiled clothing, open food containers, exposed food items, vomit or bodily fluids, unkempt bathroom facilities (dirt, mold, pools of algae water), and the noxious odors emanating from such pose serious health hazards in the community and are prohibited.

**12. Keys**

Residents are expected to carry their student ID and key at all times, and it is expected that students will take proper precautions to ensure the safe keeping of their student ID, University housing key, and residence hall room or apartment. The Residence Hall Staff should not be expected to key residents into their room. For safety and security issues, a resident should report a lost or missing key or ID immediately.

**13. Laundry Facilities Abuse**

Abuse of another's possessions or damage to equipment in the laundry room is not permitted. Any use of the equipment by or for a non-resident of that building is not permitted.

**14. Lobby Furniture**

Public area (lobby, study room, lounge) furniture is not permitted in student rooms.

**15. Painting**

The painting of residence hall rooms is not permitted. The University paints the halls on a regular rotating schedule. Similarly, students are not permitted to decorate walls, ceilings or furniture with paint, highlighter, pencils, pens, washable paints, acrylics, laundry detergent, or any other substances.

**16. Pets**

Pets are not permitted in the residence halls, with the exception of fish. Fish tanks may be no larger than 30-gallon total capacity per room. It is not the responsibility of hall staff to feed fish in a student's absence. University staff may confiscate any other pets found in a residence hall. *For further information, please see Confiscation in Section V: Housing Regulations and Standards.*

**17. Public Property**

Possession or use as decoration of possession of stolen property including city, county, or state government property, such as road signs, is not permitted. Possession of stolen property is a violation of state law and University policy. Stolen or unauthorized property is subject to confiscation.

**18. Quiet Hours/Courtesy Hours and Noise**

Residents have the right to sleep and study in their rooms at any time. When asked by someone to respect this right, residents are expected to demonstrate courtesy and consideration by complying with the request. This policy applies to noise that can be heard from both inside and outside a residence hall.

- a. Courtesy hours are in effect 24 hours a day, 7 days a week. As a general rule, at no time should noise be heard from a resident's room more than 2 doors away, from another floor, or outside the building.
- b. Quiet hours are in effect from 9:00 PM until 8:00 AM weekdays, 12:00 AM until 10:00 AM weekends (Friday and Saturday). Quiet hours means that sound must not be audible beyond the limits of any individual room, hallway, or lounge.
- c. During finals week, 24-hour quiet hours will be in effect. Any student removing a loft at the end of a semester or academic year must do so before 24-hour quiet hours begin or wait until the final examination period is completed.

**19. Radios/Stereos/Scanners**

Ham radios and CBs are not permitted in the residence halls. Police or other scanner like devices may not be used to monitor or "listen in" on telephone calls. Stereos and radios are acceptable as a privilege and as long as they are used in compliance with Quiet/Courtesy hours. Violations of Quiet/Courtesy hours or other policies may result in the confiscation of the stereo/radio or device creating the disturbance.

**20. Rights and Freedoms**

Actions that infringe upon the rights and freedoms of others are prohibited, regardless of the intentions behind the act.

**21. Satellite Dishes and Antennas**

Satellite dishes, antennas, or similar devices are not permitted in the residence halls.

**22. Smoking**

Smoking is not permitted in residence halls. Students must stand well away (minimum of 25 feet) from all buildings while smoking outside.

**23. Sports in the Halls**

Running, hackey sack, Frisbee throwing, hockey, in-line skating, skate boarding, bouncing balls, riding bikes, and other athletic/sport-type activities are prohibited in the residence halls. No remote control toys are to be operated in the hallways. Staff members reserve the right to confiscate equipment used in violation of this policy.

**24. Trash Removal**

Students are responsible for taking out their own trash. Trash must be taken to and deposited in the nearest available industrial dumpster outside the building. Students found to have disposed of any waste inappropriately will receive a fine, face disciplinary action, or both. All trash must be removed from all rooms during break periods. Trash bags are available at the front desks for students' use. *NOTE: Medical waste must be disposed of strictly in accordance with the Health and Safety Policy concerning Medical Waste outlined in Section V: Housing Regulations and Standards.*

**25. Waterbeds**

Waterbeds are not permitted.

**26. Weapons**

Firearms and other weapons or explosives are prohibited on campus. Firearms are not permitted in the residence halls, regardless of permit. Weapons include rifles, shotguns, hand guns, paint guns, laser lights, BB and pellet pistols, rifles which are spring, gas, or air propulsion, sling shots, whips, hunting knives, knives with blades longer than 2.5 inches, bows and/or arrows, ammunition, ammunition loading devices, etc. This includes any other item that is used as a weapon. Weapons will be confiscated and may not be returned to the owner. Ammunition of any kind may not be stored in the residence halls.

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 may find at <http://www.ferris.edu/htmls/administration/buspolletter/bp11001.pdf>.

**27. Windows and Screens**

For safety purposes, window screens may not be opened or removed at any time. Removing or opening a window screen for other than emergency purposes may result in a fine. Throwing any object from a residence hall window or using a window as an entry or non-emergency exit is a serious safety concern.

**28. Visitation Policy**

Guests are permitted from the hours of 7:00 a.m. until midnight, Sunday through Wednesday and from 7:00 a.m. until 2:00 a.m. Thursday, Friday, and Saturday.

- a. Child Visitation: Children under the age of six (6) are not permitted as overnight guests in the residence halls. Visitation for children under the age of six is from 8:00 AM to 9:00 PM daily. A parent or guardian must accompany children under the age of six AT ALL TIMES! When registering a minor for an overnight visit, please be prepared to provide proof of age.

