

NORTHERN STATE UNIVERSITY

STUDENT HANDBOOK

2016-17



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WELCOME

The Northern State University Student Handbook includes helpful information about services, administrative policies and procedures at Northern State University. This handbook has been developed for your use by the Student Affairs Office. It is the responsibility of every student to be aware of current policies. Questions about these policies, or other information should be directed to the Vice President of Student Affairs, NSU Student Center Room 222, 605-626-2530. Since the policies, programs, and services contained herein are subject to continuous review and evaluation, the University reserves the right to make changes at any time without notice.

LETTER FROM THE PRESIDENT



On behalf of all of our faculty, staff, and administrative teams, I welcome you to the Northern family.

Our ultimate goal is to help you graduate from Northern and begin the next phase of your life. During your journey at Northern, our faculty and staff members are committed to helping you succeed in the classroom as well as enjoy a full collegiate experience outside the classroom.

As a Northern student, your role is to be an engaged learner who asks for help whenever you need it. Our faculty and staff members are dedicated to your learning and development. We want to not only challenge you to improve as a learner and leader, but also support your development in order to assure your learning experiences will meet, and mostly exceed, your expectations. The key to your success is for you to reach out to our faculty and staff whenever you need help. In fact, our committed faculty and staff members will be disappointed if you do not call upon them during your time at Northern.

While you're a student at Northern, you will be encouraged to learn both in and out of the classroom. Students who attend lectures and special events on campus and engage in leadership activities, clubs and organizations, fine and performing arts, or intercollegiate or club/intramural sports will enjoy a much more robust college experience. In fact, I encourage you to challenge yourself to learn and engage in activities that are new or unfamiliar to you. At Northern, we want your college experience to expand your knowledge and world view, and learning about other cultures, countries, and languages is crucial to living, working, and succeeding in our global society.

In addition to your work in the classroom, you are encouraged to seek opportunities to work with faculty, to complete an internship related to your area(s) of study, and to focus your efforts on being well prepared for jobs and careers as well as lifelong learning opportunities. These activities will help you distinguish yourself among other new graduates entering the workforce and confirm your potential as an excellent employee, learner, and leader.

Having been appointed president of Northern in May of 2016, I want to tell you how excited I am to be part of such a special university. I was drawn to Northern because this campus community genuinely cares for the success of its students, and it's important to me that you know if you work hard and ask for assistance when you need it, our faculty and staff members will do everything they can to help you to have a positive collegiate experience.

I look forward to meeting you and welcoming you into a community that strives to make your experience at Northern outstanding and life changing!

A handwritten signature in black ink that reads "Timothy M. Downs". The signature is written in a cursive, flowing style.

Dr. Timothy Downs
President

LETTER FROM THE VICE PRESIDENT FOR STUDENT AFFAIRS AND ENROLLMENT



Welcome to Northern State University!

This is one of the most exciting times in your life and we are pleased you have chosen NSU to pursue your education. The experienced faculty and staff, and your classmates, are here to support you in and out of the classroom. We are here to help you be successful! Making the transition to college can be overwhelming—we understand that. Please do not hesitate to ask questions, utilize this handbook and visit the website to get the information you need. This handbook is a resource to help you navigate through the important things you need to know, including location of offices, services, tasks you need to complete (paying your bill, getting a parking pass, etc.); and resources to find activities connecting you with other students with whom you may share common interests.

Engage yourself in this new endeavor of learning and meeting new people! Get involved and participate in the many cultural, recreational and educational opportunities that make this campus community vibrant and exciting! Be proud of the legacy and tradition of excellence that an NSU education provides. If you have additional questions, or need assistance in any way, please know we are here for YOU!

Have a great year!

A handwritten signature in cursive script that reads "JoEllen Lindner".

JoEllen Lindner, M.A.

Vice President for Student Affairs & Enrollment

NSU MISSION, PURPOSE, VISION, VALUES

MISSION The primary purpose of Northern State University, at Aberdeen in Brown County...is the preparation of elementary and secondary teachers, and a secondary purpose is to offer preprofessional, one-year and two-year terminal and junior college programs. Four-year degrees other than in education and graduate work may be authorized by the Board of Regents. (SDCL 13-59-1)

PURPOSE NSU is a university dedicated to the pursuit of excellence in the liberal arts and in graduate and professional education. Its distinctiveness in its pursuit of mission derives from its coeducational and residential character, its size and location, and its role as a public, state-sponsored university.

VISION NSU will be a nationally-recognized, student-centered institution, committed to academic and extracurricular excellence, and providing global learning opportunities in a beautiful Midwestern setting.

VALUES NSU's students, faculty and staff are drawn together by the following values:

CONNECTION

- *Valuing relationships by maintaining the highest ethical integrity in all we do.*
- *Valuing our community through a commitment to responsible stewardship.*
- *Valuing the future through the development of human, intellectual, cultural, financial, and environmental resources.*

COMMUNITY

- *Creating a vibrant community through teamwork, cooperation, and mutual respect in an environment that is diverse in knowledge, culture, and world view.*

EDUCATION

- *Expanding research and teaching to issues of importance to our community, state, and region.*
 - *Assuring academic rigor and the highest standards of excellence in all intellectual inquiry.*
-

PRINCIPLES We believe the following principles will guide us as we work to uphold those values:

Maintaining Extraordinary Standards in:

- Academic rigor
- Intellectual inquiry
- Rich life experiences

Fostering Engaged Learning through:

- Evidence-based inquiry
- High integrity
- Global experiences

Cultivating Stewardship through:

- Beneficial partnerships
- Responsibility
- Efficiency

THE INSTITUTION AND CAMPUS

The South Dakota State Legislature established Northern State University in 1901 in response to the need for an institution of higher education to serve the northern region of the state. Originally known as a teacher's college, Northern State University is now a comprehensive, multi-purpose institution serving the needs of more than 3600 students.

The Northern State University campus, one of the most beautiful in the Midwest, includes 20 buildings. Among them are the **Johnson Fine Arts Center**, which has been renovated to include a state of the art theater, auditorium and lecture hall, respectively.

The **Beulah Williams Library** houses NSU's collection of 210,000 books, archives, the Harriet Montgomery Water Resources Collection, and other publications. It is a partial federal document depository and receives all publications of the United States Office of Education. It is a full depository for South Dakota public documents.

NSU's facilities are modern and well maintained. The outdoor facilities include a 12-court tennis complex on the east side of campus and a 15-acre complex for baseball located north of town. The football field and track is located on the southeast side of town.

Clark Swisher Activities Complex includes a 6,000-seat football arena, **Swisher Field**, and an artificial-surface outdoor track. Recent additions to the complex include a new \$50,000 computer-operated scoreboard for football and a lighted, paved parking lot for the football stadium and track and field facility. The baseball team plays at **Fossum Field**, located in northeast Aberdeen. The softball team utilizes **Moccasin Creek Softball Complex**, which features four diamonds and is located just blocks from campus. **Jerde Field**, home to NSU soccer, is located on the east side of campus and is situated next to the tennis courts. The location is ideal for students and athletes to cheer on the Wolves.

In 1987, NSU athletics moved into the **Barnett Center**, a multipurpose facility on the southeast corner of campus. The Barnett Center includes a swimming pool, racquetball courts, wrestling room, weight room, training room, auxiliary gym, locker rooms, classrooms and offices. The main arena, **Wachs Arena**, contains a 160-meter indoor track and a basketball court. The Barnett Center, which seats 8,000 people, is utilized for state tournaments and community events. Wachs Arena is home to the NSU volleyball, wrestling, indoor track & field, and basketball teams. The women's swim team practices in the Barnett Center, but competes at the Aberdeen Family YMCA.

The **NSU Student Center** houses the offices of Residence Life, Student Involvement and Leadership, Admissions, Health Services, the Counseling Center, Multicultural Center, Disability Services, the Career Center, Veteran's and Military Services, Campus Security, Aramark Dining Services, Einstein Bros Bagels, the University Bookstore, and the Post Office. As the core of the NSU campus community, the NSU Student Center offers social, recreational, extra- and co-curricular activities; meeting rooms; and student organization offices for Student Association, the Campus Activities Board (CAB), the Honors Society, and the Exponent Student Media Office.

The **University Bookstore** sells textbooks, instructional supplies, books for extracurricular reading, leisure and recreational items, and sundries.

The **NSU Technology Center** is one of the most attractive and best-equipped facilities in the state. Located in center campus as a northern addition to the Mewaldt-Jensen Building, the Technology Center houses three general-use computer labs, one video production studio and editing suites, a cyber lounge, two smart classrooms, a conference room with multimedia presentation capabilities, offices for NET Services staff, and Arts and Sciences faculty, and the NSU Tech

Support Services. The Tech Support Services provides free technical assistance to faculty, staff and students. A centrally located, lighted courtyard with perennial plantings, brick walkways, a fountain, and benches provides an open-air sanctuary where people can socialize and hold special events.

All information referenced within this Student Handbook may be located at Northern State University's web-page which is found at northern.edu. Additional information referenced within this Handbook may be accessed through the South Dakota Board of Regents web-page at sdbor.edu.

SCHOLARSHIP

Scholarly and creative activities are conducted in all authorized disciplines consistent with the academic purposes of the institution.

PUBLIC SERVICE

Services are offered through the following approved centers and organizational units: South Dakota International Business Center; Small Business Institute; Professional Development School; Environmental Education Center; Reading, Writing, and Mathematics Centers; Elementary and Secondary Science Teaching Center; University Speech and Hearing Clinic; Northern State University Press; University Art Galleries; Center for Statewide E-learning, and the Confucius Institute.

CONTINUING EDUCATION

Continuing education opportunities, outreach, and public service to the state, region, nation, and global community in concert with the approved programmatic authorization listed above.

OFF-CAMPUS DELIVERY

Off-campus delivery is provided throughout the state in designated mission areas, particularly through the Capital University Center in Pierre, the Huron Community Campus, and the University Centers in Rapid City and Sioux Falls. An emphasis in electronic and computer delivery has enhanced the sites and numbers of students served through off-campus delivery.

NSU DEPARTMENTS AND OFFICES

ACADEMIC AFFAIRS

Under the direction of the Provost/Vice President for Academic Affairs, this University division includes the Honors Program, Library, College of Arts and Sciences, School of Business, School of Education, School of Fine Arts, Graduate Studies, Online and Continuing Education, Institutional Research/Assessment, Grants and Sponsored Research, the Registrar's office and University College which provides academic support services free of charge for NSU students. These services include academic advising, Supplemental Instruction and tutoring, as well as assistance with mathematics, writing, and reading. The University College also houses NSU's TRIO Student Support Services.

Among the many important duties of Academic Affairs are the preparation of the Graduate and Undergraduate Catalog, fall, spring, and summer class schedules, the coordination of commencements, and the supervision of all academic matters.

Provost/Vice President for Academic Affairs – Dr. Alan LaFave
Spafford Hall 204, 605-626-2524

College of Arts and Sciences Dean – Dr. Joshua Hagen
Tech Center 358, 605-626-2601

School of Business Dean – Dr. Willard Broucek
Lincoln Hall 101, 605-626-2400

School of Education Dean – Dr. Kelly Duncan
Gerber Building 112, 605-626-2415

School of Fine Arts Dean – Dr. Kenneth Boulton
Spafford Hall 304, 605-626-2499

Office of Graduate Studies Director – Dr. Joelle Lien
Spafford Hall 204A, 605-626-2558

Office of Online and Continuing Education Director – Ronald Brownie
Krikac Administration Building 116, 605-626-2568

Honors Program Director – Dr. Erin Fouberg
Technology Center 361, 605-626-3456

Beulah Williams Library Director – Robert Russell
Beulah Williams Library 146, 605-626-3018

Registrar's Office Director – Peggy Hallstrom
Dacotah Hall 103, 605-626-2012

Center for Statewide E-learning Principal – Mary Cundy
MeWaldt-Jensen 122, 626-3382

Grants/Sponsored Research Director – Karen Marchant
Spafford Hall 103, 626-7781

Institutional Research/Assessment Director – TBD
Graham Hall 104, 626-2433

University College Director – Steve Rasmussen
Spafford Hall 104, 605-626-2633

Academic Advising for First-Year Students Coordinator – Madia Droppers
Dacotah Hall 209, 626-2633

Reading Center Director – Jennifer Lofswold
Dacotah Hall 101, 605-626-7782

Writing Center Director – Vicki Evans
Dacotah Hall 101, 605-626-7782

Supplemental Instruction Coordinator – Madia Droppers
Dacotah Hall 208, 605-626-7782

TRiO Student Support Services Director – Laci Hettick
Dacotah Hall 101, 605-626-7782

Retention/Starfish Director – TBD
Dacotah Hall 208C, 605-626-7923

English as a Second Language/Intensive English Program Director – Tara Arntsen
Lincoln Hall 217, 605-626-77802

FINANCE AND ADMINISTRATION

Under the direction of the Vice President for Finance and Administration, the Finance and Administration includes the departments of Controller, Human Resources, Facilities Management, and the University Bookstore.

Vice President for Finance and Administration – Veronica Paulson
Krikac Administration Building 202, 605-626-2537

Associate Vice President for Finance & Administration/Human Resources Director – Susan Bostian
Krikac Administration Building 213, 605-626-2520

Controller – Kay Fredrick
Krikac Administration Building 201A, 605-626-2518

Finance Office Senior Accountant – Jeanne Tople
Krikac Administration Building 202, 605-626-2566

Purchasing Office Director – Earl Weisenburger
Krikac Administration Building 212, 605-626-2529

Purchasing Assistant – Crystal Sturdevant
Krikac Administration Building 212, 605-626-2533

University Bookstore Director – Beth Rasmusson
Student Center 102, 605-626-2655

STUDENT AFFAIRS

The Division of Student Affairs under the direction of the Vice President of Student Affairs, provides services and programs that engage students, support students to reach their goals, and help students achieve success in and out of the classroom. The departments, which make up the Division of Student Affairs, include: Counseling Center, Admissions, Financial Aid, Disability Services, the Career Center, Intramural and Club Sports, Health Services, Multicultural Student Affairs, Student Involvement and Leadership, NSU Student Center, Residence Life, Summer Camps & Conferences, the Office of Student Rights and Responsibilities, Campus Safety and Security and Emergency Management.

Vice President for Student Affairs and Enrollment Management – JoEllen Lindner
Student Center 222, 605-626-2530

Associate Vice President for Student Affairs – Dr. Checka Leinwall
Student Center 222, 605-626-2530

Admissions Director – JoEllen Lindner
Student Center 213, 605-626-2544

Campus Safety Officer – Kyle Fadness
Student Center 222, 605-626-2474 (office), 605-380-8925 (cell)

Career Center Director – Britt Lorenz
Student Center 204, 605-626-2371

Counseling Center Interim Director – Dr. Checka Leinwall
Student Center 205, 605-626-2371

Dining Services Director – Claire Larson
Graham Hall 2, 605-626-2928.

Disability Services Director – Doris Stusiak
Student Center 240, 605-626-2371

Emergency Management Director – Jon Christenson
Student Center 222, 605-626-2955

Financial Aid Director – Sharon Kienow
Dacotah Hall 103, 605-626-2640

Gypsy Days – Sarah Botkin
Student Center 222, 605-626-2530

Health Services– Anna Weisser
Student Center 222, 605-626-7694

Intramural Sports – Sarah Botkin
Student Center 222, 605-626-2530

International Programs Coordinator – Stacey Schmidt
Lincoln Hall 206, 605-626-7802

Multicultural Student Affairs Director – Sarah Botkin
Student Center 222, 605-626-2530

Student Rights and Responsibilities Director – Jon Christenson
Deputy Title IX Coordinator
Student Center 222, 605-626-2955

Residence Life Director – Marty Sabolo
Student Center 222, 605-626-2530

Student Involvement and Leadership Director – Sarah Botkin
Student Center 222, 605-626-2530

Student Association President/Vice-President – Corey Klatt and Brooke Nelson
Student Center 207, 605-626-2528

Title IX Coordinator – Dr. Checka Leinwall
Student Center 222, 605-626-2530

Veterans Services – Laura Kolker
Student Center 205, 605-626-2530

TECHNOLOGY SERVICES (NET SERVICES)

At Northern State University, we know that technology is a top priority for you.

Northern Educational Technology (NET) Services is committed to providing the technology you need to meet your educational goals. Whether you live on campus or off, NET Services is your place for technology support and assistance.

The Technical Support Center is staffed with full time technicians who are happy to assist you with your technology needs. Housed in the Technology Center, NET Services also provides a Media Services Center and an Instructional Design Center to assist with your technology projects and needs as well. Students, faculty and staff can find answers to commonly asked questions and instructional documents on the myNSU portal. To get started using the technology at NSU, visit our web page and click on Account Retrieval!

Acceptable Use Policy

The information, computing, and instructional technology resources provided by NSU are intended to assist members of the NSU community faculty, students, and staff in the fulfillment of their educational responsibilities. These resources and their effective use, contingent upon first amendment and academic freedom principles that demand the free flow of information and a free and open atmosphere, are vital to the mission of NSU. Such use is encouraged; however, since these resources are state property, their use is a privilege. For all to benefit, proper and fair use is necessary.

Users of the NSU and the South Dakota Board of Regents systems must abide by the NSU Acceptable Use Policy and the South Dakota Board of Regents Acceptable Use of Information Technology Systems policy.

Peer-to-Peer File Sharing Policy

Unauthorized distribution of copyrighted material is illegal and carries substantial civil and criminal penalties under the Digital Millennium Copyright Act (DMCA) and other laws. Northern State University respects the intellectual property rights of others and expects students, faculty, and staff to do so as well. It is the responsibility of all members of the NSU community to make a good faith determination that their use of copyrighted materials complies with the United States Copyright Law and this policy or to seek assistance from NSU copyright advisors (Robert Russell and John Romeo).

Northern State University (NSU) prohibits the use of its network to illegally distribute, download or share copyrighted materials. Proper use of copyright materials also extends to electronic resources available on the internet. Anyone using NSU computing and network resources consents to the SDBOR Acceptable Use Policy. For more information on NSU's policy, visit northern.edu/it/pages/p2p.aspx

NSU Account Access

A NSU account is required to access the NSU network for connecting devices, NSU computers and your NSU Gmail account. Your Board of Regents account (BORIS) is required to logon to the myNSU portal which will provide access to Desire2Learn, WebAdvisor, and Starfish. Our technology website will provide you with information to retrieve your NSU account as well as instructions for accessing your BORIS account.

Computers on Campus

All full-time undergraduate students are required to bring a mobile computing device to campus. Financial aid can be used for the purchase of a required computing device. For more information regarding recommendation hardware and software, please visit northern.edu/it.

