**Ferris State University Definition of SEXUAL MISCONDUCT**

If physical contact occurs and there is lack of consent (or a person is not able to consent) or force is involved, a sexual assault most likely has occurred. Lack of consent is a crucial factor. Unwanted physical contact includes, but is not limited to, unwelcome touching, displaying intimate body parts in front of an unwilling individual, non-consensual intercourse or penetration, restraint for sexual purposes, or engaging in sexual behavior with a minor.

**How Ferris State University Defines CONSENT**

Consent must be freely given for each act of sexual contact. Consent is informed and mutually understandable. Incidents where force, threat of force, or coercion is involved the victim has NOT consented. Persons under the influence of drugs or alcohol may lose their ability to consent. The use of drugs or alcohol by the accused does not diminish their personal responsibility.

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**Your due process rights as a student**

*Please see the Code of Student Community Standards for a full listing of your rights in the conduct process.*

These rights include, the right to be advised of proper channels for support, the right to have a support person, the right to a fair and impartial process and to determine one’s own level of involvement in the conduct process, the right to review all relevant information to be considered, and the right to be treated with dignity and respect throughout the process.

**Finding/Identifying a Support Person**

All parties to a sexual misconduct complaint are entitled to a support person of their choosing. The support person may provide support before, during and after the formal conduct process. The support person MAY NOT “represent” any party during the investigation or formal conduct process. The University will assist any party to a complaint in identifying an appropriate support person.

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**Notice you will receive**

- The accused student will be notified by the Title IX Coordinator/Investigator that an investigation has been implemented.
- The accused student will receive notification if/when a formal conduct conference is scheduled or the complaint is closed.
- The accused student will receive notification of the outcome of any formal conduct conference.

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**Brief Overview of the Conduct Process**

At the conclusion of investigation...

1. The university will determine if a formal conduct process is appropriate given the information available at that time.
2. If a formal conduct process is implemented the accused student will receive notification of a conduct conference and the reason for that conference.
3. The accused student will have an opportunity to discuss the facts of the incident and present any direct witnesses that may work toward substantiation of facts relating directly to the incident.
4. The accused student will receive notification of a decision following the conduct conference in a timely manner.
5. The accused student will be given the opportunity to appeal. And/or be notified if the complainant files an appeal.

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**Possible outcomes if found responsible**

Ferris State University believes sexual misconduct and sexual violence pose a significant threat to our community and the educational mission of the institution. The conduct process affords a wide latitude of response ranging from an administrative warning to dismissal. However, in many instances it becomes necessary to remove an individual from the community when they are found responsible for sexual misconduct/violence in order to fulfill our Title IX, University, and Moral obligation to safeguard the complainant and the university from continued harm.

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**Important Contact Information**

- Ferris Personal Counseling Center (231) 591-2614
  (Confidential Resource)
- Office of Student Conduct (231) 591-3619
- Ferris Department of Public Safety (231) 591-5000
- Ferris Title IX Coordinator (231) 591-3894
- Dean of Student Life Office (231) 591-2088
- Big Rapids Dept. Public Safety (231) 527-0005
- Mecosta County Sheriff’s Dept. (231) 592-0150
- Mecosta Prosecutor’s Office (231) 592-0140

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**For more detailed information:** please refer to the Ferris State University Code of Student Community Standards