- b. **Overnight Visitation Program:** The Overnight Visitation Program (OVP) permits one or two overnight guests on Thursday, Friday, and Saturday nights. Guests include any person not assigned to that room. Guests must be registered prior 2:00 a.m.. A total of no more than two (2) guests per room are permitted.

To register an overnight guest at the hall front desk, the host must obtain his/her roommate's permission and guests must show picture identification. OVP guests must carry their yellow copy of the form, as a means of identification, at all times.

All guests must adhere to the escort policy. Residents are responsible for unregistered guests and may receive a disciplinary referral for violations of this policy. All guests under 18 years of age must have a letter signed by a parent or guardian granting permission to visit and stay on campus.

No overnight guests are permitted Sunday, Monday, Tuesday, or Wednesday nights. On these nights, all guests must be escorted out of the building prior to 12:00 a.m. The University reserves the right to limit frequency of visits when the rights of the roommates or suitemates are compromised.

#### ***D. General University Apartment Policies***

##### **1. Activities Resulting in Disturbance, Distress or Damage**

Individual or group activities that may result in a disturbance or distress to others, or that cause or may reasonably cause damage or destruction to self or property, are prohibited.

##### **2. Advertising/Solicitation**

- a. Any posting of advertising materials must be done by authorized Housing Staff only. For any posting of advertising materials within Ferris' Housing facilities, approval must be given by the Office of Student Leadership and Activities, with the final approval authority resting with the Housing Services Office. See the Office of Student Leadership and Activities for posting policy procedures. The stuffing of mailboxes is not permitted.
- b. Solicitation is not permitted in the University Apartments nor is it permissible for any student to operate a business from any University apartment. Individuals or student organizations found in non-compliance with this policy are subject to disciplinary action.

##### **3. Air Conditioners**

Air conditioners may be permitted if a medical necessity is verified by the Birkam Health Center and approval granted by the Apartments Office. Air conditioner units must be provided by the student and may only be installed by University staff. There is a limit of one air conditioner per apartment. There is a one time fee charged for the installation and removal of air conditioners from the University apartments.

##### **4. Alcohol**

Do not possess, consume, furnish, or aid in the consumption or furnishing of, alcoholic beverages on University property except as permitted by University policy.

##### **5. Daycare**

The Housing Office recognizes the challenge to find quality day care while attending college. To help relieve this burden the "No Business" policy excludes Licensed Day Care, with the following stipulations:

- Daycare must be licensed through the State of Michigan and providers must comply with all state licensing regulations
- Daycare is only allowed in the townhouse apartments
- Daycare providers may only care for the children of students living in the University Apartments
- Number of children being cared for shall not exceed 4 (including their own children)

## 6. **Disposal of Garbage**

All garbage must be properly bagged and placed directly into University dumpsters. Storing garbage in the apartment or stairwell is not permitted. In the townhouse apartments, garbage is only allowed on the back patio if it is maintained in a trashcan with a tight fitting lid.

## 7. **Fire Hazards**

The University prohibits candles, incense, space heaters, and any items that generate a flame in any University apartment. "Tocheire" Halogen Lamps are also not permitted in the apartments because of intense heat. Fireworks, of any type, are not permitted on campus.

## 8. **Gambling**

Gambling is prohibited.

## 9. **Guest Visitation Policy**

Guests visiting for more than 7 consecutive days must be registered with the Apartment Office at least one (1) week prior to such visit and such requests may be denied at the sole discretion of the Apartment Office. Persons not identified as residents or tenant's guests may be considered trespassers at the University's discretion.

Residents who permit guests to reside in their apartment for more than 7 consecutive days or more than 10 days out of any month constitutes a violation of the housing contract. Residents found violating this policy may be subject to eviction. Residents are responsible for their guest's behavior. A guest is defined as anyone not assigned to the room/apartment. Any guest causing a disturbance may be asked to leave the apartment. Full cooperation is expected from the resident if a guest is asked to leave. Guests must obtain a parking permit from DPS and may only park in the area designated on the parking permit.

## 10. **Hallway/Courtyard Maintenance**

- Belongings may not be stored in such a way that the area becomes unsightly, or so the entry/exit to the apartment is blocked.
- All residents are responsible for keeping their area clean and picked up, including laundry rooms. Residents are strongly encouraged to work together to maintain a clean community living area.
- Concerns with neighbors should be addressed directly. If inappropriate behaviors continue after such an attempt, the community advisor may then be contacted for assistance.
- Toys, including swimming pools, must be emptied and removed from the grass areas nightly. Pools should be kept on the patio areas. All outdoor toys shall be marked with name and apartment number.

## 11. **Health and Safety Checks**

Health and Safety checks are performed one or more times per semester. These are done to help assure healthy and safe living environments for all residents. Violations of Health and Safety standards include, but are not limited to, overloaded electrical circuits, grease buildup in and around stoves, unsanitary conditions, pets, etc. Smoke detectors are tested during health and safety checks. Residents are expected to test smoke detectors monthly and immediately report any that are not working properly. Removing the battery of a smoke detector, for any purpose other than to immediately replace it with a new one, is a serious violation.

## 12. **Lockout Policy**

Residents may obtain a temporary spare key from the West Campus Community Center office during regular hours of operation. Community advisors may unlock an apartment door for a family member that is listed on the Occupant Form. After 8:00 PM, residents should contact the community advisor on duty for such assistance. Community advisors are not permitted to allow lockout re-entry to anyone not named on the Occupant Form.