Vice President for Technology/Chief Information Officer – Dr. Debbi Bumpous
Technology Center 158, 605-626-3394

Enterprise Systems & Development Director – John Romeo
Technology Center 275, 605-626-7840

Instructional Design Center Director – Dr. Debra Wenzel
Technology Center 160, 605-626-7776

Media Services Director – Keith Griebel
Technology Center 160, 605-626-7776

Tech Support Services & Networking & Security Director/IT Security Officer – Jodi Casanova
Technology Center 271, 605-626-2283

UNIVERSITY RELATIONS

The Office of University Relations and Marketing communicates the mission of Northern State University and helps attract new generations of students to develop their dreams at Northern.

University Relations and Marketing does this through sharing stories about NSU students, faculty and programs. This is accomplished through traditional advertising, news articles, video storytelling and social media to interest and attract students, inform the community, support faculty, update alumni and friends, and raise funds – all to advance the ability of the university to support students and their achievements.

The staff is skilled in communications planning, graphic design, writing/editing, photography, printing and print management, social media, and web development and design. University Relations is also skilled at working with the news media.

Director of Communications and Marketing – Susan Bostian (Interim)
Graham Hall 101, 605-626-2552

Information Specialist – Elissa Dickey
Graham Hall 122, 605-626-2552

Assistant Graphics Designer – Amanda Mahlke
Graham Hall 121, 605-626-3316

Graphic Specialist – Jenny Vaughn
Graham Hall 120, 605-626-2618

DEPARTMENT OF ATHLETICS

NSU's Student Athletes, Staff and Administration strive to achieve EXCELLENCE in ACADEMICS, RESPECT in the COMMUNITY and CHAMPIONSHIPS on the FIELD OF PLAY. The highest University standards are expected for over 350 NCAA Division II Student Athletes competing on 15 Varsity teams in the 16 team Northern Sun Intercollegiate Conference. Through exceptional Barnett Center training facilities, academic support systems, expectations of winning and one of the strongest booster organizations in the mid-west (NSU Wolves Club), Wolves athletics regularly leads the nation in fan attendance and averages more academic all-conference student athletes than any other school in the NSIC. NSU's tradition of winning, character of our students and diverse academic opportunities make Northern State University a special place.

Intercollegiate Athletic Director – Josh Moon

Barnett Center 44, 605-626-3336

For more information go to northernstatewolves.com/.

Senior Women's Administrator – Terri Holmes

Barnett Center 44, 605-626-3336

For more information go to northernstatewolves.com/.

CAMPUS SERVICES

FAX SERVICE

The Student Affairs Office maintains a fax machine for use by students, faculty, and staff for the transmission of personal materials. Charges for outgoing faxes is \$0.75 for the cover page and \$0.25 for each page after that. Incoming faxes are charged at \$0.25 per page. The fax phone number is (605) 626-2531. For more information about this service, visit Student Center room 222 or call 626-3007.

LOST AND FOUND

Lost and found items can be reclaimed at the Student Affairs Office, SC 222 or NSU Student Center Information Desk, lower level NSU Student Center, in the evenings. Lost and found items may be reported by filling out a lost article form. Call 626-2530 for more information.

PARKING & FINES

Campus community members who operate one or more vehicles on the NSU campus must purchase a parking permit online at northern.edu/about/pages/facilities.aspx or at the Parking Office in the Facilities Management Building Rm. 208, 626-2560. Permits are required for fall and spring semesters. A parking permit is not required for motorcycles as long as they are parked in the designated motorcycle parking area. The cost of a parking permit for motor vehicles is \$70.00 per year. At the start of the second semester the cost of a permit will be \$35.00.

- First ticket warning; one warning per school year.
- Second ticket will be billed as \$30.00 for no NSU parking permit displayed or \$15.00 for any other violation.

Detailed parking regulations are available from the Facilities Management office, 626-2560.

POSTAL SERVICES

The campus Post Office, located in the NSU Student Center, offers many postal services. All mailboxes are located in the Student Center. For more information, please contact 605-626-2656, Student Center, Lower Level.

CHANGE OF ADDRESS

When a student has a change of address, they should notify the the Registrar's Office.

PUBLICATIONS

The Exponent is a bi-weekly print and online student news publication that serves the university and surrounding community by providing reliable and relevant reporting of news, arts, and culture of interest to students, faculty, and staff of Northern State University. The online edition can be found at exponentnsu.wordpress.com/. *The Exponent* is published August through May.

SCHEDULING OF UNIVERSITY EVENTS

The following steps should be followed when an individual or group wishes to schedule an event or meeting using university facilities.

1. Reservations and rentals for all Northern State University facilities (excluding residence hall or dining services facilities) must be made through the online event scheduler.
2. Space is not considered reserved until it has been approved by the facility coordinator.

The responsibility for student meetings and activities rests in large measure with the faculty advisor of the group or organization sponsoring the meeting or activity. The faculty advisor shall be present when a student group is using a university facility. The Facilities Management Office is responsible for temporary parking permits and special parking arrangements.

SOUTH DAKOTA BOARD OF REGENTS POLICY MANUAL 6:13

SUBJECT: Facilities Use by Private Parties

1. Institutional facilities and grounds embody investments by students and taxpayers to advance the educational, research and service missions of the institution. They are not open to the public for assembly, speech, or other activities as are the public streets, sidewalks, parks or seats of government. Institutional facilities and grounds are selected, designed and operated to balance aesthetic and utilitarian considerations, to provide settings conducive to learning and research and to provide venues to expose students to high and popular cultural activities. These purposes define the priorities for their use by private parties.

A. Casual visitors may enter institutional facilities and grounds to conduct business with the institution, to attend institution sponsored events, exhibits or programs that are open to the public, to deliver goods ordered by residents or to traverse the grounds without stopping, or for purposes incidental to personal family or social matters involving students or institutional staff.

B. Private parties may request permission to use facilities or grounds for private meetings or events. Such requests may be granted to the extent that institutional program schedules permit if the requested use is lawful and otherwise consistent with this policy, poses no risk of harm to persons or property, and will not disrupt the intended use of the facilities or grounds by the institution, its students, staff or other visitors.

C. Permission to use facilities or grounds for private meetings or events shall be contingent upon agreement to avoid disruption of institutional uses of the facilities or grounds, interference with students or employees, or damage, fouling or littering facilities, grounds or other property. Private users shall be responsible for the cleanliness and order of any facilities or grounds that they use.

D. Institutional facilities and grounds are tax exempt public facilities and, as such, are not generally available for use by private parties for commercial purposes. Institutions may contract with private parties to provide goods and services on its behalf, to provide access to dedicated advertising venues or to engage in limited mission-related testing, research or economic development activities. As part of their service to the state and their host communities, institutions may designate specific venues where third parties may schedule occasional activities that may have incidental commercial purposes.

E. Some institutional facilities and grounds may be restricted, and private parties may only venture there if specifically invited by a person with authority to invite them. Buildings or facilities that are ordinarily open during regular business hours shall be deemed to be restricted areas if they have been locked.

2. Definitions:

A. “Affiliated entity,” and its cognates, includes organizations, such as institutional foundations, whose legal purpose includes support of the institution and its activities, organizations that have been authorized by the institution to use its name and marks, and student organizations recognized by the institution, as well as the State of South Dakota and its political subdivisions, and their instrumentalities.

B. “Commercial purposes” include activities that involve the exchange of goods or services for valuable consideration and speech that relates solely to the economic interests of the speaker and audience and proposes a commercial transaction.

C. “Disrupt,” and its cognates, includes any actions that infringe institutional rules, interrupt institutionally sponsored or authorized instructional, research or service activities, or substantially interfere with the opportunity of other persons to use institutional grounds or facilities for their intended or authorized purposes.

D. “Facilities and grounds” includes buildings, structures, internal streets and sidewalks, parking facilities, athletic facilities, landscaping and grounds owned or occupied by the institution, but excludes municipal streets or sidewalks or public highways or rights of way that abut or traverse a campus.

E. “Private party” includes any individual or group other than the institution, its affiliated entities, or their officers, agents, faculty or staff when acting on their behalf.

F. “Events” includes speeches, presentations, social gatherings, religious ceremonies, entertainments, youth camps or other activities that pose no substantial risk of injury to persons and property and that are generally consistent with the kinds of activity sponsored by the institution itself.

G. “Working days” means those days when the offices of the institution are open for business.

3. Private parties must request prior authorization to use a facility or a portion of the institutional grounds. Each institution shall develop and shall make public practices and rules to implement this policy. In particular,

A. Each institution shall appoint a person or persons to receive and to administer private party requests for permission to use institutional facilities or grounds for meetings or events.

B. Each institution shall designate those facilities, or portions thereof, or portions of the grounds that may be used by private parties for meetings or events, and shall specify whether, when and how private parties may use application in conjunction with their meetings or events. Each institution shall differentiate between meeting rooms and classrooms that are appropriate for meetings involving up to one hundred persons and lecture halls, auditoria, outdoor areas and other places that are appropriate for larger events and gatherings. If an institution elects to permit limited activities for commercial purposes, it shall identify which facilities are available for such purposes and shall indicate what kinds of commercial purposes may be pursued in the facilities.

C. Each institution shall designate those days, including finals week and the week preceding it, when facilities and grounds will not be available for private meetings or events.

D. Each institution shall establish local rules to implement this policy. These rules shall provide, at minimum, that

1. Private parties may request permission to use institutional facilities or grounds for meeting or events that will not interfere with the use of the facilities by the institution or institutionally affiliated organizations.

2. Private parties seeking permission to use institutional facilities or grounds shall complete and submit written applications on forms developed by the institution.

3. Private parties requesting permission to use facilities or grounds for events shall submit completed forms and all necessary attachments no less than three working days prior to the date on which they wish to use the facilities or grounds.

4. Private parties may not reserve facilities or grounds for regularly scheduled meetings, thereby precluding institutional uses of the facility.

5. Private parties who have been granted permission to use institutional facilities shall agree to abide by all institutional regulations and shall not publicize their meetings or events in ways that suggest co-sponsorship by the institution.

6. Private parties shall agree to restore facilities and grounds to the state of cleanliness and repair in which they found them or to pay for custodial or repair services at standard university rates and for extraordinary restoration or replacement expenses at cost.

7. Private parties shall agree to avoid actions that disrupt pedestrian or vehicular traffic on campus grounds, interfere with the instructional, research, service or administrative activities of the institution or disrupt meetings or events sponsored by the institution or other private parties.

8. Private parties shall agree to comply with limitations on the use of amplification equipment.

9. Private parties seeking permission to use facilities for commercial purposes or to sponsor events with planned attendance of five hundred people or more shall provide security and shall purchase event insurance in the amount of one million dollars, naming the State of South Dakota, the Board, the institution and their officers, agents and employees as named insureds.

10. Private parties may be charged fees at published rates to cover the costs institutions incur to provide private parties access to the selected facilities or grounds and to maintain and to repair of such facilities.

11. Private parties may be allowed to purchase at published rates institutional services to prepare the facilities for private use, to monitor use of the facilities during meetings or events and to restore the facilities to their prior state.

12. Private parties wishing to serve, or to offer for sale, food or beverages shall make any necessary arrangements with the institutional food service provider.

E. Each institution shall establish procedures to implement its local rules. These procedures shall provide, at minimum, that

1. Copies of the Board and institutional rules, information about institutional facilities and grounds available for use by private parties, schedules of fees and all forms needed to apply for permission shall be published, together with contact information to enable readers to obtain clarification of the meaning or application of rules or assistance in completing applications.

2. Private parties seeking permission to use institutional facilities or grounds shall complete and submit written applications on forms prepared by the institution, together with all necessary documentation.

3. Private parties seeking permission to use facilities or grounds for events shall submit the required written documentation no less than three working days prior to the date on which they wish to use the facilities or grounds;

4. The institution shall act upon applications no later than the third working day after receipt of a completed application.

5. Except as provided in § III (E) (7), below, the institution shall grant applications for meetings or events if,

a. the applications, and all required attachments, have been completed;

b. the meetings or events have lawful purposes and would otherwise be consistent with this policy and the institutional rules that implement it;

c. the meetings or events pose no risk of harm to persons or property;

d. the meetings or events will not disrupt the intended use of the facilities or grounds by the institution, its students, staff or other visitors;

e. the meetings or events will take place at times during the academic calendar when private parties are permitted to schedule such uses of facilities or grounds;

f. the private parties agree to abide by the requirements of this policy and the institutional rules that implement it; and

g. the meetings or events will not conflict with previously scheduled institutional or private activities.

6. If the institution denies an application for a meeting or event, it shall provide the private party with a written explanation for the denial.

a. The denial shall be effective upon the earlier of, actual communication to the applicant, transmission of an electronic message containing the written denial to the applicant or deposit of the written denial in the United States mail.

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7. The institution may deny applications for meetings or events only if,
- a. The private party has failed to comply with the requirements of § III (E) (5), above, or the meeting or event or the requested schedule otherwise does not meet the standards stated in that section.
 - i. If permission is denied due to a conflict with the academic calendar or with previously scheduled activities, the institution shall propose an alternative facility or place if available for the same time, or an alternative time, if available, for the same place.
 - b. The private party has on prior occasions made material misrepresentations regarding the nature or scope of a meeting or event previously permitted or has violated the terms of prior use agreements.
 - c. Any of the following grounds are present:
 - i. The application for permit contains a material falsehood or misrepresentation;
 - ii. The applicant is legally incompetent to contract or to sue and be sued; or
 - iii. The applicant has on prior occasions damaged institutional property and has not paid in full for such damage, or has other outstanding and unpaid debts to the institution.
 - d. Private persons whose prior conduct would justify denial of permission to use facilities or grounds may not avoid denial by creating new organizations, by associating themselves with other private organizations or by otherwise associating themselves with others for the purposes of avoiding denial of permission under this section.

SOURCE: BOR, August 2007; BOR, April 2009.

UNIVERSITY AFFILIATED USE

Regularly contracted staff members, faculty or administrative groups, full-time students, student groups, or university affiliated groups may use university facilities on campus without charge for events that are a part of the university program or are sponsored by the university when these are scheduled according to university procedures.

Outside organizations that co-sponsor an on-campus event may do so without charge for facility use providing:

1. The event is scheduled according to established procedures.
2. The event is of benefit to the campus organization or students in general.
3. Students may attend the event free of charge or at a reduced rate.
4. The event is not in conflict with current programs on campus.

Where extra service (hauling, custodial, etc.) is required, the organization or person sponsoring the event will be required to pay for such service at a rate to be determined by the Director for Facilities Management.

TRANSCRIPTS

A transcript of record (grades) will be sent on written request to a college registrar, public school superintendent, or other employing officer. Transcripts cost \$9.00 for each copy. Requests for transcripts should be made to the Registrar's Office, 103 Dacotah Hall.

GRADES

Students can access their grades and schedules via Web Advisor on the NSU web page located at Northern.edu.

ACADEMIC ADVISING

The overall objective of academic advising is to help students realize the maximum educational benefits available to them at Northern State University. Academic advising may include all aspects of academic program planning, including deciding on course adds, drops, or substitutions; the use of midterm grade information; career decisions; decisions about extra-class activities; etc.

Academic advisors should:

- guide students to better understand their educational needs and aspirations as well as the resources available at Northern to help them achieve their goals
- maintain a schedule that ensures accessibility to students.

While advisors are available for help and guidance, students must assume the ultimate responsibility for the course of their educational careers.

Students should:

- become familiar with university policies, procedures and program requirements;
- recognize the necessity of getting timely assistance with academic and/or personal problems;
- schedule meetings with their advisors in advance so that both parties have time to prepare; and
- be informed participants in advisee/advisor meetings.

ADVISOR ASSIGNMENTS

After registering for their first semester, students will be assigned advisors in their major area of study, or in the University College if they have not yet decided on a major. The advisors will work closely with students to ensure they understand the general education requirements and the courses needed for their major in order to graduate. Advisors will also work with faculty to help students get any help they may need to be successful in their classes.

General Information on Advising/Registration Procedures

- Advisor will assist students with their initial registration.
- Students who want to change advisors should contact the department office to inquire about the appropriate method for the change.
- Contact the appropriate offices when unsure about policies and procedures.
- New students who don't know who their advisor is should contact the department office in their academic area or the Advising Center in the University College.
- When preparing for subsequent registrations, students should choose classes before meeting with their advisors. Students should select alternate classes in case of class cancellations, closings or prerequisite requirements. Students should schedule an appointment with their advisors prior to their registration date, and have advisor hold removed.

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- Students who pre-register and later decide to cancel their registration should notify the Registrar's Office and their advisor of their decision to cancel.
 - Students who do not plan to return the following semester should notify the Registrar's Office.

ACADEMIC LOAD

The unit of credit is a semester hour representing one lecture period a week for the semester. Three hours of laboratory work is considered the equivalent of one hour of lecture. For each hour of credit, a student should expect to spend up to three hours a week in class or study.

Undergraduate

The recommended student load is 15 semester hours with a maximum of 18 semester hours. Students with a grade point average above 2.70 or higher may enroll for a maximum of 19 semester hours. The recommended student load is 5 semester hours for each 4-week summer session with a maximum of 7. Any enrollment above these maximum load limits is considered to be an overload and requires permission of the advisor and appropriate academic administrator.

For financial aid eligibility, athletic eligibility, deferments and enrollment verification, full-time undergraduate enrollment is 12 semester hours; three-quarter enrollment is 9 to 11.5 semester hours; and half-time enrollment is 6 to 8.5 semester hours. All enrollments for interim and summer sessions are combined when determining enrollment status for summer school.

Graduate

The recommended graduate student load is 9 semester hours. Students may exceed 9 hours with permission of the Director of Graduate Studies. For financial aid eligibility, deferments and enrollment verification purposes, full-time graduate enrollment is 9 semester hours; three-quarter enrollment is 7 to 8 semester hours; and half-time is 5 to 6 semester hours. All enrollments for interim and summer sessions are combined when determining enrollment status for summer school. The maximum for summer is 6 credits per session; 7 for Counseling Graduate Plan of Study.

ACADEMIC PROBATION & SUSPENSION

Probation

Students will be placed on academic probation at the end of a term (summer is a term) in which the student's cumulative grade point average falls below minimum progression standard 2.00. Any transfer student whose cumulative grade point average is less than a 2.0, or who has been on probation at or suspended from the transferring institution will enter Northern State University on probation. Re-entry transfers who left Northern on academic probation and return at a later time with a good academic record (cumulative GPA of 2.00) from another accredited institution will no longer be on probation. Students will remain on probation until their cumulative GPA reaches 2.0.

