

FERRIS STATE UNIVERSITY

ACADEMIC CALENDAR

CODE OF STUDENT COMMUNITY STANDARDS

REPORT AN INCIDENT

Section 5: Administrative Policies

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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 they have 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.

Dignity Policy

The University expects all students and employees to conduct themselves with dignity and respect for students, employees, and others. It is each individual's responsibility to behave in a civil manner and to make responsible choices about the manner in which they conduct themselves. Harassment of any kind, including sexual harassment, racial harassment, or harassment based upon any status protected from discrimination under the Policy on Non-Discrimination or state or federal law, is not acceptable at the University. The University does not condone or allow harassment of others, whether engaged in by students,

employees, or by vendors 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 pervasiveness, is likely to significantly interfere with an individual's work or education, or adversely affect a person's living conditions. It is the responsibility of the President or his/her designee, to establish and administer University policy to support this principle.

READ THE FULL DIGNITY POLICY

Ferris State University Division of Student Affairs

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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 Center for Student Involvement; 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 ensure 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) business days to the Vice President for Student Affairs. If requested, the Vice President for Student Affairs, or their designee, will provide an informal hearing within three (3) business days of the filing of the appeal. No later than five (5) business 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 their 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.

Notification of Rights under the Family Educational Rights and Privacy Act (FERPA)

To view the FERPA waiver used by Student Conduct, please see Section VI, Appendix D: FERPA Waiver Trustees; or Section IV: Administrative Policy

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 their tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill their 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.
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 to:

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.

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, housing facilities, equipment and saunas; athletic events; educational, recreational, and social activities and programs that occur in housing facilities, 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 housing 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 organizations 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.

Important Contact Numbers

Immediate Emergency 911 Ferris Department of Public Safety (231) 591-5000

Mecosta County Sheriff's Department (231) 592-0150

Big Rapids Public Safety (231) 527-0005

Grand Rapids Police Department (616) 456-3403

Dean of Student Life Office (231) 591-5916

KCAD Dean of Student Success (616) 451-2787 x1113

Birkam Health Center (231) 591-2614

Personal Counseling Center (231) 591-5968

KCAD Personal Counseling Center (616) 451-2787 x1136

Housing and Residence Life (231) 591-3745

Spectrum Big Rapids Hospital (231) 796-8691

W.I.S.E. Women's Information Service (231) 796-6600

Office of Student Conduct (231) 591-3619

Community Mental Health Services (231) 592-3161



Reporting Officials

Department of Public Safety (231) 591-5000

Office of Student Conduct (231) 591-3619

Vice President of Student Affairs (231) 591-3578

Equal Opportunity Director (231) 591-3894

Director of Housing (231) 591-3745

Athletic Director (231) 591-2863

Academic Affairs (231) 591-2300

Dean of Student Life (231) 591-5916

KCAD Dean of Student Success (616) 451-2787 x1113

Vice President of Administration & Finance (231) 591-2164

Director of Center for Student Involvement (231) 591-2606

Title IX Coordinator (231) 591-2088