## 13. **Medical Waste**

This policy applies to residents who self-administer medication including, but not limited to, insulin shots or clotting factors. Students are required to dispose of all needles and syringes in a medical waste container, provided at no charge by the Birkam Health Center. Medical waste containers must be returned to the Health Center by the student when it becomes full, and/or at the end of each term (whichever come first).

#### 14. **Motor Vehicle Repair**

No type of major automotive repair is permitted in University Apartment parking lots. This includes changing oil. Public Safety may be contacted to identify a lot that is appropriate for such use.

#### 15. **Occupancy**

The single-student one-bedroom apartment may house a single student. The family housing apartment's two-bedroom unit may house no more than three (3) children and a three-bedroom unit may house no more than four (4) children. In the single student two- or three-bedroom apartment, the maximum occupancy is one tenant per bedroom of the same gender. Only those people listed on the application may occupy apartments.

#### 16. **Painting**

The painting of University Apartments is not permitted. The University paints the apartments on a regular, rotating schedule. Similarly, students are not permitted to decorate walls, ceilings or furniture with paints, highlighter, pencils, pens, acrylics, washable paints, laundry detergent, or any other substances.

#### 17. **Parental Responsibility for Behavior of Children**

Parents are responsible for the behavior and actions of their children. Residents are required to supervise the behavior of their children closely, and shall not leave young children unsupervised in or about the apartment complex, community center, or playground.

Children may not be left for any period of time without supervision. All cases of suspected child neglect or abuse are turned over to the local state agency. Suspicion of neglect or abuse should be promptly reported to the community advisor or the Department of Public Safety. The curfew for children under the age of 14 is 9:00 PM (10:00 PM in the summer). Children 14 years and younger must be in their apartment by 9:00 PM (10:00 PM in the summer) unless in the company of their parent(s).

#### 18. **Parking**

- a. Off Street Parking. Driving on or parking on the sidewalk or grass for any reason is prohibited. Any violation may result in a ticket issued by the Department of Public Safety and/or disciplinary action. Residents may only park in their assigned lot. Motorized vehicles may not be parked on sidewalks, in courtyards, patios, or stairwells, or any campus building or facility. Parking in fire lanes is prohibited.
- b. Registration Limits. Residents living in the Townhouses on West Campus and who have two vehicles registered with Public Safety may only park one car next to the building; the second vehicle may only be parked on the island or in an overflow lot.
- c. Recreational Vehicles. Trailers/campers/etc. must be registered with Public Safety and may only be parked in a space designated by Public Safety. No motorized vehicles may be parked in stairwells, hallways, or on patios. Residents may only register one car per legal age driver, with a limit of two cars per household.

#### 19. **Pets**

Pets are not permitted in University apartments or surrounding areas with the exception of fish in tanks or aquariums, which may be no larger than 40-gallon total capacity per apartment.

The University does recognize that some residents may have special needs that require a service dog. In these circumstances, the service dogs must be registered through the State of Michigan. Please check with the Apartments office for criteria.

#### 20. **Playground Policies**

The Apartment Action Committee, through resident surveys, has developed the following playground

rules:

- Play area hours are from 8:00 AM until 9:00 PM (10:00 PM in the summer). This includes the playground, basketball courts, and volleyball courts.
- Young children must have adult supervision at all times.
- No fighting, pushing, punching, shoving, kicking, or other forms of violence.
- No swearing, use of racial or ethnic slurs, or any other form of harassment.
- No littering.
- Personal belongings must be taken home when leaving the play area.
- Residents are ultimately responsible for their children's behavior. The playground is intended for the use of the apartment residents and their children.

#### 21. **Quiet Hours/Courtesy Hours**

Residents have the right to sleep and study in their apartments at any time. When asked by someone to respect this right, residents are expected to demonstrate courtesy and consideration by complying with the request. Courtesy hours are in effect 24 hours a day, 7 days a week. As a general rule, at no time should noise be heard outside a resident's apartment.

*Quiet hours are from 9:00 PM until 8:00 AM seven days a week.*

#### 22. **Rights and Freedoms**

Actions that infringe upon the rights and freedoms of others are prohibited, regardless of the intentions behind the act.

#### 23. **Satellite Dishes and Antennas**

Satellite dishes, antennas, or similar devices are not permitted.

#### 24. **Smoking**

Smoking is not permitted in the apartments. Students must stand well away (minimum of 25 feet) from all buildings while smoking outside.

#### 25. **Waterbeds**

Waterbeds are not permitted.

#### 26. **Weapons**

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 may find at <http://www.ferris.edu/htmls/administration/buspolletter/bp11001.pdf>.

#### 27. **Unregistered Gatherings**

All apartment residents are required to register any gatherings of more than eight individuals (with or without student status) on University property, specifically at or in the University Apartments.

#### 28. **Violation of Lease**

Apartment residents are subject to disciplinary action as well as administrative action for violating the terms and conditions of the apartment lease depending on the circumstances.

### ***E. Residence Hall Fire Safety & Security***

The University is committed to maintaining a healthy and safe environment in our residential communities, while respecting and preserving individual rights. In order to manage this delicate balance, the University has developed policies and procedures with which all residents should be familiar.

Included below are the expectations regarding the use of personal and University facilities, as they relate to fire safety issues. The University recognizes that these policies may cause individual inconvenience. The policies are intended to protect the health and welfare of the larger community. Any activity that could

potentially compromise fire safety in the halls is a violation of policy. Withholding information/evidence concerning a fire is a serious offense.

## 1. Appliances

- a. Approved Items: Approved electrical appliances include: personal computers and accessories, clocks, typewriters, calculators, desk and window fans, non-halogen lamps, answering machines, enclosed coil hot pots and potpourri cookers, portable hair dryers/curlers, radios, compact disk players, tape recorders, stereos, TVs, DVDs and VCRs.