Suspension

Students on probation who fail to maintain a system term GPA of 2.0 will be academically suspended from the University. Academic suspension is for two terms (summer is a term) contingent upon student appeals process outcomes and administrative action by the university.

STUDENT ACADEMIC MISCONDUCT 2:33

1. Definitions

- A. The phrase “Academic Misconduct” means Cheating or Plagiarism:
- B. The term “Cheating” includes, but is not limited to, the following:
 - 1. Using any unauthorized assistance in, or having unauthorized materials while, taking quizzes, tests, examinations or other assignments, including copying from another’s quiz, test, examination, or other assignment or allowing another to copy from one’s own quiz, test, examination, or other assignment;
 - 2. Using sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
 - 3. Acquiring, without permission, tests or other academic material belonging to the instructor or another member of the Institutional faculty or staff;
 - 4. Engaging in any behavior prohibited by the instructor in the course syllabus or in class discussion;
 - 5. Falsifying or misrepresenting data or results from a laboratory or experiment; or
 - 6. Engaging in other behavior that a reasonable person would consider to be cheating.
- C. The term “Plagiarism” includes, but is not limited to, the following:
 - 1. Using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment;
 - 2. Using materials prepared by another person or agency engaged in the selling of term papers or other academic materials without prior authorization by the instructor; or
 - 3. Engaging in other behavior that a reasonable person would consider plagiarism.
- D. The term “Student” includes all persons taking courses from the Institution, both full-time and part-time, enrolled in undergraduate, graduate, professional or special topic courses, whether credit-bearing or not.
- E. Other capitalized terms in this policy are defined in Board Policy 3:4, Section 2.

2. Authority

- A. For purposes of this policy and Board Policy 3:4, the Institution that offered the course shall have default authority over the Student.

3. Academic Misconduct Process

A. Allegations

Allegations of Academic Misconduct must be reported by the Faculty Member to the Student Conduct Officer. At the Faculty Member’s request, the Student Conduct Officer will inform the Faculty Member whether the Student has ever engaged in Academic Misconduct, which information may be used in determining any academic consequences should it be determined that the Student engaged in Academic Misconduct. The Faculty Member may request this information at any point throughout the informal resolution process.

B. Informal Resolution

1. The Faculty Member will meet with the Student to discuss the allegations and attempt informal resolution. The Faculty Member may request the assistance or presence of the Student Conduct Officer for this meeting.

2. Informal resolution is reached where:

a. The Student and the Faculty Member agree that there was no Academic Misconduct; or

b. The Student admits to the Academic Misconduct, agrees to the academic consequence, and signs a form documenting the Student's agreement. By signing the form, the Student waives the right to appeal both the fact that the Student engaged in the Academic Misconduct and the academic consequence.

3. If informal resolution is reached, the Faculty Member must inform the Student Conduct Officer. If the informal resolution included the Student admitting to the Academic Misconduct, the Faculty Member must provide the signed form used to document the Student's agreement to the Student Conduct Officer.

4. If informal resolution is not reached, the Faculty Member must inform the Student Conduct Officer that the alleged Academic Misconduct was not informally resolved through this policy and will need to be addressed through Board Policy 3:4.

C. Formal Resolution

1. Once the Student conduct process through Board Policy 3:4 is concluded, the Faculty Member will receive a copy of the informal resolution documentation or the written findings that include the facts found to have occurred.

2. If the informal resolution documentation or the written findings include a determination that a violation of the Student Code for Academic Misconduct occurred, the Faculty Member may impose academic consequences for the Academic Misconduct.

D. Appeals

1. Informal Resolution Reached Through Board Policy 2:33

A Student may not appeal either the fact that the student engaged in the Academic Misconduct or the academic consequence imposed by the Faculty Member because the Student waives such appeal rights in agreeing to the informal resolution under this policy.

2. Informal Resolution Not Reached Through Board Policy 2:33

A Student may appeal the academic consequence imposed by the Faculty Member pursuant to Board Policy 2:9.

SOURCE: BOR, May 2016.

AFFIRMATIVE ACTION, CIVIL RIGHTS, AND NON-DISCRIMINATION

The institutions under the jurisdiction of the Board of Regents shall offer equal opportunities in employment and for access to and participation in educational, extension and other institutional services to all persons qualified by academic preparation, experience, and ability for the various levels of employment or academic program or other institutional service, without discrimination based on sex, race, color, creed, national origin, ancestry, citizenship, gender, gender identification, transgender, sexual orientation, religion, age, disability, genetic information or veteran status or on any other status that may become protected under law against discrimination.

The Board reaffirms its commitment to the objectives of affirmative action, equal opportunity and non-discrimination in accordance with state and federal law. Redress for alleged violations of those laws may be pursued at law or through the procedures established by the provisions of 1:18 of this policy.

CAMPUS HARASSMENT AND INCITEMENT

Northern State University stands for equal opportunity and equal treatment for all students, faculty, administration, and staff. An academic community must strive to eliminate inflammatory, racist, or prejudiced action or harassment aimed at any person or group if such action or harassment is based on viewpoint, race, or ethnic origin. At the same time, freedom of speech and academic freedom are recognized as vital elements in the life of the university.

No value is more fundamental to the academic community than that all persons must be treated with civility and respect, and that, accordingly, the preferred means to resolve disagreement is through well-reasoned discussion. This policy sets the minimal standards that are expected on the university campus with respect to incidents involving incitement or racial harassment.

The following categories of inciteful and harassing speech are unprotected by the First Amendment and shall not be tolerated in our community:

1. “Fighting words” which include the lewd and obscene, the profane and the insulting, which by their very utterance inflict injury or tend to incite an immediate breach of the peace.
2. Speech which has the effect of inciting imminent lawless action and which is likely to incite such action.
3. Speech or conduct which creates a hostile or abusive working environment on the basis of race or sex.
4. Legally obscene speech which is vulgar and shocking, such as materials involving the sexual exploitation of children.

The university will follow administrative policies and take actions to preserve the academic environment and the civil rights of all persons. Reasonable and non-discriminatory time, place, and manner restrictions which are narrowly tailored to preserve academic and civil communication and the First Amendment Rights of all persons may be necessary in order to maintain a peaceful and tolerant atmosphere on the campus.

Persons, whether student, visitor, faculty member, or university employee who are the victim of harassment or who feel that their civil rights have been violated have several options for seeking remedy within the university. Invoking the affirmative action process is one option. Additionally, the person may report the incident(s) to one of the following offices: the President, the Vice President for Academic Affairs, the Vice President of Student Affairs, or the Director of Human Resources. These offices may deal with the problem administratively or ask interested parties to hold discussions with the complaining person and any other individual or individuals involved in the matter. All non-administrative attempts to settle the difficulty will be in the spirit of trying to improve the relationships between the parties and will be conducted in a thoughtful and respectful way. Administrative handling of complaints may include referral to appropriate civil authorities.

STUDENT FREEDOM IN LEARNING

To secure student freedom in learning, faculty members in the classroom and in seminar should encourage free and orderly discussion, inquiry and expression of the course subject matter. Student performance may be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

- A. Students should be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.
- B. Each institution shall establish an academic appeals procedure (see Student Academic Grievance Procedure) to permit review of student allegations that an academic evaluation was tainted by prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards. These procedures shall prohibit retaliation against persons who initiate appeals or who participate in the review of appeals.
- C. Students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

CANCELLATION OF CLASSES DUE TO SEVERE WEATHER

The President determines when the campus will close in a severe weather situation. Local media, including KGIM, KSDN, KAAA, KDSB-TV, KDLO-TV, KELO-TV and KSFY-TV will be asked to inform students, faculty, and staff of class cancellations in the event of severe weather. The Campus Alert system will also be used to convey class cancellations.

CLASS ATTENDANCE

Each faculty member develops a policy on class attendance. The instructor's attendance policy must be in writing and copies must be distributed to students within the first week of each course. The instructor should include policies regarding make-up work and the relationship of attendance to grading.

When a student participates in a university activity requiring absence from class, the Vice President for Academic Affairs shall, upon request of the sponsoring faculty, notify professors that the student should be permitted to make up work missed during the absence.

COURSE ADDS

Classes can be added to a student's schedule any time before the start of the semester, and with the instructor's permission through the census date of the semester (first 10% of class days). Extra class activities and individual studies should be added as soon as possible, but may be added until 70% of the semester has passed.

COURSE DROPS

Courses dropped through the census date of the term (the first 10% of class days) cancel registration. The instructor is not required to approve the withdrawal. No record of enrollment will appear on your transcript. Tuition and fee charges will be removed.

From this date (Census Date) until 70% of the term has passed, the student will receive a grade of 'WD'. The instructor's permission is not required, and grade rosters will reflect the withdrawal. A grade of 'WD' will not affect the student's grade-point average. Students are allowed six "WD" grades. Additional drops will be assigned 'WFL' grades, which count as an 'F', (undergraduate level only).

A grade of 'W' can be replaced by the grade of 'F', however, if an 'F' is assigned by the instructor because of academic misconduct, the 'F' grade given for cheating will override the student's timely withdrawal from a class.

DECLARING A MAJOR OR MINOR

All students are required to select a curriculum and a major. Minor programs are optional, but recommended. A program evaluation will be available on Web Advisor. The program evaluation will detail the student's requirements for graduation.

If a student wishes to declare an additional major or minor, or change a previously declared major or minor, a new, signed program approval form must be submitted to the Registrar's Office. The form is available in Dacotah Hall, Room 103, or from advisors.

ATTENDANCE CONFIRMATION

All students are required to complete the "Attendance Confirmation" online through WebAdvisor located on the first page.

Financial Aid refunds will not be processed until confirmation is completed. "Attendance Confirmation" is open approximately three weeks before the start of each term and closes the same day as the payment due date.

FEE PAYMENT

NSU requires payment in full by the day after Census Date which is about a week after the start of each term. Payment due dates are on student billing statements which are posted online through WebAdvisor and SDePay-View Account from the Financial Information menu. If payment or financial arrangements are not made with Finance Office by the specified due date, the student's enrollment may be cancelled.

Tuition rates and other costs are fixed and/or approved by the Board of Regents and may be revised during the year when there are circumstances beyond the control of the university.

FINAL EXAMS

The university encourages faculty members to give frequent examinations during the semester. A final examination or appropriate culminating activity during the final exam period is required.

Students may request exception to the exam schedule only if they are scheduled for more than three (3) exams in any one day or if there are personal emergencies. Students must provide written approval from the professor to the academic dean, who will then notify the professor of final approval. Arrangements for taking an exam other than at the regularly scheduled time must be made by the student and the professor at least one (1) week in advance.

POSTING POLICY

All types of notices – windshield flyers, posters, fliers, banners, signs, sidewalk chalking, window writing, or any other form of promotion of an activity on or off campus – must conform to the regulations noted below. All postings must be consistent with the mission, policies and procedures of Northern State University.

1. All posters, fliers, banners, signs, and other materials (notices) for posting or display must be approved and individually stamped by the Office of Student Involvement and Leadership, regardless of the individual, office or group originating the posting and regardless of the subject matter. The only exception shall be postings appearing on specifically designated department/office bulletin boards.

2. All notices must be submitted to nsuactivities@northern.edu at least three (3) business days prior to an event or requested posting date and include the following information:

1. Event name
2. Event location
3. Date and time of event
4. Sponsoring group or individual

3. All notices must contain correct spelling, grammar, and punctuation.

4. Only one (1) poster per event may be posted on a board and the size of posters and other materials shall not exceed 11" x 17".

5. Notices will not be posted on any surface that could be damaged or leave residue from adhesive or any other method used in posting: windows, doors, stair steps, hand railings, in or on elevators, vending machines, trees, water fountains, exterior building surfaces, vehicles, or painted walls/surfaces.

6. Unauthorized postings may result in an individual or group being billed for damages and labor for repairs.

7. Only official Northern State University notifications will be the exception to the posting locations.

8. Posted notices must be removed by the sponsor group or individual within 24 hours after the event has taken place (except on weekends). Notices may be posted for a maximum of four (4) weeks prior to the event. In the case of material without specific dates, posting approval shall be granted for up to four (4) weeks from the date of approval.

9. Information on notices must be expressed clearly and, if in non-English, must also include English translation.

10. Notices of alcohol or drug-related events are prohibited.

11. Notices that include obscenities or slanderous material are prohibited.

12. A notice promoting an event that is unlawful or violates Northern State University regulations may not be posted.

13. Notices advertising off-campus housing are prohibited.

14. Use of any bulletin board or authorized space in any building on campus does not constitute an endorsement or guarantee of any product, service or information by Northern State University.

15. Posted materials are the responsibility of the sponsoring organization or department. Northern State University and its employees assume no responsibility for posted material, nor liability for damages or injury incurred by participating in events advertised.

16. A notice should not physically cover or block already posted materials.

17. Stickers, scotch tape, duct tape, double-sided tape, packing tape, and similar materials are prohibited for any type of posting as they damage or leave residue on surfaces. Tacks may be used on bulletin boards and other like surfaces.

Groups or individuals who do not follow these policies may lose posting privileges. Any damages resulting from improper posting will result in repair costs. Any use of a fraudulent approval stamp will result in temporary loss of privileges and/or a fine.

Unusual or special displays falling outside of the above guidelines will need special approval from the Office of Student Involvement and Leadership and must be displayed in an appropriate, safe and non-disruptive manner.

Poster Approval Posting Numbers

- **MJ-14**
- **Technology Center - 4**
- **Library-1**
- **Student Center-3**
- **Gerber-1**
- **Lincoln - 1**
- **Krikac Administration Building-1**
- **Dakota Hall-5**
- **Spafford Hall-3**
- **Residence Halls-19**

PRIVACY RIGHTS

Student records maintained by Northern State University include directory information and educational records. As custodians of student records in compliance with the Family Educational Rights and Privacy Act of 1974, NSU assumes the obligation to ensure full protection of student records, including maintaining the confidentiality of educational records. Student records are identified and accessed by student identification number.

NSU follows Board of Regent's policy regarding the release of directory information. Directory information is information not generally considered harmful or an invasion of privacy if disclosed. The following has been defined as directory information at NSU and can be released without the student's written permission:

- Student's name
- Grade level (undergraduate or graduate)
- Major field of study
- Graduation date
- Diploma or degree
- Dates of attendance
- Hometown
- Academic honors/achievement

A student may request that directory information not be made public by completing a form in the Registrar's Office asking that directory information be treated the same as educational records. While such a signed form is in effect, NSU will verify only whether or not a student is currently enrolled. This request remains in effect until negated in writing to the Registrar.

Educational records are those records, files, documents, and other materials which contain information directly related to a student's academic progress, financial status, medical condition, etc. Educational records may not be released to any third party, except those included under FERPA, without the written consent of the student.

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, or collection

agent); 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. Per the Solomon Amendment, recruiting information is supplied upon request to U.S. military recruiters.

Students may change information on their record if they can prove it is inaccurate. Grade changes are made at the request of the faculty member who gave the original grade and with the approval of the faculty chair.

Student records, including admission records, are maintained under the supervision of the Vice President for Student Affairs. Academic records are maintained under the supervision of the Registrar. A complete copy of NSU Privacy Act Policies and Procedures is available on the Registrar's Office website.

SOUTH DAKOTA BOARD OF REGENTS POLICY 1:17

SUBJECT: Harassment including Sexual Harassment

1. Educational institutions play a special role in preparing students to lead the complex social organizations through which businesses and professions operate and through which free people govern themselves. Students must be taught, and they must be shown through the example given by institutional employees, that stable, effective and prosperous social organizations observe norms of conduct under which all participants are expected to treat one another civilly and to carry out their respective tasks in a constructive and informed manner. Complex social organizations derive their strength from the cooperation of those who participate in them. By virtue of their special role in preparing future generations of leaders, educational institutions have a particular concern with conduct that subjects members of the institutional community to harassment, as herein defined, on the basis of sex, race, color, creed, religion, national origin, ancestry, citizenship, gender, gender identity, transgender, sexual orientation, age, disability, genetic information or veteran status, on any other status that may become protected under law against discrimination or on any other grounds. Such conduct destroys the bonds of cooperation and common purpose on which society rests by demeaning some members of the community, and, it cannot be tolerated in an institution whose very purpose is to shape the skills and conscience of the rising generations. For this reason, the Board strictly proscribes harassing conduct, and those members of the institutional community who have indulged in it shall be subject to discipline pursuant to Board Policy 1:18.

2. Harassment on any grounds, directed against individuals, is proscribed.

A. Sexual harassment in either of its recognized forms is proscribed:

1) Sexual harassment may be established by showing that an individual has been subjected to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

a. Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's participation in, or use of, an institutionally sponsored or approved activity, employment or resource; or

b. Submission to or rejection of such conduct by an individual is used as the basis for educational, employment or similar decisions affecting an individual's ability to participate in or use an institutionally sponsored or approved activity, employment or resource.

2) Sexual harassment may also be established by showing participation in the creation of an intimidating, hostile or demeaning environment established under § 2(B) below.

B. Harassment on the basis of sex, race, color, creed, religion, national origin, ancestry, citizenship, gender, gender identity, transgender, sexual orientation, age, disability, genetic information, veteran status or harassment on any other status that may become protected under law against discrimination or on any grounds, directed against individuals, may be established by showing,

1) Conduct toward another person that has the purpose or the effect of creating an objectively and subjectively intimidating, hostile or demeaning environment that substantially interferes with the individual's ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

a. Sexual assault, as described in Board Policy No. 1:17.1, or animus-based assault that would constitute a hate crime under state or federal law, or involving conduct towards any individual otherwise protected from harassment under this policy that would constitute a hate crime if directed towards a person protected under state or federal hate crime law, will satisfy the requirement that the assailant's conduct creates an objectively and subjectively intimidating, hostile or demeaning environment that substantially interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

b. In most other cases, harassment consists of more than casual or isolated incidents.

i. Consideration should be given to the context, nature, scope, frequency, duration and location of the incidents, whether they are physically threatening or humiliating as opposed to merely offensive utterances, as well as to the identity, number and relationships of the persons involved.

ii. Harassment shall be found where, in aggregate, the incidents are sufficiently pervasive or persistent or severe that a reasonable person with the same characteristics of the victim of the harassing conduct would be adversely affected to a degree that interferes with his or her ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

iii. The reasonable person standard includes consideration of the perspective of persons of the alleged victim's race, gender or other circumstances that relate to the purpose for which he or she has become the object of allegedly harassing conduct.

iv. If the victim does not subjectively perceive the environment to be hostile, the conduct has not actually altered the conditions of participation and there will be no violation of this policy.

v. It is not necessary to show psychological harm to the victim to establish that the conduct would interfere with the person's ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

2) Other conduct that is extreme and outrageous exceeding all bounds usually tolerated by polite society and that has the purpose or the substantial likelihood of interfering with another person's ability to participate in or to realize the intended benefits of an institutional activity, employment or resource.