If unsure if an item is acceptable, it is the student's responsibility to communicate with Hall Staff to ensure the safety of the community.

- b. Prohibited Items: Those appliances with exposed elements such as medusa lamps, toasters, toaster ovens, pizza ovens, etc. or heated oil such as deep fryers, etc. pose a safety hazard and are not permitted in residence halls. Candles warmers are also prohibited in the residence halls.
- c. Microwaves: The University restricts the size to a maximum of 750 watts per residence hall room.
- d. Refrigerators: The University restricts the size to a maximum of 4.6 cubic feet per residence hall room.

## 2. Electrical/Lighting

- a. Extension Cords/Surge Protectors: To help protect equipment and prevent electrical fires, all electrical cords must be kept visible and out of walkways. Electrical cords may not be run under rugs, and wires may not be hung from the ceiling or pipes.
- b. Halogen Lamps: Halogen lamps are not permitted due to fire risk.
- c. Overhead Lighting: Students are prohibited from installing a black light into the overhead light fixture or otherwise tampering with, altering or covering the light fixtures in any way.

## 3. Flammable Materials and Incendiary Devices

- a. Candles, incense, or open flames: Candles, decorative or otherwise are not permitted in any campus housing unit. Incense and other items that generate open flame are prohibited in the residence halls. Melted wax, burned wicks, etc., may be considered a violation of this policy. Electric hotpots and potpourri cookers with fully enclosed coils are acceptable; however, candle warmers are not acceptable.

In addition, behaviors that create or present the possibility of creating a fire such as burning candles, incense, igniting door decorations, posters or other materials regardless of intention, is considered a serious offense that could result in suspension or dismissal from the University.

- b. Fireworks: All fireworks are prohibited on campus. This includes, but is not limited to the following: sparklers, caps, firecrackers, bottle rockets, skyrockets, and Roman candles.
- c. Flammable Materials: Possession of materials or containers holding fluids used for igniting fires is prohibited. Prohibited fluids include, but are not limited to, charcoal lighter, gasoline, propane, and cigarette lighter refueling containers. Possession or storage of motorcycles, motor bikes, or other motorized vehicles is strictly prohibited in University Housing.

## 4. Room/Building Safety

- a. Hanging Objects: Objects hung from any ceiling, ceiling light fixture, smoke detector, and any



- d. Smoking: Smoking is not permitted in residence halls. Students must stand well away (minimum of 25 feet) from all buildings while smoking outside.

## **Section IV**

### **Administrative Policies**

#### ***A. 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 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
- Section IV: Administrative Policies
- 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 racial harassment described above 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, an Academic Dean, the Dean of Student Life, the Director of Multicultural Student Services, or the 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 an Academic Dean, the Director of Multicultural Student Services, the Director of Student Conduct, or the Equal Opportunity Director. 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 will 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.

## ***B. 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.

### ***C. Sexual Assault Policy***

Ferris State University does not tolerate sexual assault in any form, including what is often labeled “acquaintance rape” or “date rape”. Student and Employee Dignity Policies demand all University community members to act with dignity and treat each other with respect. Sexual assault 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.

#### **Definition of Sexual Assault**

If physical sexual contact occurs and there is a 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, and persons of insufficient age and mental capacity also may not legally 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 disciplinary sanctions.

#### **The Law**

Sexual assault is a violation of Michigan criminal law and may result in criminal charges and sanctions being pursued against the perpetrator, in addition to University disciplinary procedures and sanctions.

The Crime Awareness and Campus Security Act (renamed the Jeanne Clery Act in 1998), among other things, requires Universities to disclose campus related crime statistics and to draft, publish, and enforce a policy regarding the institution’s campus sexual assault programs, including procedures to follow when a sex offense occurs. The University annually publishes a Campus Crime Awareness brochure, as required by the law, which is widely distributed among the University community and is available on request.

#### **Reporting**

When a sexual assault has occurred, it is essential for the safety and well being of the University community that the incident be reported immediately to the proper authorities.

The following, in addition to the University Department of Public Safety, have been designated as “Reporting Officials” for sexual assaults at the University: Student Conduct, Director of Residential Programs and Services, Vice President of Student Affairs, Equal Opportunity Director, Director of Student Leadership and Activities, Athletic Director, Academic Affairs Administrators and Deans, and the Vice-President of Administration and Finance (see the following list of contact telephone numbers for Reporting Officials). All coaches, advisors of student organizations, student center or extra-curricular activities’ advisors or directors, all residence hall staff, and all employee supervisors are also Reporting Officials.

Reporting Officials are designated to receive sexual assault reports and are required to relate all such reports to the Department of Public Safety. Reporting Officials will inform victims of the importance of reporting the incident to the police and will assist victims who elect to report with contacting the proper authorities. Reporting Officials will also take steps to provide support services to the victim and preserve evidence of the assault.

In the event the victim is reluctant to report, Reporting Officials shall report the matter to the Department of Public Safety. Local law enforcement officials should also be contacted when the assault occurs off campus.

The University Department of Public Safety (DPS) takes every report of sexual assault seriously. DPS will actively investigate the assault and make available to the victim a variety of services located both at Ferris State University and in the community. It is the goal of DPS and other reporting officials to treat victims with

courtesy, sensitivity, understanding, and professionalism.

Victims who wish to speak to someone who is not required to report are encouraged to find confidential counseling available on campus through the Counseling Center. Upon the victim's request, the Counseling Center may report the sexual assault as a crime statistic without identifying the victim.