3) Reasonable directions and admonitions by duly authorized institutional agents as to time, place and manner in which employees or volunteers perform assigned responsibilities, students carry out educational assignments or program participants engage in sponsored activities do not constitute prima facie evidence of harassment.

A. Enforcement policies shall provide, at the minimum, for the following:

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- 1) Posting of notices to alert students, employees and others of the institution's policies concerning harassment, including its assurance that persons who bring complaints of discrimination and persons who participate in the investigation and disposition of such complaints will not be subject to harassment, interference, intimidation, or retaliation;
 - 2) Posting of notices informing students, employees and others of the steps that they must take in order to communicate complaints or concerns to the institution pursuant to Board policy 1:18, including a clear and accurate identification of the person or persons currently serving as the institution's Title IX/EEO coordinator or deputy coordinators; and
 - 3) Sponsoring educational programs for members of the campus community to assure that they are informed of their rights and obligations under this policy and to assist them in understanding the various forms that harassment may take, the effects it has on its victims and the ways in which it interferes with the proper operation of social organizations and society at large.

B. In addition to the procedures compliant with Board Policy No. 1:18, each institution will establish a procedure to encourage persons who have been subjected to unwelcome conduct of a sexual nature, whether or not rising to a level that constitutes harassment as defined in this policy, to contact the Title IX/EEO coordinator designated pursuant to Board Policy No 1:18(7).

- 1) Upon receipt of such a report, the Title IX/EEO coordinator will meet with the individual to discuss the incident, to reiterate the institution's commitment to preventing harassment and the protections afforded under Board policy, and to assess whether the conduct that prompted the report might involve prohibited harassment.
- 2) If the Title IX/EEO coordinator concludes that the conduct may involve prohibited harassment, the coordinator will initiate proceedings under that chapter.
- 3) If the Title IX/EEO coordinator concludes that the conduct, though unwelcome, did not involve prohibited harassment, the coordinator will inform the person of the resources that the institution may be able to provide to assist the person to resolve concerns with the individual whose conduct prompted the report or otherwise to assist the person to become familiar with strategies that may assist in avoiding or responding to such conduct.
 - a. If the reported conduct, while not yet harassment, was targeted at a specific person or persons, was abusive, and served no bona fide academic purpose, the Title IX/EEO coordinator will contact the individual whose conduct prompted the report to discuss the conduct and its relation to federal and state law and to Board and institutional policies.
 - i. Before initiating the contact, the Title IX/EEO coordinator will inform the person who made the report that the contact will be made and will explain that the institution will stress the prohibition against retaliation and will avoid making an express disclosure of confidential information.
 - b. If the reported conduct was not targeted at a specific person or persons, the Title IX/EEO coordinator will discuss with the person who made the report, options to contact the individual whose conduct prompted the report, with or without the assistance of person who made the report, to discuss the implications of the conduct. The institutional, where appropriate, Title IX/EEO coordinator will also contact the institutional official responsible for the individual whose conduct prompted the report.
 - i. The Title IX/EEO coordinator will determine whether the circumstances require that the institution contact the individual whose conduct prompted the report or

whether other action may be necessary to assure that the individual understands the obligation to avoid harassment and how certain forms of conduct may interfere with the ability of others to participate fully in institutional employments and programs.

SOURCE: BOR, April 1987; BOR, January 1995; BOR, August 2009; BOR, December 2013.

NORTHERN STATE UNIVERSITY ANIMAL POLICIES

Service Animals

Service animals are animals trained to assist people with disabilities in the activities of normal living. The Americans with Disabilities Act (ADA) definition of service animals is “...any dog individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.” If an animal meets this criteria, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or training program. Their service for the individual with a disability entitles them to access of public places and common areas. Under the new ADA standards, miniature horses are recognized as service animals. They must meet the same criteria as service dogs.

Individuals with disabilities who use a service animal on campus are not required to register with Disability Services, but students who wish to have an assistance animal in student housing must make a formal request for this accommodation through Disability Services.

NSU HOUSING

Assistance Animals

Northern State University residence halls are covered under the Fair Housing Act (FHA) and the U.S. Department of Housing and Urban Development (HUD), and Section 504 of the Rehabilitation Act of 1973 (Section 504) in addition to the ADA. The FHA addresses assistance animals as follows:

An assistance animal is not a pet. It is an animal that works, provides assistance, or performs tasks for the benefit of a person with a disability, or provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability. Assistance animals perform many disability-related functions, including but not limited to, guiding individuals who are blind or have low vision, alerting individuals who are deaf or hard of hearing to sounds, providing protection or rescue assistance, pulling a wheelchair, fetching items, alerting persons to impending seizures, or providing emotional support to persons with disabilities who have a disability-related need for such support. For purposes of reasonable accommodation requests, neither the FHA nor Section 504 requires an assistance animal to be individually trained or certified. While dogs are the most common type of assistance animal, other animals can also be assistance animals.

The Office of Disability Services will evaluate a request for a reasonable accommodation to possess an assistance animal in a residence hall using the general principles applicable to all reasonable accommodation requests. Requests must be made in writing at least 45 days prior to the start of classes in order to accommodate the student making the request but also the residents of the building.

The following forms and documents are necessary to complete your request:

NSU Service and Assistance Animal Acknowledgement, Information and Registration Form

Sample Letter for Assistance Animal

NSU Service and Assistance Animal Emergency Contact Information

NSU Service and Assistance Animal Roommate Agreement Form

Evaluation is based on the following two questions:

1. Does the person seeking to use and live with the animal have a disability as defined by the ADA: a physical or mental impairment that substantially limits one or more major life activity?
2. Does the person making the request have a disability-related need for an assistance animal?
 - Does the animal work, provide assistance, perform tasks or services for the benefit of a person with a disability, or does the animal provide emotional support that alleviates one or more of the identified symptoms or effects of a person’s existing disability?

Where the answers to questions (1) and (2) are “yes,” the FHA and Section 504 require the university to modify or provide an exception to a “no pets” rule or policy to permit a student with a disability to live with and use an assistance animal(s) in all areas of the premises where students are normally allowed to go, unless doing so would impose an undue financial and administrative burden.

If documentation of the disability and/or the need for the animal is requested, such documentation must be current and be prepared by a licensed medical professional.

If the person involved also requests a single room, the person will be charged the single room rate.

The request may also be denied if:

1. The specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation, or
2. The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation. Breed, size, and weight limitations may not be applied to an assistance animal. A determination that an assistance animal poses a direct threat of harm to others or would cause substantial physical damage to the property of others must be based on an individualized assessment that relies on objective evidence about the specific animal’s actual conduct — not on mere speculation or fear about the types of harm or damage an animal may cause and not on evidence about harm or damage that other animals have caused. Conditions and restrictions that housing providers apply to pets may not be applied to assistance animals. For example, Residence Life may not require applicants and residents to pay a deposit for an assistance animal.

Expectations for Service and Assistance Animals

Because service and assistance animals are in close proximity to students and others, they must be quiet, obedient and well-groomed. Specifically:

- The animal must be up-to-date with check-ups and vaccinations.
- Vaccination and license tags must be displayed on the animal (when applicable).
- All animals must be in compliance with the provisions of the City of Aberdeen’s Animal Ordinance.
- All animals must be well-behaved as defined by the university.
- Animals must be under the control of the user at all times.
- Animals must be clean, groomed, and free of ticks or other pests.
- Animals are to relieve themselves in designated locations only.
- The animal user is responsible for promptly cleaning up after the animal.
- The animal user is responsible for any property damage caused by the animal.
- Service animals may be prohibited from areas that may be hazardous to the animal or its owner (mechanical equipment rooms, etc.)

- To assist the campus population in recognizing a service animal, it is highly encouraged that service animal be identified by a marked harness or cape but not required.
- The animal must not be disruptive to others in the residence hall.
- Assistance animals are allowed to accompany persons with disabilities in residence halls only and in designated areas where they relieve themselves.

Failure to comply with the stated expectations may result in the loss housing privileges and forfeiture of housing charges.

Please refer to Residence Life policies for more specific information.

PETS

Students are not permitted to have pets in residence halls except for fish in aquariums. Aquarium size is limited to on 10 gallon tank per room/suite.

CAMPUS FIRE PREVENTION AND SAFETY POLICY

I. POLICY STATEMENT

NSU is truly committed to campus safety. With so many students living and learning in such close proximity throughout our campus, each and every student plays an important role in fire prevention. The following policies are designed to aid in fire prevention and protect the safety of the campus community.

Every student assumes the responsibility of complying with fire safety policies, procedures, and guidelines as put forth in this handbook. Violations of fire safety policies and procedures are treated with the highest priority and may result in student conduct sanctions including, but not limited to, fines, educational programing, and removal from residence halls.

II. POLICY VIOLATIONS AND SANCTIONS

The following minimum conduct sanctions may be imposed upon any student found to have violated this Fire Safety Policy.

1. Smoking in campus building or other non-designated areas of campus including but not limited to tobacco products, e-cigarettes, and vapor cigarettes
 - i. First Violation - \$50.00 Fine, Subject to Formal Student Conduct Warning, and Educational Programming
 - ii. Second Violation - \$50.00 Fine and Subject to Formal Student Conduct Probation
 - iii. Third Violation - \$100.00 Fine and Subject to Conduct Probation, and possible removal from Residence Hall.
2. Item(s) hanging from fire alarm or fire sprinkler system
 - i. First Violation – Residence Hall Written Warning and Educational Programming
 - ii. Second Violation - \$25.00 Fine and Subject to Formal Student Conduct Sanction(s)
3. Burning candle or other open flame(s)
 - i. First Violation – \$25.00 Fine, Residence Hall Written Warning, and Educational Programming
 - ii. Second Violation - \$50.00 Fine and Subject to Formal Student Conduct Sanction(s)
 - iii. Third Violation - \$100.00 Fine and Subject Residence Hall Expulsion
4. Tampering with room fire/smoke detector or other room fire alarm device
 - i. First Violation - \$100.00 Fine, Subject to Formal Student Conduct Sanction(s), and Educational Programming

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- ii. Second Violation - \$200.00 Fine and Subject to Student Conduct Probation and Residence Hall Expulsion
 - 5. Tampering with building fire alarm system – NOT resulting in the transmission of a fire evacuation
 - i. First Violation - \$75.00 Fine, Subject to Formal Conduct Warning, and Educational Programming
 - ii. Second Violation - \$200.00 Fine and Subject to Student Conduct Probation
 - 6. Tampering with building fire alarm system – RESULTING in the transmission of a fire evacuation and a fire department response
 - i. First Violation - \$200.00 Fine and Subject to Student Conduct Probation, and Educational Programming
 - ii. Second Violation - \$300.00 Fine, Subject to Student Conduct Sanction(s), and possible Residence Hall Expulsion
 - 7. Discharge of building fire extinguisher for non-emergency purpose
 - i. \$100.00 - Fine, plus additional cleaning charges and Subject to Student Conduct Probation

SMOKING POLICY

Smoking is allowed in parking lot areas on the perimeter of campus only. Smoking products of any kind, including electronic or vapor cigarettes, are prohibited anywhere within the campus buildings, including residence halls and the campus green.

IMMUNIZATION POLICY

To prevent illness and protect the health of the campus community, NSU strongly recommends students to be immunized. All students are highly encouraged to receive measles, mumps, rubella, and meningitis vaccines for protection against these potentially life-threatening diseases.

SOLICITATION/FUNDRAISING ON CAMPUS

I. General Guidelines

- A. Organizations wishing to sell or solicit on campus must secure permission through the completion of the Solicitation form available in the Student Center, room 222.
- B. Sales by individuals solely for their personal gain will not be approved.
- C. Items may not be sold or solicited in classrooms, the Johnson Center, or the library, nor may items be sold or solicited door-to-door in any campus building.
- D. No sale or solicitation may impede vehicular traffic on any roadway, nor impede pedestrian traffic on any walkway or access to/from any building.
- E. It is the responsibility of the organization authorized under this policy to clean the area surrounding the point of sale or solicitation. This must be done with sufficient frequency to avoid the accumulation of litter.
- F. An area within the main lobby of a residence hall may be designated for use by an organization wishing to sell or solicit. The organization must secure approval from the Director of Residence Life and notify the Hall Director or Resident Assistant upon entering the residence hall.
- G. Lotteries and raffles must follow South Dakota State Statutes 22-25-23 through 22-25-26. Copies of these statutes, and the NSU Lottery & Raffle Policy, are available in the Student Affairs Office, 222 NSU Student Center.

H. Failure to comply with any regulation contained within this policy shall constitute grounds for Northern State University to withdraw its permission to the organization for any further sale or solicitation on campus. NSU also reserves the right to refuse permission when such sale or solicitation is, in its view, inappropriate or not in its best interest.

II. Approval for On-Campus Organizations & Departments

On-Campus:

- A.** Any officially recognized Northern State University student organization may sell or solicit items that pertain to the activities of the group at any authorized distribution center within the restrictions of this policy and with appropriate approval.
- B.** All sale and solicitation efforts must be approved in advance. Solicitation Request Forms are available in the Student Center, room 222. The completed form must be returned at least two (2) weeks in advance of the sale or solicitation. Both the organization advisor and the Director of Student Involvement and Leadership.
- C.** If the solicitation involves businesses or individuals outside of the university, the NSU Foundation and Vice President for Finance & Administration must also approve.
- D.** If the sale involves food items, the Dining Services Director must also approve.
- E.** If the sale involves clothing or merchandise, the Bookstore Manager must also approve.

Off-Campus:

- A.** All fund-raising and solicitation efforts by student organizations that occur off-campus must be approved by the organization advisor, the NSU Foundation Executive Director, the Vice President for Finance and Administration, and the Director of Student Involvement and Leadership.
- B.** All fund-raising and solicitation efforts by university departments that occur off-campus must be approved by the department head, the NSU Foundation Executive Director and the Vice President for Finance and Administration.
- C.** Organizations that solicit items from the local business community must provide the NSU Foundation Executive Director and the Vice President for Finance and Administration, with a list of items received, stating value, where, and from whom solicited. Organizations may not solicit the business community for cash gifts.

Information and assistance in soliciting off-campus organizations and businesses is available. Contact the NSU Foundation, Beckman Building, 605-626-3005.

III. Approval for Off-campus Organizations

- A.** Commercial products may be sold on campus only when those products meet a need not presently being filled by university services.
- B.** Vendors wishing to sell on campus must be approved by the University Bookstore Manager, the Vice President for Finance & Administration and the Director Student Involvement and Leadership. Prevailing facility rental rates will apply for any space desired, unless sponsored by a campus department or recognized student organization.
- C.** Organizations may not bring food on campus without the approval of the Dining Service Director.

IV. Violations

- A.** Solicitation/fundraising activities found in violation of this policy will be halted by the Student Affairs personnel or other campus personnel and the sponsoring organization or department penalized according to the following schedule:

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1. First violation - a phone call will be made, and a follow-up letter sent, to the organization's chief officer and to the advisor. In the case of a department, the appropriate department chair or dean will be contacted.
 2. Second violation - revocation of solicitation/fundraising privileges for not less than thirty (30) in session school days.
 3. Third violation - referral of the student organization to the Student Senate for consideration of revocation of recognition. Also, suspension of solicitation/fundraising privileges for not less than ninety (90) in-session school days.

STUDENT ACADEMIC GRIEVANCE PROCEDURE

Students who feel that they have been aggrieved by a decision or action of a NSU faculty member relating to class absences, grades and classroom behavior, shall follow the procedure outlined below if they wish to bring their grievances to a resolution. The NSU administration, faculty and students believe a grievance procedure is necessary to avoid unresolved differences. Consequently, these procedures have been adopted:

- A.** After an attempt at informal resolution between the student and faculty member, any student with an academic grievance shall first file a written complaint with the faculty member involved and during a scheduled conference shall request relief from that person. This filing must occur within ten (10) school days after the alleged grievance. If the alleged grievance occurs during the last two weeks of the fall or spring semester, a written decision by the faculty member must be made and sent to the student by registered mail within ten (10) school days after the written grievance has been filed.
- B.** If the faculty member's decision does not satisfactorily resolve the grievance, within five (5) school days of receipt of the decision the student shall file the written grievance with the appropriate department chairperson and division dean to request relief. Within two (2) days of receipt of the written grievance, the chairperson shall send a copy of the grievance to the faculty member. At this point the faculty member, the department chairperson, the division dean, or the student may request that the discussion of the grievance include all four parties. The request of any one of the individuals shall be honored. Joint or separate recommendations by the dean/ chairperson shall be sent to the faculty member and the student within ten (10) school days after the written grievance has been filed with them.
- C.** If a chairperson's action or decision, in the role as a faculty member, is being grieved, and if resolution satisfactory to the student is not reached as outlined in step A, a written grievance shall be filed with the appropriate faculty chair and procedures similar to those outlined in step B shall be followed.
- D.** If a faculty chair's action or decision, in the role of faculty member, is being grieved, and if resolution satisfactory to the student is not reached as outlined in step A, a written appeal may be filed with the Academic Grievance Committee as outlined in step C.
- E.** Within five (5) days of receipt of any recommendation(s) from the faculty chair/unit head, the faculty member shall notify the student of acceptance or rejection of the recommendation(s). If the grievance is still unresolved, the student may forward a written appeal to the Academic Grievance Committee within ten (10) school days after receiving the faculty chair's/unit head's recommendation. The proper form on which an appeal is filed can be obtained in any faculty chair's office or in the office of the dean of the faculty. A meeting of the Grievance Committee must be convened within ten (10) and no less than five (5) school days after the appeal has been filed in the Vice President for Academic Affairs office. The committee must reach a decision within ten (10) days after its first meeting.

F. The Academic Grievance Committee shall be a committee of the President and shall consist of:

- the Vice President for Academic Affairs, who shall act as chairperson
- one faculty member and an alternate from each undergraduate division chosen by each division faculty and
- three students and three alternates chosen by the student government in existence at that time

G. The committee shall follow the procedures below:

- Hearings are closed unless an open hearing is requested by both parties.
- Hearings are informal, but a taped transcript shall be made and filed in the office of the Vice President for Academic Affairs. The tape is to remain confidential, but shall be made available to the student and to the faculty member.
- The faculty member and the student shall each have access to each other's written statements prior to the hearing and have the right to offer rebuttal to each other's comments at the hearing.
- The faculty member and the student may present appropriate testimony and may be advised by a person of their choice.
- During the hearing and in the presence of the faculty member and the student, the committee may request testimony from at least one consultant from the faculty member's academic discipline.
- The committee or its advisor may ask relevant questions of the faculty member and the student. The faculty member and advisor as well as the student and advisor may ask relevant questions of the committee. The committee members, the faculty member, the student and advisors may ask questions relevant to all participants' testimony.
- Any records of the faculty member or the student deemed pertinent to the appeal shall be made available to the committee upon its request. The confidentiality of these records shall be protected.
- The recommendation of the committee and the reasons for it shall be reported in writing to the faculty member and the student. The report is to be received within at least ten (10) school days following the hearing. The report shall become part of the faculty member's official file. If an action or decision of the Vice President for Academic Affairs, in the role of faculty member, is being grieved, the Vice President for Student Affairs shall act as chairperson of the committee.

H. If the recommendation of the Academic Grievance Committee or the decision of the faculty member is not satisfactory to the student, a written appeal may be filed with the president of the university. The president shall meet jointly with the faculty member, the student and advisors, if desired, and shall have access to all statements, records and tapes involved. All other procedures of the committee shall be applicable to the hearing with the president. The president shall report all recommendations in writing to the faculty member, the student, and the Academic Grievance Committee within ten (10) school days following the hearing.

TEXTBOOK BUYBACK POLICY

Bookstore buy back is held during finals week of fall and spring semesters. A book will appear on the bookstore buyback list if: 1) the title has been adopted for the upcoming semester and is a book that can be purchased and sold as used and 2) the inventory on hand will not meet the expected quantity needed. Buyback prices will vary depending on who is buying the book back from the

student (bookstore or used textbook company), the condition of the book, and desirability of the title. Students can also sell textbooks back any time to the used textbook company by visiting the bookstore web site at <http://bookstore.northern.edu>.

TEXTBOOK RETURN POLICY

Students are allowed to return books until the census date with a sales receipt. A time limit is imposed on book returns because of publisher and wholesaler requirements to return overstock within a certain time period; also, the bookstore may be charged restocking fees and/or refused permission to return if a sufficient number of the books purchased have not been sold. Important return dates are posted in the store each semester.

TEXTBOOK PRICING STRUCTURES

In most cases, the retail price of a textbook will be based on the publisher's list price. Exceptions may occur if the bookstore has not received a discount, has received a short discount, or has been billed for inflated shipping and/or handling charges. The bookstore will establish its own retails on locally printed materials.

The bookstore is institutionally owned and operated, and is a self-supporting entity within the university. Any profit made by the bookstore stays on campus, with Student Association receiving the majority of the profit.

WITHDRAWAL FROM NSU

Students wishing to withdraw from NSU must contact the Registrar's Office. Withdrawal forms authorizing honorable dismissal are obtained from this office or found on their website. Students may not withdraw from school after the 70% point of the semester or class. Veterans and dependents must consult with the proper authorities if they want their educational benefits to continue up to the date of withdrawal.

Students who voluntarily withdraw from NSU may be entitled to a partial refund of tuition and other fees. Refunds to students who received financial aid will be applied to the financial aid programs from which the student received assistance.

If a student notifies the Registrars' office of their withdrawal, prior to the start of the term, the student is canceled and no record appears on their transcript. If withdrawal is initiated between the start of the term and census, a notation appears on the transcript, noting the withdrawal date. Withdrawals initiated after census, through the 70% point result in classes appearing on the transcript with 'WW' grades. GPA is not affected.

An administrative withdrawal can be processed for non-attendance, disciplinary action, or non-payment of financial obligations. The student will be notified by the Registrar before an administrative withdrawal is processed.

For more information on withdrawal from NSU, call the Registrar's Office, 626-2012.

NORTHERN STATE UNIVERSITY'S PHILOSOPHY AND POLICY CONCERNING ALCOHOL AND OTHER DRUGS

I. Statement of Philosophy

Northern State University, in keeping with its institutional commitment to provide a quality educational experience for its students, discourages high-risk behavior with regard to the use of alcohol and other drugs.

Northern State University prohibits the possession of alcohol on University property or at student-sponsored events. Furthermore, Northern State University cannot and will not tolerate the use, possession, manufacture, or distribution of illegal drugs on University property or as part of any University activities.

Northern State University recognizes explicitly that students are adults, which means they are expected to obey the law and take personal responsibility for their conduct.

Individuals make the choice to use -- or not use -- alcohol and other drugs, but group dynamics and group influences play a particularly important role in the university setting. Throughout the United States, both long-standing traditions and current attitudes create the potential for the abuse of alcohol and other drugs. Northern State University is therefore committed to supporting and encouraging the development of positive activities for all students.

The Alcohol and Other Drug Policy of Northern State University is established to help ensure the health and safety of all members of the University community, and should be applied in such manner and spirit. It is not the intention of Northern State University to use this or any other policy to regulate the personal affairs of any individual or group of individuals.

II. Definition of Terms

A. Alcohol – In the context of this policy, the terms “alcohol” and “alcoholic beverage” are defined to be any consumed or consumable beverage that has alcohol content. This would include but not be limited to all forms of beer, wine, wine coolers, and distilled beverages. Empty alcoholic beverage containers also constitute the presence of alcohol and will be treated as such.

B. Illegal Drug in the context of this policy, the term “illegal drug” is defined to be any substance whose distribution is somehow controlled or restricted by federal or state law which is not obtained through the legal prescription of a licensed medical professional. This includes, but is not limited to, all drugs classified by the Drug Enforcement Agency as a Schedule I – V drug. It should be noted that alcohol is considered an illegal drug for those persons under the age of twenty-one (21).

III. State and Federal Laws

Northern State University holds its faculty, staff, and students responsible for the observance of state and federal laws with respect to the use of alcohol and other drugs.

A. State Alcohol Laws

Applicable South Dakota alcohol laws can be found in Title 35, Chapter 9 of the South Dakota Codified Laws. They include, but are not limited to, the following:

35-9-1. Furnishing of beverage to child as misdemeanor — Exceptions. It is a Class 1 misdemeanor to sell or give for use as a beverage any alcoholic beverage to any person under the age of eighteen (18) years unless: (1) It is done in the immediate presence of a parent or guardian or spouse, who is at least twenty-one (21) years of age, while not on the premises of an establishment licensed for the retail sale of alcoholic beverages pursuant to § 35-4-2 or at a special event for which an alcoholic beverage license has been issued pursuant to § 35-4-11.4; or (2) It is done by prescription or direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes. special event for which an alcoholic beverage license has been issued pursuant to § 35-4-11.4; or (2) It is done by prescription or direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes.

35-9-1.1. Restrictions on alcohol to persons eighteen (18) years or older but under twenty-one (21). It is a Class 2 misdemeanor to sell or give for use as a beverage any alcoholic beverage to any person who is eighteen (18) years of age or older but less than twenty-one (21) years of age unless it is done in the immediate presence of a parent or guardian or spouse over twenty-one (21) years of age or by prescription or direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes.

35-9-2. Purchase, possession or consumption of beverage by minor is a misdemeanor — Misrepresentation of age. It is a Class 2 misdemeanor for any person under the age of twenty-one (21) years to purchase, attempt to purchase or possess or consume alcoholic beverages except when consumed in a religious ceremony and given to said person by an authorized person, or to misrepresent his age with the use of any document for the purpose of purchasing or attempting to purchase alcoholic beverages from any licensee licensed under this title.

B. State Drug Laws

Applicable South Dakota drug laws can be found in Title 34, Chapter 20B of the South Dakota Codified Laws.

IV. Policies, Procedures, and Sanctions

A. Student Alcohol Disciplinary Code

The Northern State University student disciplinary code prohibits the following:

1. The manufacture, sale, possession, and consumption of alcohol, marijuana or controlled substances by students on any property controlled by the Board of Regents and in connection with any student sponsored activity; except that alcohol may be served at social activities held in other locations subject to the restrictions set out in this article.
2. Possession of alcoholic beverage containers on campus.
3. Presence in any area on campus where alcoholic beverages are being consumed or alcoholic beverage containers are present.
4. Violation of federal, state or local law on institutional premises or at institutionally sponsored or supervised activities.

Student Organization Policy

Northern State University student organizations will not sponsor any activity at which alcoholic beverages are to be consumed or at which consumption is stated, encouraged, or implied. Faculty and/or staff who serve as sponsors or advisors to recognized campus organizations or clubs are required to prohibit development of alcohol-related activities by such recognized entities. The minimum institutional penalty for such an offense is the withdrawal of institutional recognition of any organization that violates this policy.

Furthermore, Northern State University also prohibits the following:

1. Alcoholic beverages at any student sponsored activity or event whether on- or off-campus.
2. The manufacture, possession, use or dispensing of marijuana or illegal controlled substances at organizational functions.

3. The expenditure of organizational funds on alcoholic beverages, marijuana or illegal controlled substances.

4. The informal collection from the members or residents of monies to be spent on alcoholic beverages, marijuana or illegal controlled substances.

Off-campus Activities

Policy

Any individual or group of individuals whose participation in an off-campus activity is in some manner being subsidized by Northern State University is expected to, at a minimum, act in accordance with any and all local, state, and county laws and ordinances during the duration of the event, including travel time. Failure to do so may result in disciplinary action being taken, which may include, but not be limited to, the placement of a Letter of Censure into the student's file and participation in Northern State University's Insight class.

Sanctions

Individuals violating any university policy, including those mentioned above, may be subject to sanctions as described in the South Dakota Board of Regents Student Code of Conduct 3:4.

All alcohol violations are reviewed on a case-by-case basis. Students who receive a first time violation may be required to participate in an alcohol educational program. Educational programming is designed to help students make better choices regarding personal health and safety, academic success, and campus policy implications.

In light of the changes in the Higher Education Amendments passed by Congress, Northern State University will contact a student's parents if he or she is under 21 years of age. *Northern State University provides the Insight Program for alcohol and other drug related incidents.

Insight Class - A class that may be required of all students on their first violation of the alcohol and other drug policy. Insight consists of an eight (8) hour class offered once a month. The class gives the student an opportunity to address the issue of alcohol and other drug use, its negative consequences and whether further assistance is needed. A student is required to follow any recommendations of the class facilitators which arise from the class session(s).

Advanced Insight Program - Participation may be required upon the student's second violation of the alcohol and other drug policy. The purpose of the Advanced Insight Program is to help members make wiser choices and support them in following the laws and regulations concerning alcohol both on and off campus. A student is required to follow any recommendations of the program facilitators which arise from the program sessions. Exit from the program is determined by the facilitator(s).

POLICIES CONCERNING STUDENT ORGANIZATIONS

ALCOHOL-RELATED ACTIVITIES POLICY

NSU student organizations will not sponsor any activity at which alcoholic beverages are to be consumed or at which consumption is stated, encouraged, or implied. "Student organization" is intended to include any recognized campus organization, club or residence hall council. Faculty and/or staff who serve as advisors to recognized campus organizations or clubs are required to prohibit development of alcohol-related activities by such recognized entities. The minimal institutional penalty for such offense is the withdrawal of institutional recognition of any organization which violates this policy.

BINGO AND LOTTERY POLICY

General Guidelines

- A.** Student organizations wishing to conduct bingo, raffle, or lottery must secure permission from their advisor and the Director of Student Involvement and Leadership.
- B.** Bingo games and lotteries must be conducted according to South Dakota State Statutes 22-25-23 through 22-25-25.1. Copies of these statutes may be obtained from the Student Affairs Office, 222 NSU Student Center.
 - a.** State law requires that thirty (30) day written notice of a bingo or lottery event be given to the governing body of the municipality. In NSU's case, this is the Aberdeen City Finance Office.
 - b.** NOTICE OF INTENT TO HOLD BINGO GAME OR LOTTERY forms are available from the Student Affairs Office, 222 NSU Student Center.
- C.** Classes are not to be interrupted for any solicitation.
- D.** Failure to comply with any regulation contained within this policy shall constitute grounds for Northern State University to withdraw its permission to the organization for any further bingo or lottery events. NSU also reserves the right to refuse permission when such an event is, in its view, inappropriate or not in its best interest.

EVENT SECURITY

Organizations sponsoring events on campus where there is a potential for violence or damage are required to provide a professional security force at such events. The sponsoring organization will be held liable for any damage that occurs at its event, unless an individual is caught and required to pay for damages.

Individuals attending an organization function who are under the influence of drugs or alcohol must be asked to leave and/or referred to local authorities.

GUEST SPEAKERS AND PERFORMERS

Student organizations, departments or committees, or the university may invite and hear persons of their own choice. Those routine procedures required by the institution before a guest speaker is invited to appear on campus, including the completion of an appearance contract, ensure that there is orderly scheduling of facilities, adequate preparation for the event, and assurance that the event will not substantially disrupt the educational process. Specific procedures may be found in the Faculty Handbook or by consulting with the Director of Student Involvement and Leadership.

LIABILITY FOR RECOGNIZED STUDENT ORGANIZATIONAL ACTIVITIES

While the institution encourages student organizations to sponsor a variety of programs and services for the students, it is concerned about the magnitude of risk to students under such sponsorship. It should be noted that litigation relating to such risk has been focused at the institution. Recent cases, however, are beginning to include faculty advisors, administrators, and student leaders. The question of personal liability coverage at this time is highly uncertain and may remain so due to the continued court cases in this area. In general, the state only provides coverage for its employees in their line of duty and for students while operating state vehicles on state business.

The concern for liability should not diminish the importance of student activities and the role they play in student development and education. What is needed is an understanding of the magnitude of risk assumed in positions of student and advisory leadership.

The best guidance available for administrators, faculty advisors and student leaders is to remain fully informed, cautious, and alert when supervising an event or activity. If there is any concern about the major causes of risk, and possible necessity for “informed consent waivers,” competent legal advice should be obtained.

STUDENT ORGANIZATIONS FINANCIAL POLICY

Any organization that financially obligates itself, whether through a member or officer for services, merchandise or facilities does so in the name of the organization and the members. The university is not responsible in any way for debts incurred by the organization.

CHECKING ACCOUNTS

Student Organizations that receive any funds from the Student Budget Appropriations Committee may not have an off-campus checking account. All funds, including fundraising through various on and off campus fundraising events must be placed in a university account. Organizations which do not receive ANY SBAC funds may have an off campus checking account. Checking accounts must require dual signatures, one of which is the organization’s university advisor.

PURCHASES

No purchases may be made from a student organization’s university account without securing an authorized purchase order through the Purchasing Office. Requisitions for purchases must be processed via SDEZBuy or by Internal Requisition depending on the particular vendor and/or circumstance, contact the Purchasing Office for assistance. Allow 1 to 2 days for process of the purchase order.

Upon receipt of materials/products or services the Purchase Order must be Received in Banner Accounting System. If an invoice/receipt was given to the requestor, that receipt **MUST** be turned in to the Purchasing Office immediately. The invoice/receipt will be forwarded to the SDBOR Accounts Payable Center for processing of a check to be issued to the vendor.

For help in Purchasing contact 626-2529 or for other financial matters, contact the Finance & Administration Office, 626-2566.

RECOGNITION PROCEDURE FOR NEW STUDENT ORGANIZATIONS

A. SORC (Student Organization Review Committee) will review applications.

a. Applications Include:

- i. Intent to Charter:** a typewritten statement explaining the need for the organization and how the organization proposes to contribute to the quality of NSU student life.
- ii. Membership List:** list of at least ten (10) students who are members of the organization (include permanent addresses and phone numbers).
- iii. Advisor Agreement:** form available in the Office of Student Affairs
- iv. Organization Registration:** form available in the Office of Student Affairs
- v. Organization Constitution:** samples available in the Office of Student Affairs
- vi. Department Approval:** required for campus media groups, recreational and sport clubs.

b. If needed, organizations will be notified of changes or corrections that need to be made to their application.

c. If the application is complete, SORC will write a letter of recommendation to Student Association stating the purpose of the organization and how it aligns with the mission and purpose of NSU. They will also include the meeting date and time that the organization is to appear before Student Association.

i. Organization Advisor & President should also receive a copy of this letter at least one week before the scheduled meeting.

B. Student Association will allow the organization time to explain the need for the organization and how the organization proposes to contribute to the quality of student life at NSU. A representative from the organization must be prepared to answer any questions regarding the application, proposed constitution, or other relevant information.

C. Student Association must approve by three-fourths (3/4) favorable vote.

a. If approved, Student Association will forward its recommendation to the Director of Student Involvement and Leadership. The Director of Student Involvement and Leadership sends the newly recognized organization a letter informing it of its status as a chartered organization with all the rights and responsibilities therein.

b. If denied, the Student Association Vice President shall send a letter providing specific reasons and rationale for denial of recognition.

c. Appeal process is to work with the Director of Student Involvement and Leadership to address the reasons and rationale for denial. They can then request a place on the agenda of the upcoming meeting for a hearing to reconsider the denial.

For help getting a new organization recognized, please contact the Office of Student Affairs, 626-3007.

ORGANIZATION RECOGNITION POLICIES

Northern State University fully supports in its educational programs, co-curricular and extra-curricular activities a policy of non-discrimination on the basis of creed, color, sexual orientation, physical impairment, national or ethnic origin, age and affirmative action on the basis of gender or race. All recognized student organizations must include the statement of non-discrimination in their constitution.

If an organization wishes to become recognized, the following criteria must be met:

1. The organization must not duplicate any existing student organization.
2. The organization agrees to adhere to policies and procedures set forth by the institution, the student senate, and the Director of Office of Rights and Responsibilities.
3. The organization must submit two copies of its constitution each time there is a change to the SORC.
4. The organization must complete and file a registration form with the SORC of the Student Association every spring by April 1st (available in the Student Affairs Office, 222 NSU Student Center).
5. The organization must secure a faculty/staff advisor.
6. The Student Senate must officially recognize the organization by a three-fourths favorable vote.

TRIP PERMISSION REQUESTS

All student organizations and campus departments sponsoring off-campus student trips where NSU funds are expended must file a Student Trip Permission Request Form at least one (1) week prior to the anticipated trip. This form, found in the Public Folder under NSU/Travel, serves to inform the administration of activities in which student organizations participate and provides a basis to pay the insurance premium covering student travel. All out-of-state travel must be approved by the Vice President for Academic Affairs.

For more information, please contact the Finance and Administration Office or the Purchasing Office.

VIDEOS/MOVIES

Students and student organizations who buy or rent movies may not, without specific authorization from the owner of the copyright, show them publicly. Under the definition of the Copyright Act, the purchaser or renter of video movies may not show that movie at any place that is “open to the public or at any place where a substantial number of persons outside a normal circle of a family and its social acquaintances is gathered.” Performance of video movies in such areas as lounges and commons is prohibited.

If a campus organization wishes to show movies on campus, stop by the Student Affairs Office, Rm. 222, NSU Student Center, for more information.