DPS shall report all student perpetrators to the Office of Student Conduct. DPS shall make arrangements, to the best of their ability, to receive reports from all local law enforcement agencies regarding campus related sexual assaults.

### **Medical and Counseling Assistance**

Assault victims may be in immediate need of crisis intervention or medical treatment. Medical help is readily available on campus through the Birkam Health Center or near campus through the Mecosta County General Hospital, in the City of Big Rapids. Mental health treatment, crisis intervention, or counseling is available through the Counseling Center on campus weekdays, and crisis intervention is available through the Women's Information Service (WISE) on a 24-hour basis. Mental health treatment and counseling are also available in the community through Mental Health Services and private agencies, clinics and counselors. Generally, professionals providing medical treatment, mental health treatment, crisis intervention, or counseling take all statements in confidence and are not required to report under this policy. Check with the professional you contact to verify confidentiality requirements.

### **Accommodations**

Accommodations regarding alternate living, working, and class schedules will be made, as are available and appropriate, through the Office of Academic Affairs, the Office of Human Resources, the Office of Student Employment and the Office of the Associate Director of Housing.

### **Victim's Rights**

Ferris State University has policies set up to preserve the rights of victims of sexual assaults and other crimes involved in disciplinary process. The University has established the following victim's rights:

6. The right of the victim to have a support person accompany him/her throughout disciplinary proceedings. A support person will not represent the victim nor will he/she speak during a hearing. A support person may not act as legal counsel.
7. The right of the victim to choose to be visually screened from the accused during the hearing process.
8. The right of the victim to determine his/her level of involvement in the hearing process. The victim may be present during the hearing process and participate in questioning the charged student and witnesses. The victim may choose instead to be only involved as any other witness; in which case the victim may submit a list of questions prior to the hearing. If they are deemed relevant by the hearing officer or committee chair, the questions will be asked during the hearing.
9. The right not to have irrelevant past conduct, including sexual history, discussed during the hearing.
10. The right to make a "victim impact statement" to be submitted in writing at the time of the hearing. The impact statement will be considered by the hearing body only if the charged student is determined to be "in violation" of University policy.
11. The right to be informed of the ultimate outcome of the hearing within constraints established under applicable confidentiality statutes. After the accused has been notified of the initial decision, the victim will also be notified as soon as practical. The victim will also be apprised that the accused may appeal the initial decision.
12. The right to review all case evidence that is to be admitted during the hearing process. Evidence will be available consistently to both the victim and the accused.

13. The right not to be discouraged from proceeding with appropriate adjudication channels.
14. The right to be treated with dignity.

### **Informational Resources**

Each Reporting Official will have access to useful information for sexual assault victims, including a description of options, services, and rights to which student victims are entitled. See the following lists for the telephone numbers of important contacts.

### **Sexual Harassment**

Under Title IX, sexual assault is considered to be a form of sexual harassment. The University Board of Trustees' Employee and Student Dignity Policies addresses the proper procedures for dealing with sexual harassment of, or by an employee or a student, which harassment does not rise to the level of sexual assault. Sexual harassment that does rise to the level of sexual assault should be dealt with as required in this policy.

Sexual assault and sexual harassment are not tolerated by the University, and violators of the Student and Employee Dignity Policies and this Policy are subject to discipline up to and including dismissal.

### **Important Contacts**

Department of Public Safety	591-5000
Mecosta County Sheriff's Department	592-0150
Big Rapids Public Safety	796-4811
Ferris Birkam Health Center	591-2614
Ferris Counseling Center	591-5968
Ferris Residential Life	591-3745
Mecosta County General Hospital	796-8691
W.I.S.E. Women's Information Service	796-6600
Student Conduct	591-3619
Community Mental Health Services	796-5825

### **Reporting Officials**

Department of Public Safety	591-5000
Student Conduct	591-3619
Vice President of Student Affairs	591-3578
Equal Opportunity Director	591-3894
Director of Housing Services	591-3745
Athletic Director	591-2863
Academic Affairs	591-2300
Dean of Student Life	591-3619
Vice President of Administration & Finance	591-2150
Director of Student Leadership & Activities	591-2606

## ***D. Ferris State University Policy on Alcohol and Drugs & 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 which 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, Ferris 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 Ferris 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.

Ferris State 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 phenylcyclidine (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, 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 Counseling Center's counseling staff, including the services of an alcohol and other drug counselor. The Counseling Center is located in the Birkam Health Center, Room 210. This office is open from 8:00 AM to 5:00 PM, Monday through Friday. The telephone number is (231) 591-5968. Employees can get referral assistance, including a list of alcohol and other drug counseling service providers available in the Big Rapids area, from the Counseling Center or the Office of Human Resources, Prakken Building, Room 150. In addition, the Counseling Center maintains a statewide directory of alcohol and other drug service providers for those seeking assistance outside of the Big Rapids area.

Counseling services, individual and/or group, provided to students at the 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 Counseling Center maintains a list of campus-based and Big 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. Finally, the University offers students an alcohol-free living option, presently located in Miller Hall.

### **Standards for Conduct at Ferris State University**

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, Ferris State 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 Ferris State 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 which 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.

#### **▪ Big Rapids Ordinances**

##### **Consumption on Street or Parking Lot [Section 131.04 (as amended)]**

It shall be unlawful to consume any alcoholic beverage on any street, sidewalk, parkway, alley or parking lot open to the public.

##### **Possessing Open Alcoholic Beverage [Section 131.05 (as amended)]**

No person shall transport or possess any alcoholic beverage in a container which is open or uncapped, or upon which the seal is broken, on any street, sidewalk, parkway, alley or parking lot open to the public.

##### **Sale to Minors Prohibited [Section 131.07]**

Alcoholic liquor shall not be sold or furnished to a person unless the person has attained 21 years of age. A person who knowingly sells or furnishes alcoholic liquor to a person who is less than 21 years of age, or who fails to make diligent inquiry as to whether the person is less than 21 years of age, is guilty of a misdemeanor.

**Purchase, Consumption, and Possession by Minors Prohibited [Section 131.08]** Except as otherwise permitted in the ordinance, a person less than 21 years of age shall not purchase or attempt to purchase

alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor.

### **Furnishing or Using Fraudulent Identification [Section 131.09]**

A person who furnishes fraudulent identification to a person less than 21 years of age is guilty of a misdemeanor. A person, who uses fraudulent identification to purchase alcoholic liquor, or to enter a business where alcoholic liquor is sold, is guilty of a misdemeanor.

## ▪ ***Michigan State Laws***

### **Reasonable Cause to Administer Breathalyzer**

A peace officer who has reasonable cause to believe a minor has consumed alcoholic liquor may require the person to submit to a preliminary chemical breath analysis. Refusal to undergo a preliminary chemical breath analysis may result in a fine and/or costs assessed by the court.

### **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 Office of Human Resource Development, the Counseling Center, the Office of Public Safety, the Office of Student Conduct, and FLITE.

## ▪ ***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 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**

Ferris State 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 Ferris State University Code of Community Standards Administrative Policies and Procedures specifically include official reprimands, 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 (Student Handbook) and through the Ferris State University home page [[www.ferris.edu](http://www.ferris.edu)] on the World Wide Web.

### **Campus Crime Hotline**

The Ferris State Department of Public Safety has a Campus Crime Hotline to make it easier to report crime or suspicious activity on our campus. Callers may remain anonymous and have a simple code number for their own reference. This gives the community of law-abiding citizens the opportunity to anonymously report any information they have about criminal or suspicious activity.

For more information or to report an alcohol or other drug related crime or suspicious activity, call the Campus Crime Hotline at (231) 591-5900.

## ***E. Freedom On the Campus and Uniform Regulations of Campus Activity/Facility Use***

### **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 University's Division of Student Affairs 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 the Vice President for Student Affairs and approved by the President.

All events and activities that may be sponsored on the University campus must be pre-registered with the Office of Student Leadership and Activities; 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. Where 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 Vice President for Student Affairs. If requested, the Vice President for Student Affairs, or his or 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 Vice President for Student Affairs will decide the appeal and notify the sponsoring organization of his or her decision and the reason(s) for that decision. The decision of the Vice President for Student Affairs 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**

Sponsorship of a campus speaker must be by a student organization which has been recognized under the general regulations approved by the appropriate University authorities.

#### **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 a 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.

#### ***F. Football Tailgate Policy***

This policy was amended and the modifications to this policy became effective June 15, 2006. (Reference the Business Policy Letter at <http://www.ferris.edu/htmls/administration/buspolletter/BPL0607.pdf>)

1. **Tailgating (with and without alcohol) is permitted three hours prior to the game and at half time only. Game attendees are expected to behave in a responsible and civil manner at all times.**
2. **Tailgating (with alcohol) is permitted in the following parking lots only: Lots 35, 36 and 37 (lots immediately west of the stadium).**
3. **Glass containers, kegs and common alcohol containers are prohibited.**
4. Consumption of alcohol is prohibited when use or possession creates a danger to self or others.
5. Drinking games and devices that promote binge drinking are prohibited. All such items will be confiscated and destroyed.
6. Underage drinking is not permitted; all local and state laws must be obeyed.
7. Parking Lots 3, 35, 36 and 37 will be utilized for game parking; a fee for parking will be charged. Lots 27, 41, and 33 will be utilized for overflow traffic and a fee for parking will be charged, for those attending the football game. Lot 17 is reserved for individuals utilizing the Student Recreation Center.
8. Entrance to parking lots will be allowed three hours prior to the game start time.
9. Parking spaces will not be allowed to be reserved; vehicles will be parked as they arrive on a first-come, first serve basis. Vehicles may not be parked in a fashion that obstructs the free flow of vehicular and pedestrian traffic.
10. A vehicle must occupy a parking space; grills, tables, furniture and other items are permitted as long as they are of size to occupy the same space.
11. Oversized vehicles that require more than one space will be charged accordingly.
12. Only tents authorized by the Athletic Director will be allowed.
13. **REMINDER: It is risky to serve alcoholic beverages to anyone other than yourself and your immediate party. Michigan law requires a license before a person can sell, trade or give away alcoholic beverages. A violation of this law is a felony. A social host does not need a license to serve his/her invited guests who fall within the usual understanding of friends and personal visitors. A social host may be legally and civilly liable to guests and others for injuries resulting from serving alcohol, especially to a minor.**

#### ***G. Parking Policies and Procedures***

1. Motor vehicles shall be parked only in lot(s) assigned by the parking permit they were issued by the Department of Public Safety. A complete set of parking rules and regulations are printed on the back of the campus map.
2. Students with a valid permit may park in faculty/staff lots and meter parking spaces Monday through Friday between 5:00 PM and midnight and on Saturday, Sunday, and holidays between 7:00 AM and midnight. Overnight parking in a faculty/staff parking lot or meter parking space is prohibited.
3. Students with a valid permit may park in residence hall lots Monday through Sunday between 5:00 PM and midnight.