SOUTH DAKOTA BOARD OF REGENTS POLICY MANUAL 3:4

SUBJECT: Student Conduct Code

1. Introduction

The Board of Regents and its Institutions are committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural, and ethical development of its Students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship.

A. Purpose of the Student Code of Conduct

The purpose of the Student Code is to educate Students about their civic and social responsibilities as members of the Institutional community. The primary focus of the Student conduct process is on educational and corrective outcomes; however, conduct sanctions such as suspension or expulsion from an Institution may be necessary to uphold community standards and to protect the campus community. Extensive, organized, serious, or repeated violations of this Student Code are taken into account when determining conduct sanctions.

B. Standards of Behavior

Attendance at an Institution is optional and voluntary. When Students enroll at an Institution, they voluntarily accept obligations of performance and behavior that are consistent with the Institution’s lawful mission, processes, and functions. In general, these obligations are considered much higher than the obligations imposed by civil and criminal law for all citizens.

By enrolling at an Institution, Students voluntarily accept responsibility for compliance with all Board of Regents and Institutional Policies, including but not limited to this Student Code.

C. Authority of an Institution over its Students and Organizations

1. Student conduct proceedings may be initiated in response to conduct prohibited by the Student Code:

- a. That occurs on Institutional Premises;
- b. That occurs at events officially sponsored by an Institution;

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- c. That arises out of membership in the Institutional community; or
 - d. That occurs elsewhere and that adversely affects an Institution, any Organizations, members of the Institutional community, or the pursuit of their lawful objectives.
 2. Notwithstanding this Student Code, an Institution reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. The Institution also reserves the right to extend any deadline contained in this Student Code.
 3. For purposes of the Student Code, the default authority over the Student for Student conduct purposes will be determined as follows:
 - a. For alleged misconduct that occurs on Institutional Premises, the Institution where the alleged misconduct occurred;
 - b. For alleged misconduct that occurs at events officially sponsored by an Institution, the Institution that sponsored the event;
 - c. For alleged misconduct that occurs elsewhere and that adversely affects an Institution, the Institution adversely affected;
 - d. For alleged instances of Academic Misconduct, the Institution that offered the course;
 4. For instances where multiple Institutions have a reasonable claim to authority over the Student for Student conduct purposes, the Senior Student Affairs Officer at the Institutions with a reasonable claim to authority shall determine the appropriate Institution to proceed with the Student conduct process. The decision should consider the location of the alleged incident, Complainant, Respondent, witnesses, and the practicality of conducting the Student conduct process at the different Institutions having a reasonable claim to authority. If the Senior Student Affairs Officers cannot agree, the System Director of Student Affairs will make a final decision.
 5. Where Students are also employees, they may be subject to concurrent authority. Student conduct proceedings under this Student Code may be initiated irrespective of any action taken by an Institutional employer. However, when the Student employee has been subject to conduct proceedings as an employee, the findings that resulted from such proceedings will be considered in the Student conduct process as long as the standard used in such proceedings was preponderance of the evidence or higher.

D. Alcohol Amnesty

This section aims to remove the barriers that may prevent any Student from seeking emergency medical attention by providing an opportunity for the Institution to intervene in a caring and non-punitive manner. The goal is to reduce the potential risk of alcohol-related injuries or deaths, and increase the likelihood that Students will seek medical attention in crisis situations.

1. A Student who seeks emergency medical attention (or who has emergency medical attention sought on his/her behalf) for alcohol-related consumption, will not be sanctioned for violating alcohol consumption prohibitions found in the Student Code related to that incident, as long as the Student completes the following requirements:
 - a. Participates in an initial meeting with the Senior Student Affairs Officer; and
 - b. Completes all recommendations from the Senior Student Affairs Officer; and
 - c. Submits proof of completion of all recommendations, within the time frame designated by the Senior Student Affairs Officer at the initial meeting.

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2. A bystander Student who has engaged in alcohol consumption and who seeks emergency medical attention for someone else or tries to actively engage in assistance for someone else for that person's alcohol-related consumption, will not be sanctioned for violating alcohol consumption prohibitions found in the Student Code related to his/her own consumption but will be invited to meet with the Senior Student Affairs Officer.
 3. The Institution will not pursue any disciplinary action related to any alcohol or drug consumption against any Student who has been sexually assaulted or sexually harassed, for his/her use of alcohol at the time of the sexual assault or sexual harassment.
 4. Subsections D-1 and D-2 of this section will only apply to a Student who seeks emergency medical attention before police or Institutional employees or agents take any official action or intervention related to the alcohol consumption.
 5. Alcohol amnesty does not preclude disciplinary action regarding other violations of the Student Code.
 6. Alcohol amnesty only applies to the Institution's Student conduct process. It does not apply to any criminal, civil or other legal consequence for violations under Federal, State or local law.
 7. Alcohol amnesty is not designed to protect or shield those students who repeatedly violate the Student Code. The Senior Student Affairs Officer may assess each situation on a case-by-case basis, denying the safeguards of alcohol amnesty if serious or repeated incidents prompt a higher degree of concern or response, which may include disciplinary action under this Student Code.

E. Relationship Between the Student Conduct Process and the Criminal Law Process

1. The Student conduct process is independent of any criminal or civil process. Therefore, a Student alleged to have engaged in conduct that would be a violation of this Student Code (whether such conduct could also be a violation of criminal or civil law) may face Student disciplinary action regardless of any criminal or civil process or their outcomes.
2. When the alleged misconduct includes allegations of Human Rights Violations, the disciplinary process will not be delayed except when law enforcement requests a delay to conduct the fact-finding portion of its investigation.
3. Determinations made or conduct sanctions imposed under this Student Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of this Student Code were dismissed, reduced, or resolved in favor of, or against, the criminal law defendant.
4. When a Student is charged by federal, state, or local authorities with a violation of law, the Institution will not request or agree to special consideration for that Student because of his or her status as a Student.
5. If the alleged violation of law also gives rise to Student disciplinary action under this Student Code, the Institution may advise off-campus authorities of the existence of the Student Code and of how such matters are typically handled under the Student Code.
6. The Institution will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law and in the conditions imposed by criminal courts for the rehabilitation of Student violators provided that the conditions do not conflict with any conduct sanctions imposed as a result of the Student conduct process, this Student Code, or Institutional Policies.

7. Where the Student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., “no contest” or “nolo contendere”), the alleged facts that formed the basis of the criminal charges shall be deemed established for purposes of any Student conduct process.

8. Individual Students and other members of the Institutional community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

9. When an employee of the Institution knows that a felony was committed and that knowledge is not privileged, such employee shall report the known facts and circumstances to law enforcement officials who have jurisdiction over the matter.

F. Interpretation and Revision

1. No provision of this Student Code shall be interpreted to deprive Students of rights guaranteed them under state or federal law.

2. Any question of interpretation regarding the Student Code shall be referred to the Senior Student Affairs Officer for final determination.

3. The Student Code should be reviewed periodically under the direction of the Senior Student Affairs Officers.

a. If the review leads to a recommendation that Board Policy be modified, that recommendation and its supporting rationale shall be provided to the Institutional presidents and, if approved, forwarded to the Executive Director.

G. Institutions may choose to adopt Institutional Policies that are consistent with this Student Code.

2. Definitions

The following terms have the stated meanings in this Student Code, and are identified throughout the Student Code through the use of capitalization:

A. The term “Advisor” means a person of the Student’s choosing who has agreed to advise a Student throughout the Student conduct process. The Advisor may be a Faculty Member, staff member, Student, attorney, family member, or anyone else. The Advisor is limited to advising the Student directly, and is not permitted to speak to anyone else, or participate directly, in any hearing. Students should choose an Advisor who is available to attend any scheduled meetings or hearings because Advisor availability is not considered in scheduling meetings or hearings.

B. The phrase “Appellate Board” means any person or persons authorized by the Institutional president to consider an appeal from the Chair’s determination that a Respondent has or has not violated the Student Code or from the conduct sanctions imposed by the Student Conduct Officer.

C. The phrase “Board Policy” means the written policies of the South Dakota Board of Regents contained in the policy manual.

D. The term “Chair” means the Student Conduct Officer or the Senior Student Affairs Officer who:

1. Is a member of the Student Conduct Panel;
2. Is responsible for the proper operation of the hearing; and
3. Has sole discretion to determine whether a Respondent has violated the Student Code, and if so, to impose appropriate sanctions.

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- E.** The term “Complainant” means an individual who was allegedly injured by an alleged violation of the Student Code by a Respondent.
- F.** The term “Day” means Monday through Friday, except for holidays and other times when the Institution’s administrative offices are closed.
- G.** The phrase “Faculty Member” means any person hired by the Institution to conduct classroom or other academic activities.
- H.** “FERPA” means the Family Educational Rights and Privacy Act of 1974, as amended.
- I.** “Human Rights Violations” means Violence, Harassment, Stalking, Sexual Misconduct, Discrimination, and Retaliation under this Student Code.
- J.** The term “Institution” means Black Hills State University, Dakota State University, Northern State University, South Dakota School of Mines and Technology, South Dakota State University, and University of South Dakota.
- K.** The phrase “Institutional Official” includes any person employed by the Institution, performing assigned administrative or professional responsibilities.
- L.** The phrase “Institutional Premises” includes all land, buildings, facilities, and other property in the possession of, or owned, used, or controlled by, the Institution, including adjacent streets and sidewalks.
- M.** The phrase “Member of the Institutional Community” includes any person who is a Student, Faculty Member, Institutional Official, any person employed by the Institution, a volunteer, or guest. A person’s status in a particular situation shall be determined by the Senior Student Affairs Officer.
- N.** “Notice” required by this Student Code shall be provided in writing via email to the Student’s official Institutional email account. Notice is deemed received the Day after it is sent by email.
- O.** The term “Organization” means any Student group that has been granted Institutional registration or recognition.
- P.** The term “Policy” means the written regulations of the Institution as found in, but not limited to, this Student Code, the Residence Life Handbook, the Graduate and Undergraduate Catalogs, and other official publications.
- Q.** The term “Reasonable Person” means a reasonable person under similar circumstances and with similar identities as the Complainant.
- R.** The term “Respondent” means a Student or Organization that is alleged to have violated the Student Code.
- S.** The phrase “Senior Student Affairs Officer” means that Institutional Official exercising primary authority over Institutional student affairs programs and operations, or designee.
- T.** The term “Student” includes all persons taking courses from the Institution, both full-time and part-time, enrolled in undergraduate, graduate, professional or special topic courses, whether credit-bearing or not.
- U.** The term “Student Code” means the Student Code of Conduct contained in this Board Policy 3:4.
- V.** The phrase “Student Conduct Panel” means the panel that hears formal hearings.
1. This panel can take the following forms:
 - a. Option 1 – only the Student Conduct Officer;

b. Option 2 – the Student Conduct Officer and any Institutional employee or employees or independent contractor authorized by the Senior Student Affairs Officer to determine whether a Student has violated the Student Code and to recommend imposition of conduct sanctions;

2. For matters involving allegations of Academic Misconduct, the Student Conduct Panel must include at least one Faculty Member or academic administrator appointed by the Provost in the form described in Option 2 above.

W. The phrase “Student Conduct Officer” means any Institutional Official authorized by the Senior Student Affairs Officer to:

1. Informally resolve an allegation by determining the facts and, if a violation is found, imposing a conduct sanction without the assistance of a Student Conduct Panel;

OR

2. Serve as Chair of the Student Conduct Panel;

3. Receive and consider the findings and recommendations of a Student Conduct Panel; and

4. Determine whether a Respondent has violated the Student Code, and if so, to impose appropriate sanctions.

3. Prohibited Conduct

The following list describes actions that detract from the effectiveness of an Institution’s productive living-and-learning community. Any Student found to have engaged, attempted to engage, or allowed or assisted another in engaging, in the following prohibited conduct is subject to the Student conduct process and conduct sanctions outlined in this Student Code. In instances where prohibited conduct contained in this policy is defined differently in another Board Policy or Institutional Policy, the definition contained in this policy shall be used to address prohibited conduct by a Student.

A. Acts of Academic Misconduct or Dishonesty

Honesty and integrity are core values at all Institutions. Faculty Members and Students are jointly responsible for maintaining academic standards and integrity in Institutional courses. In addition to any conduct sanctions imposed under this Student Code, academic consequences for academic misconduct may be imposed by the Faculty Member, including issuing a failing grade in the course. Any grade issued by the Faculty Member, whether as a result of academic misconduct or not, constitutes an academic evaluation and is not a conduct sanction imposed under this Student Code. All Faculty Members should report incidents of Academic Misconduct to the Student Conduct Officer.

1. Engaging in acts of Academic Misconduct, which means Cheating or Plagiarism.

a. Cheating includes, but is not limited to, the following:

i. Using any unauthorized assistance in, or having unauthorized materials while, taking quizzes, tests, examinations or other assignments, including copying from another’s quiz, test, examination, or other assignment or allowing another to copy from one’s own quiz, test, examination, or other assignment;

ii. Using sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;

iii. Acquiring, without permission, tests or other academic material belonging to the instructor or another member of the Institutional faculty or staff;

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- iv. Engaging in any behavior prohibited by the instructor in the course syllabus or in class discussion;
 - v. Falsifying or misrepresenting data or results from a laboratory or experiment; or
 - vi. Engaging in other behavior that a Reasonable Person would consider to be cheating.
- b.** Plagiarism includes, but is not limited to, the following:
- i. Using, by paraphrase or direct quotation, the published or unpublished work of another person without full and clear acknowledgment;
 - ii. Using materials prepared by another person or agency engaged in the selling of term papers or other academic materials without prior authorization by the instructor; or
 - iii. Engaging in other behavior that a Reasonable Person would consider plagiarism.
2. Engaging in other conduct that a Reasonable Person would consider dishonesty relating to academic achievement, research results or academically related public service.
3. Furnishing false information or false representations to any Institutional Official, instructor, or office. Submission of false information or withholding information at the time of admission or readmission may make an individual ineligible for admission to, or continuation at, an Institution.
4. Forging, fabricating, altering, misrepresenting, or misusing any document, record, or identification, including misrepresentations of degrees awarded or honors received.
5. Tampering with the election of any Organization.
6. Claiming to represent, or act on behalf of, the Institution when not authorized to do so.

B. Disruption, Obstruction, or Interference with Institutional Activities

- 1. Disrupting or obstructing Institutional activities.
- 2. Classroom disruption, which is behavior that a Reasonable Person would view as significantly or repeatedly interfering with the instructor's ability to teach the class or the ability of other Students to benefit from the instructional program.
- 3. Failure to comply with directions of Institutional, law enforcement, fire department, public safety contractors, or other government officials acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- 4. Obstruction of the free flow of pedestrian or vehicular traffic.
- 5. Abuse of the Student conduct process, which includes, but is not limited to, any of the following:
 - a. Falsifying, distorting, or misrepresenting information provided;
 - b. Making false allegations;
 - c. Attempting to discourage an individual's proper participation in, or use of, the Student conduct process;
 - d. Harassment (verbal or physical) or intimidation of any person participating in the Student conduct process;
 - e. Failure to comply with any conduct sanctions imposed pursuant to this Student Code.

C. Misuse of Institutional Resources or Property, or Personal Property of Others

1. Tampering with fire and life safety equipment including, without limitation, fire alarms, sprinkler systems, first aid equipment, and laboratory safety apparatus.
2. Unauthorized taking of, damage to, or possession of property belonging to the Institution, another Member of the Institutional Community, or another person.
3. Unauthorized possession, duplication, or use of keys, access cards, or access codes to any Institutional Premises.
4. Unauthorized entry into, or use of, Institutional Premises.
5. Unauthorized possession, entry into, or use of Institutional equipment, software systems, or information.
6. Possession of firearms, stun guns, tasers, BB guns, switchblade knives, fixed-blade knives with a blade length of five (5) inches or greater, or any item that is designed or used to injure or harm another person, fireworks, explosives, or dangerous chemicals on Institutional Premises or at Institutional events, except as explicitly permitted by a Board Policy or an Institutional Policy;
7. Unauthorized use or abuse of technology, including, but not limited to:
 - a. Unauthorized entry into a file or program to use, copy, read, delete, or change the contents, or for any other purpose;
 - b. Unauthorized transfer of a file;
 - c. Unauthorized use of another individual's identification or account;
 - d. Use of technology to interfere with the work of another Student, Faculty Member, or Institutional Official;
 - e. Use of technology to send Harassing or abusive messages;
 - f. Use of technology to engage in unlawful activities, including those involving uses that infringe intellectual property rights;
 - g. Use of technology to interfere with normal operation of an Institution's technology or other system;
 - h. Making, acquiring, or using unauthorized copies of computer files, violating terms of applicable software license agreements, or using the Institution's technology network or system to download files in violation of copyright laws;
 - i. Attempting to circumvent data protection schemes or tampering with security;
 - j. Violating Institutional or Board computer use or internet policies.

D. Threat of Harm or Actual Harm to a Person's Physical or Mental Health or Safety

1. Violence, which includes, but is not limited to, using or threatening to use physical force on or towards another person without that person's permission, except in reasonable self-defense. The use of physical force includes both using one's own body parts as well as using other items.
2. Brandishing, pointing, or using a knife, gun, or other weapon towards another person, except in reasonable self-defense.
3. Restraining or transporting another person without that person's permission.
4. Making bomb threats.
5. Harassment, which includes, but is not limited to,:

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- a.** Conduct towards another person that has the purpose or effect of creating an objectively and subjectively intimidating, hostile, or demeaning environment that substantially interferes with the individual's ability to participate in or to realize the intended benefits of an Institutional activity or resource; and
- b.** Other conduct that is extreme and outrageous exceeding all bounds usually tolerated by polite society and that has the purpose or the substantial likelihood of interfering with another person's ability to participate in or to realize the intended benefits of an Institutional activity or resource.
- 6.** Sexual Harassment, which is subjecting another person to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:
- a.** Submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's participation in, or use of, an Institutionally-sponsored or approved activity or resource; or
- b.** Submission to or rejection of such conduct by an individual is used as the basis for educational or similar decisions affecting an individual's ability to participate in or use an Institutionally-sponsored or approved activity or resource.
- 7.** Stalking, which is engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to fear for the person's safety or the safety of others, or suffer substantial emotional distress.
- a.** "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- b.** "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling
- 8.** Hazing, which includes, but is not limited to, an act that, as an explicit or implicit condition for initiation to, admission into, affiliation with, or as a condition for continued membership in a group or an Organization:
- a.** Is likely to, or would be perceived by a Reasonable Person as likely to, endanger the physical health of an individual or cause psychological discomfort or distress through treatment that a Reasonable Person would consider to be humiliating, intimidating, or demeaning;
- b.** Destroys or removes public or private property;
- c.** Involves the consumption of alcohol or other substances to excess; or
- d.** Violates any Board Policy or Institutional Policy.
- The express or implied permission of the individual being hazed does not make the behavior acceptable. It is also a violation of this provision to solicit, aid, or attempt to aid another person in planning or committing Hazing.
- 9.** Sexual Misconduct, which is any contact of a sexual nature with another person without that person's consent. Contact of a sexual nature includes, but is not limited to:
- a.** Touching the intimate parts of another person;
- b.** Touching another person with one's own intimate parts;
- c.** Forcing another person to touch one's own intimate parts; and

d. Exposing one's own intimate parts to another person;

Intimate parts include, but is not limited to, genitalia, groin, breast, buttocks, mouth, or clothing covering the same.

Consent is defined as informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. If coercion, intimidation, threats and/or physical force are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption or being asleep or unconscious. If a person is fifteen (15) years old or younger, there is no consent. Whether one has taken advantage of a position of influence over another may be a factor in determining consent. Consent to any one form of sexual activity does not imply consent to any other form of sexual activity. Consent to one sexual encounter does not imply consent to another sexual encounter. Consent may be revoked at any time.

10. Voyeurism includes, but is not limited to, any use of electronic or other devices to make an audio, video, or photographic record of another person without that person's prior knowledge and without that person's prior authorization when such a recording is likely to cause that person or a Reasonable Person injury or distress, or involves that person's intimate parts or sexual conduct involving that person.

11. Invasion of Privacy occurs when:

- a.** An individual views another person, without that person's prior knowledge and permission, under circumstances in which the other person has a reasonable expectation of privacy; or
- b.** An individual uses an audio recording device to record another person, without that person's prior knowledge and permission, under circumstances in which the other person has a reasonable expectation of privacy.

E. Discrimination and Retaliation

1. Discrimination is excluding from, or treating another person differently than others in, Institutional activities on the basis of sex, race, color, creed, religion, national origin, ancestry, gender, gender identity, transgender, sexual orientation, age, disability, genetic information, or veteran status. However, social fraternities and sororities that are exempt from taxation under federal law may maintain single-sex membership practices without violating antidiscrimination policies, as recognized by 20 U.S.C. 1681(a)(6), and the enforcement of such single-sex membership practices by Students does not violate this provision.

2. Retaliation is conduct that would make a Reasonable Person feel intimidated, or that interferes with, threatens, coerces, or otherwise discriminates against any individual because that individual reports or files a complaint alleging a violation of law, Board Policy, or Institutional Policy, or participates in any process in which the individual has a right to participate.

F. Housing and Living Groups

Violations of any rules imposed by Institutional housing or living groups are also violations of this Student Code. **G. Use and Misuse of Substances**

1. The unauthorized manufacture, sale, possession, use, or consumption of alcohol, marijuana, or controlled substances by Students.

However, possession, use, or distribution of alcohol, marijuana, or controlled substances is permitted on premises controlled by the Board of Regents when:

- a. Needed in conjunction with approved research activities;
- b. Alcohol is possessed, used, or distributed in a lawful manner inside a designated residence hall facility occupied exclusively by upper-division and/or non-traditional Students who are at least twenty-one (21) years of age;
- c. Alcohol is possessed, used, or distributed in a lawful manner on premises controlled by the Board of Regents that have been designated by the Institution's president as places where such possession, use, and distribution may be permitted, subject to such conditions as the Institution's president may also prescribe, provided that a notice of such designation and conditions have been filed previously with the executive director of the Board of Regents; or
- d. The possession, use, or distribution of the controlled substance is prescribed by a licensed health care professional authorized to prescribe such substances.
- e. Alcohol is possessed, used, or distributed in a manner that is expressly approved by a Board Policy.

2. The unauthorized possession of any drug paraphernalia.

H. Violation of Policy or Laws

1. Violation of published Board of Regents or Institutional Policies, rules, or regulations.
2. Violation of federal, state, or local law.

I. Other Conduct

Conduct not expressly prohibited may also subject Students or Organizations to conduct sanctions where such conduct has the purpose and effect of infringing interests protected by this Student Code or other provisions of Board Policy or Institutional Policy.

J. Conduct by Organizations

1. Organizations that, formally or informally through repeated practice, initiate, encourage, support, or tolerate conduct by members, associates, or invitees that violates the provisions of this Student Code shall be subject to conduct sanctions.
2. The privileges of official recognition by an Institution may be extended to Organizations, including those that maintain residences for their members, only if such Organizations agree to adopt and to enforce policies that, at minimum:
 - a. Prohibit the manufacture, possession, use, dispensing, or provisions of alcoholic beverages at organizational functions or in the organizational residence by persons under the age of 21;
 - b. Prohibit the manufacture, possession, use, or dispensing of marijuana or unauthorized controlled substances at organizational functions or in the organizational residence;
 - c. Prohibit the expenditure of organizational funds on alcoholic beverages, marijuana, or controlled substances;
 - d. Prohibit the informal collection of monies from members, associates, or invitees to be spent on alcoholic beverages, marijuana, or controlled substances;

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- e. Prohibit the possession, use, or distribution of alcohol, marijuana, or controlled substances on premises controlled by the Board of Regents, except as explicitly permitted by Section 3.G.1 of this Student Code;
 - f. Establish conduct policies and sanctions regarding violations by individual members no less stringent than those set forth under Board Policies, except that limited use of alcoholic beverages is permissible as set out above, and except that, in lieu of suspension or expulsion, the organization shall suspend or revoke the privileges of membership, including residence privileges; and
 - g. Require that a report be filed with the Senior Student Affairs Officer each semester identifying all actions taken pursuant to the Student conduct policies required in this Student Code;

3. Institutions may impose additional or more restrictive conditions on official recognition.

4. Organizations are also subject to the Board of Regents' antidiscrimination policies set forth in Board Policy 1:18. However, social fraternities and sororities that are exempt from taxation under federal law may maintain single-sex membership practices without violating antidiscrimination policies, as recognized by 20 U.S.C. 1681(a)(6).

4. Student Conduct Process

A. Allegations

1. Allegations of misconduct may be reported against any Student by anyone. Allegations shall be directed to the Student Conduct Officer in the Office of the Dean of Students. The reporting party will disclose the facts that form the basis for the allegation, the identities of any other witnesses, and any other relevant information regarding the alleged misconduct.

a. Allegations of Academic Misconduct will be reported to the Student Conduct Officer but are initially addressed through Board Policy 2:33.

b. Allegations of Human Rights Violations shall follow the process outlined in Board Policy 1:18.

2. The Student Conduct Officer shall make an initial determination whether the allegations, if true, would violate the Student Code. If the Student Conduct Officer determines that the allegations, if true, would violate the Student Code, the Student Conduct Officer shall conduct an informal preliminary investigation to determine whether the allegations are credible. This process may include speaking with witnesses and reviewing any documentation.

a. As to off-campus conduct, the Student Conduct Officer shall determine whether the incident adversely affects the Institution, any Organizations, members of the Institutional community, or the pursuit of their lawful objectives.

b. Allegations of Academic Misconduct that are not informally resolved pursuant to Board Policy 2:33 will enter the Student conduct process here.

c. Allegations of Human Rights Violations that are not informally resolved pursuant to Board Policy 1:18 will enter the Student conduct process here.

3. If the Student Conduct Officer determines that either (i) the allegations, if true, would not violate the Student Code or (ii) that the allegations are not credible, then the Student Conduct Officer should inform the Complainant of this determination and inform the Complainant that the allegations may be re-submitted should additional information become available.

4. If the Student Conduct Officer determines that the allegations, if true, would violate the Student Code and determines that the allegations are credible, the Student Conduct Officer

shall provide written Notice to the Respondent within fifteen (15) Days of receiving the report of alleged misconduct or notification from the Faculty Member of the need to address alleged Academic Misconduct through the Student Code.

5. The written Notice to the Respondent must include the following:
 - a. The alleged behavior that would be a violation of the Student Code;
 - b. The section(s) of the Student Code alleged to have been violated;
 - c. The name of the Complainant;
 - d. A time to meet with the Student Conduct Officer to provide the Respondent with the opportunity to give his/her account of the incident leading to the allegation of misconduct;
 - e. Information about the right to have an Advisor present throughout the Student conduct process;
 - f. Information about both the informal and formal resolution processes;
 - g. A time for a hearing to occur no earlier than ten (10), and no later than twenty (20), Days after this written Notice is deemed received to address any alleged violations that are not informally resolved;
 - i. The minimum time limit may be waived by the Respondent.
 - ii. The maximum time limit may be extended at the discretion of the Student Conduct Officer.

B. Interim Measures

In certain circumstances, the Senior Student Affairs Officer, or a designee, may impose interim measures that go into effect immediately, prior to a hearing before a Student Conduct Panel, and remain in effect until no longer needed.

1. Interim measures are intended to protect the interests of both the Complainant and the Respondent prior to a hearing. Interim measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action towards a Respondent). Interim Measures may include, but are not limited to, no-contact directives, residence modifications, academic modifications and support, Institutional work schedule modifications, interim residence suspension, or interim suspension. Written Notice of Interim Measures shall be provided to the party to whom the interim measures are directed.
2. Interim suspension may be imposed only for one or more of the following purposes:
 - a. To ensure the safety and well-being of members of the Institutional community or preservation of Institutional property or other property located on premises controlled by the Institution;
 - b. To ensure a Student's own physical or emotional safety and well-being; or
 - c. To ensure the normal operations of the Institution where a Student poses an ongoing threat of disruption of, or interference with, the normal operations of the Institution.
3. During the interim suspension, the Student may be denied access to residence facilities, the campus (including classes), and all other Institutional activities or privileges.
4. A Student placed on interim suspension shall be given written Notice of Interim Measures,

which shall include:

- a. The reasons for the interim suspension;
- b. The parameters of the interim suspension; and
- c. Information concerning the right to appeal the interim suspension.

5. Interim Suspension Appeal Process

- a. The Student must submit a written request for a meeting to the Senior Student Affairs Officer.
- b. The Senior Student Affairs Officer will schedule a meeting with the Student as soon as practical and no later than three (3) Days after receiving the written request. At this meeting, the Student is provided the opportunity to raise any objections to the interim suspension or to request alternative interim measures.
- c. The Senior Student Affairs Officer has sole discretion regarding interim measures.

C. Informal Resolution

1. The Student Conduct Officer may speak separately and individually with the Complainant and the Respondent to determine whether the alleged misconduct can be resolved through informal resolution. a. In matters involving allegations of Human Rights Violations, informal resolution may not take the form of having the Complainant and the Respondent be in the same room at the same time.

b. In matters involving allegations of Human Rights Violations, the Student Conduct Officer should consider whether the informal resolution is equitable and will end the misconduct, prevent its recurrence, and address its effects.

2. Informal resolution may be reached where:

a. The parties involved mutually agree to a full resolution of the alleged misconduct that is acceptable to the Student Conduct Officer.

i. This must be documented in writing and signed by the Complainant, Respondent, and Student Conduct Officer.

b. The Respondent waives a formal hearing by admitting to the misconduct and accepting the proposed conduct sanctions.

i. This must be documented in writing and signed by the Respondent and the Student Conduct Officer.

ii. This type of informal resolution is not available in matters involving allegations of Human Rights Violations.

3. Partial informal resolution may be reached where the Respondent admits to the misconduct but does not accept the proposed conduct sanctions. When this occurs, the process moves to formal resolution with the hearing being limited to the question of appropriate conduct sanctions.

a. This must be documented in writing and signed by the Respondent and the Student Conduct Officer.

b. In matters involving allegations of Human Rights Violations, the Complainant must also agree in writing to this partial informal resolution.

4. Informal resolution shall be final and the parties who agreed in writing to informal resolution waive any right to appeal.

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5. The Student Conduct Officer's involvement in attempting to informally resolve the allegation of misconduct does not impact the Student Conduct Officer's ability to later serve as the Student Conduct Panel or a member thereof in the formal resolution process.
 6. Informal resolution may be reached at any time before the Chair issues any findings, conclusions, and, when a violation is found, conduct sanctions it determines to be appropriate through the Formal Resolution process.

D. Formal Resolution

1. If the alleged misconduct is not fully resolved through informal resolution, any unresolved matter proceeds to a hearing.
2. The composition of the Student Conduct Panel shall be determined as follows:
 - a. For matters where the Student Conduct Officer serves as Chair of the Student Conduct Panel, the Student Conduct Officer shall have sole discretion regarding whether the Student Conduct Panel includes:
 - i. Option 1 – only the Student Conduct Officer; or
 - ii. Option 2 – the Student Conduct Officer and any Institutional employee or employees or independent contractor authorized by the Senior Student Affairs Officer to determine whether a Student has violated the Student Code and to recommend imposition of conduct sanctions,
 - b. For matters involving allegations of Academic Misconduct, the Student Conduct Panel must include at least one Faculty Member or academic administrator appointed by the Provost in the form described in Option 2 above.
 - c. Both the Complainant and the Respondent will be provided Notice of the identity of the member(s) of the Student Conduct Panel. Both parties may request in writing (and must include supporting information) that (i) the Student Conduct Panel include additional members (Option 2), and/or (ii) a Student Conduct Panel member be replaced due to an actual conflict of interest. Such requests must be submitted, in writing to the Senior Student Affairs Officer no later than twenty-four (24) hours after the Notice is provided to the party. The Senior Student Affairs Officer shall make a final decision as to these requests and will provide Notice to both parties of the decision.
3. Hearings shall be conducted by a Student Conduct Panel according to the following guidelines:
 - a. Hearings shall be conducted in private. Witnesses other than the Complainant and the Respondent may only be present during the hearing while presenting their information.
 - b. The Chair shall have sole discretion and final decision-making authority over the following:
 - i. Whether an individual's conduct interferes with the hearing and requires that individual's removal;
 - ii. Whether written information, materials, documents, and statements submitted are relevant and will be accepted for consideration by the Student Conduct Panel;
 - iii. All questions about the interpretation of the Student conduct process; and
 - iv. Whether to have separate or joint hearings when a hearing would involve more than one Respondent;

4. Neither the Complainant nor the Respondent are required to attend or participate in the hearing, and such decision will have no bearing on the question of whether the Respondent violated the Student Code.

5. The Respondent has no obligation to provide any information, materials, documents, or witnesses, or answer any questions and is presumed to not have violated the Student Code.

6. If the Complainant or Respondent wants the Student Conduct Panel to review any materials or documents or wants to present any witnesses at the hearing, such materials and documents and/or witness lists must be submitted to the Chair by the following deadlines in order to be considered:

a. In matters alleging Human Rights Violations, all materials and documents and/or witness lists must be submitted at least seventy-two (72) hours before the hearing. Additionally, a copy of the final report prepared by the Title IX investigator(s) will be provided to the Complainant, Respondent, and the Student Conduct Panel members.

b. For all other matters, all materials and documents and/or witness lists must be submitted at least twenty-four (24) hours before the hearing.

The Chair will promptly provide the other party and the Student Conduct Panel members a copy of any materials, documents, and witness lists submitted.

7. The Complainant and the Respondent have the right to be assisted by an Advisor of their choice, at their own expense. Ordinarily, no more than two Advisors for each Student shall be permitted. The Advisor is limited to advising the Student directly, and is not permitted to speak to anyone else, or participate directly, in any hearing.

8. The Student Conduct Officer shall record the audio of the hearing.

9. Generally, the hearing will be conducted in the following order:

a. The Chair will ask each individual present at the hearing to identify him/herself by providing his/her name and role at the hearing (e.g., Complainant, Respondent, Member of the Student Conduct Panel, etc.).

b. The Chair will remind the Respondent:

i. Of the materials that the Student Conduct Panel received prior to the hearing;

ii. Of the right to have an Advisor present;

iii. Of the right to refuse to speak as a witness against him/herself;

iv. That the refusal to speak as a witness against him/herself will have no bearing on the question of whether the Respondent violated the Student Code;

v. Of the alleged behavior that would be a violation of the Student Code; and

vi. Of the section(s) of the Student Code alleged to have been violated.

c. The Chair will provide the Complainant with the opportunity to engage in the hearing. If the Complainant agrees to engage, then:

i. The Chair will provide the Complainant the opportunity to provide any additional relevant factual details that were not previously provided. The Complainant may choose to do so or may decline and maintain the right to not provide information, materials, documents, or answer questions. The Complainant may decline but still present witnesses.

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- c.** If a violation is found, recommendations of appropriate conduct sanctions and any supporting rationale;
 - 12.** The Student Conduct Panel shall forward its written findings, conclusions, and any recommended conduct sanctions to the Chair. The Chair has sole discretion to adopt or reject the findings, conclusions, and any recommended conduct sanctions.
 - a.** If the findings, conclusions, or recommended conduct sanctions are rejected, the Chair shall issue any findings, conclusions, and, when a violation is found, any conduct sanctions it determines to be appropriate, and will provide the Student Conduct Panel with an explanation for its decision.
 - b.** The Chair shall determine the effective date of any conduct sanctions imposed, which effective date should be on or after the exhaustion of the appeal as a matter of right. However, interim measures may remain in place, or be instituted, until the effective date of any conduct sanctions.
 - 13.** The Chair's written findings, conclusions, and any conduct sanctions shall be provided to the Respondent. When FERPA allows or the Clery Act requires, the Complainant will receive the permitted information simultaneously. See Section E.1 below for more information.
 - a.** In matters involving allegations of Academic Misconduct, the Chair's written findings, conclusions, and any conduct sanctions shall also be provided to the Faculty Member.
 - 14.** The audio record of the hearing shall be the property of the Institution and shall be maintained by the Student Conduct Officer. No other person may record the hearing.
 - a.** The audio record and its contents shall be confidential and may only be used for purposes of any appeals. Any person who discloses the contents of the audio record to parties not involved in the appeal shall be subject to conduct sanction.
 - b.** In the event of an appeal, the Respondent shall be given access to the audio record for purposes of preparing an appeal. When the alleged misconduct involves allegations of Human Rights Violations, the Complainant shall be given access to the audio record for purposes of preparing an appeal. Access shall be provided at such places and times as the Senior Student Affairs Officer may direct
 - c.** Except as required by law, the Institution shall not be required to change the form in which the record is maintained.