4. There is no parking allowed in commuter parking lots between midnight and 6:00 AM.
5. No person shall park a vehicle on any campus street or in any faculty/staff lot from midnight to 6:00 AM.
6. Parking on driveways, roadways, sidewalks, lawns and within yellow zones, posted or not, is prohibited.
7. Improperly parked vehicles will be towed away and the owner held responsible for all tow charges and fines.
8. Every vehicle shall be parked within marked parking spaces.
9. Motorcycles and motor driven cycles shall be parked only in designated parking lots. These vehicles may not be driven on sidewalks or parked at bike racks.
10. Vehicles parked in university apartment lots must be registered for that lot.
11. Students who drive their vehicle to FLITE and remain there after midnight must obtain a parking pass from staff in FLITE and display that permit in their vehicle, which must be parked in lot 27.

### **Snow Removal Regulations**

At certain intervals during the winter, it is necessary to remove snow from designated parking areas. When this is necessary, notices will be posted 24 hours in advance designating which lots are scheduled for clearing. Cars shall be moved for snow removal by the time so designated.

In other areas, when snow removal crews are at work, parking which obstructs operations is prohibited.

### **Violations**

Vehicles with three or more outstanding parking citations may be immobilized with a wheel lock or may be towed at the owner's expense. All fines and fees must be paid before the vehicle is released. Additionally, any student with three or more outstanding parking citations may face disciplinary action up to and including suspension or dismissal from the University.

### ***H. 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 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.

<sup>4</sup>To view the FERPA waiver used by Student Conduct, please see Section VI, Appendix D: FERPA Waiver

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 Timme Center for Student Services. 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 Record's Office in writing to remove the restriction.

Ferris State 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 first floor service counter in the Timme Center for Student Services.

### ***I. Assumption of Risk, Consent, & Release***

All residents 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, residence hall facilities, equipment and saunas, athletic events; educational, recreational, and social activities and programs that occur on the residence hall floor, and 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.

In consideration of being permitted to utilize these facilities and equipment, and to participate in the activities and events available to our students, signing the residence hall contract means that: You understand the above risks may occur; you assume all risks inherent in and which from your participation in travel, activity, and connected activities and other consequences or events that occur in conjunction with such extracurricular activities or events.

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 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. Ferris State University is not responsible for these personal items and they are not covered by Ferris State 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 Ferris State 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 FSU cannot control filming between students.

**NOTE: Please identify a person or persons on your signature card to be contacted in case of any emergency. By signing your signature card, you are acknowledging that, notwithstanding the confidential relationship existing between you and the University, you understand and agree that the University may contact the person(s) you have identified, and/or your parent(s) or legal guardian(s), in the event that the University determines that your health, safety and/or welfare may be at risk, including but not limited to situations involving self-destructive plans or activities.**

## Section V

# Housing Regulations and Standards

What follows is a list of Housing Services regulations and standards. Knowing and following them are the responsibilities of each person from the time he or she becomes a resident of University Housing.

### A. *Room and Apartment Entry*

The University is committed to maintaining a healthy and safe environment, as well as respecting and preserving students' rights to privacy. The University, however, reserves the right to make periodic administrative inspections of residence hall rooms and apartments (whether or not the residents are present). Residence hall staff or apartment staff may enter a room/apartment whenever:

- There is a threat to the safety or well being of the occupants or other residents.
- There is an issue with the physical plant requiring maintenance or repair.
- There is reasonable suspicion to believe that the occupants are violating a University rule or regulation. This includes when a resident refuses to answer the phone or door in response to a University staff member attempting to carry out their responsibilities.
- There is reason to believe that there is imminent hazard to the property.
- Disruptive noise from sound equipment is violating an individual's right to sleep, study, etc.

Rooms/apartments may be entered (during the absence of the occupant) to turn off a loud stereo, alarm clock, or similar item; shut a window; or correct any problem that interferes with the rights of other students.

The University reserves the right to inspect any room or apartment, at any time, for reasons of health, safety, and welfare.

Every residence hall room will be entered at the beginning of each vacation period when the halls are closed. This is to ensure that all windows are closed and locked, the curtains are closed, and general safety and security is maintained.

### **Room Checks**

Hall Staff are required to do room checks on a periodic basis for the purpose of making sure no fire hazards, health and safety, or violations of University rules exist. Please cooperate with the Hall Staff in their efforts to maintain a secure residence hall environment.

### **Room Entry – Student Locked Out Of Room**

The Residence Hall Staff are not required to key residents into their rooms. It is the students' responsibility to carry their room key with them at all times.

## ***B. Emergencies, Health, Safety, & Security***

The University is committed to maintaining a healthy and safe environment in our residential communities, while respecting and preserving individual rights to privacy. In order to manage this delicate balance, the University has developed policies and procedures with which all residents should be familiar.

The following are expectations regarding the use of personal and University facilities, as they relate to health and safety issues. The University recognizes that these policies may cause individual inconvenience. The policies are intended to protect the health and welfare of the larger community.

### **Confiscation**

University staff reserves the right to confiscate property/equipment that potentially constitutes a threat to health and safety, and/or has contributed unnecessarily to an environmental disturbance or a violation of policy. Examples include, but are not limited to: alcohol containers, candles, incense, paraphernalia, pets, weapons/ammunition, stereos, sports equipment, etc. If it is necessary for property to be confiscated, it may or may not be returned at the time a student is able to take it home.

### **Extension Cords/Surge Protectors**

Residence hall electrical outlets are not designed for multiple plugs or extension cords. Therefore, multiple plug bar outlets with a circuit breaker, or "surge protector" power strips are recommended for computers and other sensitive electronic equipment. The University is not responsible for electrical surges, interruptions or damage that occurs as a result.

### **Medical Waste**

This policy applies to residence hall students who self-administer medication including, but not limited to, insulin, shots for clotting factors, etc. Students are required to dispose of all needles and syringes in a medical waste container, provided at no charge by the Birkam Health Center. The medical waste container must be returned to the Health Center by the student when it becomes full, and/or at the end of each term (whichever comes first). Students needing assistance obtaining or returning containers are encouraged to contact the Birkam Health Center or their Hall Director.

### **Windows and Screens/Freezing Pipes**

Pipes may freeze and break if a window is left open and/or the heat is turned off during cold weather. Residents will be held responsible for any loss or damages that result from such negligence.

### **Smoke Detectors**

To enhance the safety and well being of all students, the University has installed smoke detectors in each room and apartment. Hard-wired smoke alarm systems are operational if a red light on the unit blinks periodically (approximately every 5 seconds). If, at anytime, the smoke detector does not work, ask the front desk for a "Room Repair Request Slip" and ask them to make sure it is reported immediately. Apartment residents should report broken equipment to the Apartment Office.

### **Fire**

When fire alarms are activated, all occupants must evacuate the building. When evacuating, occupants should take the following action:

- Turn lights on
- Close windows and doors
- Open curtains
- Wear shoes, a long coat and carry a large towel
- Lock the room door
- Walk quickly out of the building
- Remain more than 100 feet from the building

Residents must wait outside the building until a member of the hall staff indicates they may return. Failure to evacuate during a fire alarm is a serious violation of University policy.

**Severe Weather** Understanding the terminology used in cases of inclement weather is important. Please take note of the procedures used for safety.

1. Tornado Watch - Used to alert the public to the possibility that a tornado may develop. The size of a watch area is approximately 100 miles wide and 300 miles long, over a certain area.
2. Tornado Warning – A tornado has been sighted in the area or its presence has been detected by radar.
3. Tornado Siren - The alarm for a tornado warning is a siren, which sounds intermittently for three minutes. When the all clear is announced, the same siren will be given continuously for three minutes.
4. Tornado Safety Tips:
  - If you are in a residence hall, move into the bathroom of your suite or well away from the windows to an interior hallway. Hall Staff will keep you apprised of developments as they occur.
  - Seek inside shelter, preferably in a tornado cellar, underground excavation, or a steel framed or reinforced concrete building of substantial construction.
  - Stay away from windows.
  - If a building is not of reinforced construction, go quickly to a nearby reinforced building or to a ravine or open ditch and lie flat.
  -

Avoid auditoriums and gymnasiums or other structures with wide, free-span roofs.

- If you are in open country, move away from the tornado's path at a right angle, and lie flat in the nearest depression, such as a ditch or ravine.
- Keep listening. Your radio and television stations will broadcast the latest tornado advisory information.

### ***C. Loft Construction & Use***

The purpose of the Loft Policy is to promote the safety of the residents who utilize lofts in the residence halls. While lofts are not necessary to arrange a comfortable room, residents may elect to use approved lofts as a means of personalizing their living environment.

Refer to the Housing Services website for specific loft specifications.

### ***D. Services & Amenities within the Halls***

#### **Computer Labs**

Any unauthorized use of computer labs will result in disciplinary action. Keys for computer labs can be obtained from the front desk by providing an official Bulldog ID card. Halls have policies pertaining to the utilization of their labs. Please make yourself aware of these policies. If you experience problems in the labs, refer to the policies and procedures posted in that lab. Students must abide by the microcomputer lab policies and procedures established for the residence hall labs if they choose to use these facilities.

#### **Deliveries (Food, Flowers, Packages, etc.)**

Local food establishments may only deliver orders to the lobby. Room deliveries are not permitted. Flowers and packages are delivered to the front desks of the individual halls and students are notified via their mailboxes.

#### **Dining Centers**

Dining center access is generally available from 7:00 AM until 11:00 PM, in various locations on campus. Exact hours of operation are posted in each dining unit or food court. Menus and hours of operation are available by dialing F-O-O-D (x3663), and on the Dining Services web home page. Students must present their Bulldog ID Card to gain entry into the dining centers and at food court cash registers. For a charge, temporary cards may be issued for a maximum of 3 days. A temporary card makes the original card invalid.

Meal Plan changes may be made during the first two weeks of classes of every semester at the Dining Services Office. A fee of \$5 is assessed for all meal plan changes. The new meal plan will be prorated from the day of the change.

Take-out meals are available for students who are ill. A friend may obtain a take-out meal for the ill student by presenting their ID and the meal pass, obtained from the hall directors, to the dining center checker.

Students with classes that conflict with normal meal periods can arrange to have a take-out meal prepared by contacting the manager at their favorite dining location. Additionally, Recognized Student Organizations (RSO's) who have planned activities to be held off campus that will interfere with meal times can arrange to have "snack meals" provided for those students who have meal plans.

Dining Services offers nutrition and dietary counseling with a registered dietitian. Special diets can be accommodated, by making an appointment with the dietitian at x2209.

#### **Furniture**

University furniture assigned to the room (such as desks, chairs, beds, and dressers) is the student's responsibility. All items present at the time of check-in must be present and in original University order at checkout. The University will not store student room furniture.

#### **Guest/Visitors**















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

**D. Student Conduct Family Educational Rights and Privacy Act (FERPA) Waiver**



**FERRIS STATE UNIVERSITY**

**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  
(name of student or parent)

release \_\_\_\_\_ records  
(describe education records)

to \_\_\_\_\_  
(name of individual/party/parties to speak to or release records to)

for the purpose of \_\_\_\_\_  
(describe the reason for the disclosure)

**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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature if Student Under 18

Please return this form to:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_