E. Sanctions

1. Individual Conduct Sanctions

- a.** In each case in which the Chair determines that a Respondent has violated the Student Code, the Chair shall determine and impose appropriate conduct sanction(s). Where a violation of Board Policy is established, and where a conduct sanction is mandated under Board Policy, that conduct sanction shall be imposed.
- b.** In matters involving allegations of Academic Misconduct that are informally resolved pursuant to Board Policy 2:33, the Student Conduct Officer will receive the information from the Faculty Member and shall determine and impose appropriate conduct sanction(s).
- c.** Complainants shall be informed in writing and at the same time as the Respondent of any outcome and conduct sanctions imposed in the following circumstances:

ii. When the conduct sanction involves remedial action that directly relates to the Complainant (e.g., a directive requiring the Respondent to not have contact with the Complainant);

iii. Where the allegations against the Respondent would also constitute a crime of violence or non-forcible sex offense as defined by FERPA; or

iv. Where the allegations against the Respondent would also constitute Human Rights Violations. In this circumstance, the rationale for the result must also be included.

d. FERPA allows Institutions to disclose the final results of a conduct proceeding when the Chair determines that the Respondent violated the Student Code and that violation falls within the definition of a crime of violence or a non-forcible sex offense as defined by FERPA. For purposes of this subsection, “final results” means the name of the Respondent, the violation committed, and any conduct sanction(s) imposed by the Institution.

e. FERPA allows Institutions to inform the parents or legal guardians of a Respondent younger than twenty-one (21) years of age that the Respondent has violated Institutional Policies concerning the use or possession of alcohol or controlled substances.

f. The following conduct sanctions may be imposed upon any Respondent found to have violated the Student Code. More than one of the conduct sanctions listed below may be imposed for any single violation. Imposition of a conduct sanction may be delayed or suspended on such conditions as the Student Conduct Officer may prescribe.

v. Warning – A statement to the Respondent that the Respondent has violated the Student Code of Conduct.

vi. Probation – Probation is for a designated period of time and includes the probability of more severe conduct sanctions if the Respondent is later found to have engaged in any additional violation(s) the Student Code during the probationary period.

vii. Loss of Privileges – Denial of specified privileges for a designated period of time. The privileges of continued participation in Institutional activities, access to Institutional facilities or residences may be conditioned upon participation in or completion of educational programming at the Student’s expense.

viii. Fines – Monetary payments.

ix. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service, money, or material replacement.

x. Educational Sanction – work assignments, essays, service to the Institution, community service, workshops, or other related educational activities.

xi. Residence Suspension – Separation of the Respondent from the Institution’s residence facilities for a definite period of time, after which the Respondent is eligible to return. Conditions for return to the residence facilities may be specified.

xii. Residence Expulsion – Permanent separation of the Respondent from the Institution’s residence facilities. A sanction of residence expulsion will take the form of residence suspension pending completion of the appeals process.

xiii. Suspension – Separation of the Respondent from the Institution for a definite period of time, after which the Respondent is eligible to return. Conditions for return may be specified. A Respondent who has been suspended from one Institution may not enroll at another Institution until the period of suspension has ended.

xiv. Expulsion – Permanent separation of the Respondent from the Institution. A Respondent who has been expelled from one Institution may not enroll at another Institution. A sanction of expulsion will take the form of suspension pending completion of the appeals process.

xv. Withholding Degree – the Institution may withhold awarding a degree otherwise earned until the completion of the Student conduct process or the completion of all conduct sanctions imposed.

xvi. Revoking Admission and/or Degree – the Institution may revoke admission to, or a degree awarded from, the Institution for violation of Institutional standards for obtaining admission or the degree, or for other serious violations of the Student Code committed by the Respondent prior to graduation.

g. The following conduct sanctions are mandated for violation of Board Policies:

xvii. Conduct sanction for Human Rights Violations shall be subject to the following conditions:

1. For the first violation, expulsion may be appropriate given the nature of the violation;
2. For a second violation at any time during the Respondent's academic career at any Institution, expulsion shall be mandatory.

xviii. Respondents who make bomb threats or who assist others who make bomb threats shall be expelled and shall be required to pay restitution to the Institution for all direct and indirect expenses incurred as a result of the threat or threats.

xix. Conduct sanctions for violations of the Student Code related to alcohol, marijuana, or controlled substances during the Respondent's academic career at any Institution must, at a minimum, include:

1. For the first violation, the completion of educational programming.
2. For the second violation, a fine of \$100.00 and being placed on conduct probation.
3. For the third violation, a one semester suspension.

xx. Conduct sanctions for Academic Misconduct must, at a minimum, include:

1. For a first violation, a warning and being placed on conduct probation.
2. For a second violation, an educational sanction.
3. For a third violation, suspension for one semester.

h. Conduct sanctions shall not be made part of the Respondent's permanent academic record, but shall become part of the Respondent's conduct record. The Respondent's conduct record containing conduct sanctions other than suspension, expulsion, revoking admission and/or a degree, or withholding a degree, will be expunged seven (7) years after the date of the original finding of a violation of the Student Code. The Respondent's conduct record containing any of the four conduct sanctions above

shall be maintained permanently. Where restitution is required of a Respondent, the Institution reserves the right to disclose all portions of the conduct file as may be necessary to obtain a judgment in a court of competent jurisdiction. Such files shall be preserved at least until all necessary compensation has been obtained.

i. Students enrolled in one Institution shall be held accountable for their conduct while visiting all other Institutions. Students may be required, as a condition of continued enrollment, to appear at the Institution where the alleged misconduct took place, at their own expense, for a conduct hearing and to answer allegations based on their conduct while at that Institution.

i. Any conduct sanction imposed by one Institution shall be effective at all other Institutions. A Respondent suspended at one Institution shall not be able to enroll at another Institution until the period of suspension has ended. A Respondent who has been expelled from one Institution may not enroll at another Institution.

ii. When a Respondent is brought forward on allegations of misconduct by another Institution, any conduct sanction issued after a finding of a violation shall be determined by the Institution that brought forward the allegations of misconduct. Unless suspension or expulsion is mandated by this Board Policy 3:4, suspension or expulsion may only be imposed after first consulting with the Senior Student Affairs Officer from the Institution where the Respondent is enrolled.

2. Organizational Conduct Sanctions

a. The following conduct sanctions may be imposed upon Organizations:

i. Those conduct sanctions listed above in Section 4.E.1.

ii. Conduct sanctions for violations of the Student Code related to alcohol, marijuana, or controlled substances must, at a minimum, include:

1. For the first violation, the prohibition of the use of alcohol at any of its functions, the removal of all alcohol from the residence, or both, for one (1) calendar year from the date on which this conduct sanction is imposed. Additionally, the organization may lose the right to host social functions for the same period of time.

2. For a second violation that occurs within four (4) calendar years from the date the first violation was determined, the loss of the privilege to solicit and accept new members for one (1) calendar year.

3. For a third violation within four (4) calendar years from the date the second violation was determined, the loss of recognition for four (4) academic years.

F. Appeals

1. Appeal as a Matter of Right

a. The Respondent may appeal a decision reached by the Chair. In matters involving allegations of Human Rights Violations, the Complainant may also appeal a decision reached by the Chair. The appeal must be in writing and must be submitted to the Senior Student Affairs Officer no later than five (5) Days after Notice of the Chair's decision is deemed received.

b. The written appeal must cite at least one (1) of the following reasons for review and must include supporting arguments and documentation as to why an appeal should be granted on those grounds.

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- i.** The original hearing was conducted unfairly to the point that it substantially and materially affected the outcome;
 - ii.** Using the facts found by the Chair, the conclusion regarding whether there was a violation(s) of the Student Code was incorrect;
 - iii.** The conduct sanction(s) imposed were not appropriate for the violation of the Student Code that the Respondent was found to have committed; and/or
 - iv.** New information that was unavailable at the time of the hearing has been discovered and could substantially and materially affect the outcome.

c. An appeal shall be limited to a review of:

- i.** The verbatim record of the initial hearing;
- ii.** Supporting documents submitted as part of the initial hearing; and
- iii.** Supporting documents submitted in support of the appeal reason(s)

d. The Senior Student Affairs Officer will provide the other party a copy of the appeal and a reasonable amount of time to submit any materials to be considered.

e. The Senior Student Affairs Officer will provide the Appellate Board with the materials submitted. The Appellate Board will review the materials submitted and provide a written recommendation to the Senior Student Affairs Officer as soon as practicable. The Senior Student Affairs Officer has sole discretion to adopt or reject the recommendation.

i. If the recommendation is rejected, the Senior Student Affairs Officer will provide the Appellate Board with a written explanation for his/her decision.

ii. The Senior Student Affairs Officer shall determine the effective date of any conduct sanctions imposed. The effective date of any conduct sanctions shall not be delayed pending any further appeals.

f. The Senior Student Affairs Officer's written decision shall be provided to the parties, along with the Appellate Board's recommendation and, if rejected, the Senior Student Affairs Officer's written explanation.

2. Appeal to the President of the Institution

a. The Respondent may appeal a decision reached by the Senior Student Affairs Officer. In matters involving allegations of Human Rights Violations, the Complainant may also appeal a decision reached by the Senior Student Affairs Officer.

b. The appeal must be in writing and must be submitted to the President's Office no later than five (5) Days after Notice of the Senior Student Affairs Officer's decision is deemed received.

c. The written appeal must cite at least one (1) of the following reasons for review and must include supporting arguments and documentation as to why an appeal should be granted on those grounds.

v. The original hearing was conducted unfairly to the point that it substantially and materially affected the outcome;

vi. Using the facts found by the Chair, the conclusion regarding whether there was a violation(s) of the Student Code was incorrect;

vii. The conduct sanction(s) imposed were not appropriate for the violation of the Student Code that the Respondent was found to have committed; and/or

viii. New information that was unavailable at the time of the hearing has been discovered and could substantially and materially affect the outcome.

d. The President has sole and complete discretion as to whether to agree to review an appeal, including what materials to consider. However, the President will not consider any reasons for review that were not previously raised in the appeal to the Appellate Board.

e. If the President agrees to review an appeal, the President will provide the other party/parties a copy of the appeal and a reasonable amount of time to submit any materials to be considered.

f. The President will provide a written decision to the parties, and to the Senior Student Affairs Officer. The decision may be a substantive one, or may merely indicate that the President has declined to review the appeal.

3. Appeal to the Board of Regents

a. After exercising and exhausting all appeals available at the Institutional level, the Respondent may appeal a decision reached by the President. In matters involving allegations of Human Rights Violations, the Complainant may also appeal a decision reached by the President after exercising and exhausting all appeals available at the Institutional level.

b. The appeal must be in writing and must be submitted to the Executive Director of the Board of Regents no later than thirty (30) Days after Notice of the President's decision is deemed received. The appeal must include the following:

i. Supporting arguments and documentation;

ii. All documentation provided by the Institution, including, at a minimum, the President's decision, the Senior Student Affairs Officer's decision, and the Chair's decision.

c. Written appeals that fail to include supporting arguments and documents, and the documentation provided by the Institution will be rejected.

d. An appeal submitted to the Executive Director that is not covered by subsection e) below may be considered by the Executive Director. In these instances, the Executive Director has sole and complete discretion as to whether to agree to review an appeal, including what materials to consider.

i. If the Executive Director agrees to review an appeal, the Executive Director will provide the other party a copy of the appeal and a reasonable amount of time to submit any materials to be considered.

ii. The Executive Director will provide a written decision to the parties, and to the President.

e. An appeal submitted to the Executive Director must be considered by the Board of Regents where a Student has been expelled or suspended based upon alleged violations of Board Policy 3:4; or a disciplinary action allegedly deprived the Student of a right or privilege protected by a specific term or provision of Board Policy or state or federal constitution, law, or regulation.

i. The Executive Director will have fifteen (15) working days within which to attempt, at his discretion, a resolution through informal means.

ii. If no informal resolution has been effected within the fifteen (15) working days, the Executive Director will refer the matter to a hearing examiner for reconsideration pursuant to SDCL § 1-26 using the contested case proceedings. At the conclusion of the contested case proceedings, the hearing examiner will provide a recommendation to the Executive Director for the disposition of the matter by the Board.

iii. Contested case proceedings may be conducted under protective orders entered pursuant to SDCL §§ 1-26-19 and 15-6-26(c).

SOURCE: BOR, February 1969; RR, 12:06, 1977; BOR, 1980; BOR, April 1987; BOR, June 1990; BOR, December 1994; BOR, October 1996; BOR, December 1999; BOR, March 2006; BOR, December 2006; BOR, August 2009; BOR, August 2011; BOR, December 2013; BOR, June 2014; BOR, August 2015; BOR, May 2016.

SOUTH DAKOTA BOARD OF REGENTS POLICY MANUAL 3:17

SUBJECT: Entry, Search and Seizure

The rights of students to be secure in their person, living quarters, papers and possessions against unreasonable entry, searches and seizures shall be assured. Entry, search and seizure by civil officers upon warrant shall be governed by civil law. Institutions are delegated authority and responsibility to establish and publish reasonable administrative entry, search and seizure procedures necessary for the enforcement of institutional regulations, to protect and to maintain institutional property, and to aid in the basic responsibility of the university regarding discipline and maintenance of an educational atmosphere.

1. These procedures shall provide for entry into university-owned student residences when:
 - A. Maintenance requested by the occupant(s) is being performed;
 - B. Routine inspection of rooms for safety, health and general upkeep purposes of maintenance performed upon institutional initiative is preceded by at least twenty-four (24) hours written or posted notice to the occupant(s);
 - C. There is imminent danger to safety, health or property of occupant(s) or to institutional property;
 - D. Conduct or conditions in the residence immediately and seriously disrupt the discipline and educational atmosphere of the residence facility; or
 - E. The entry is conducted by institution officials pursuant to an administrative entry/ search permit signed by a designee of the president. Such a permit shall be issued when there is reasonable cause to believe that a student is using his or her residence in a way that is illegal or a violation of the institution's regulations. The permit must state:
 1. the room(s) to be searched;
 2. the regulation(s) allegedly being violated;
 3. the basis for the belief that the regulation(s) is (are) being violated;
 4. the item(s) being sought (if applicable);
 5. the names of those authorized to enter.

The entry/search permit does not authorize a search by institution officials that is conducted as part of a joint investigation with law enforcement agencies or at the request or under the supervision of law enforcement personnel. Entry, search and seizure in those circumstances are governed by warrant requirements generally applicable to law enforcement agencies.

2. These procedures shall provide for a search of an institution locker, carrel or similar furnishing when:
 - A. Routine inspection of lockers for safety, health and general upkeep purposes is necessary;
 - B. There is imminent danger to the safety, health or property of the student user or other individuals, or to institutional property;
 - C. The search is conducted by institution officials with reasonable cause to believe that a student is using his or her locker in a way that is illegal or violates the institution's regulations.
3. Entry, search and seizure of student vehicles shall be governed by warrant requirements generally applicable to law enforcement agencies.
4. Unless institution policies regarding items in student residences or institution lockers apply, search and seizure of student personal effects shall also be governed by warrant requirements generally applicable to law enforcement agencies.
5. To achieve efficient and proper operation of the institution, the university reserves the right to enter and search a student employee's workplace when the university has reasonable grounds for suspecting that a search is necessary for a legitimate, non-investigatory purpose, such as retrieval of work-related materials, or that the search shall turn up evidence of the employee's violation of workplace rules. The scope of the search shall be reasonably related to the necessity of the work-related purpose or the nature of the suspected employee misconduct.

SOURCE: BOR, March 1993

SOUTH DAKOTA BOARD OF REGENTS POLICY MANUAL 3:21

SUBJECT: Notification of Law Enforcement and Appropriate Persons that a Student is Missing

1. Reporting a Student as Missing

- A. Any person may report a university student as missing by filing a report with the university's chief student affairs officer or at the university's campus security office. It is not necessary to wait until the student has been missing for twenty-four hours before making a report.
- B. For purposes of this policy, a student is missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits or routines.

2. Institutional Response

- A. Upon receipt of a missing student report, student affairs or campus security personnel will promptly attempt to locate the student on campus or at other sites controlled by the university.
 1. Initial efforts to contact students will involve telephone or other electronic communications.
 2. If unable to contact the students by electronic means, university personnel will attempt to contact the students at their lodgings on the campus or in the municipal limits of the city where the university is located.

3. If students who reside in university controlled residences do not respond to electronic contacts or to knocking on their doors, student affairs personnel may enter the students' rooms in order to assess the condition of the room and to look for visible personal property (wallet, keys, cell phone or clothing) that might provide clues as to whether the student has taken an extended trip or other planned absence from the residence hall. If the initial investigation is being undertaken by campus security officers, they will either request that student affairs personnel enter student rooms or they will obtain search warrants.

4. University personnel may pursue such additional or other investigative activities as are reasonable under the circumstances.

B. If the university determines that the student has been missing for a period of twentyfour hours, or if it cannot locate the student and it determines that the student appears to be missing as per § 1(B), the university will immediately notify local law enforcement agencies that the student is missing.

C. When the university notifies local law enforcement agencies, it will also notify such persons as the student may have designated pursuant to § 4(A), below, that the student is missing.

1. In the case of unemancipated students under the age of 18, the university will notify the students' custodial parents or legal guardians.

D. The university will determine whether circumstances suggest that others living, working or participating in activities at the university may be in danger, and if it determines that such a danger may exist, it will warn the campus.

3. Publication of this Policy

A. Each university will publish this policy electronically through websites designed to convey emergency or law enforcement information; will incorporate its provisions into student handbooks, resident life or similar publications; and will otherwise assure that students know, or should know, of its provisions.

4. Students' Option to Identify Persons to Be Informed.

A. At the time that a student is accepted as a resident in university controlled housing, the student will be given an opportunity to designate an individual to be notified pursuant to this policy in the event that the student becomes missing.

1. Students will be provided confidential means to designate such individuals and to update their designations.

2. Such contact information will be held as a confidential student record.

B. Unemancipated students under the age of eighteen will be informed that, in the event that they become missing, the university will notify a custodial parent or legal guardian pursuant to this policy.

Source: BOR, August 2009.

CAMPUS ALERT SYSTEM

NSU has emergency guidelines and operating procedures in place for a wide variety of possible emergency situations. Individuals should become familiar with emergency response procedures on the emergency information website in order to have a plan and know what to do before, during and after an emergency.

Northern State University has implemented a Campus Alert Notification System, known as Everbridge, for students, faculty, and staff. This service allows NSU to deliver emergency alerts through a text, call or email. Students, faculty, and staff receive Campus Alert registration instructions via an email to their NSU email account. Once registered, notification settings can be modified by logging in to the Campus Alert System.

Register at northern.edu. The link can be found under the About section.

STUDENT HANDBOOK DISCLAIMER

The Student Handbook is published to acquaint you with the history and objectives of NSU, admission information and academic standards, student activities and services, and academic offerings. Rules, regulations, procedures, courses, programs and costs referenced or stated on the date of the Handbook's publication are subject to change as needs and reason may dictate.

Information contained in the Student Handbook is intended to be the most accurate available at the time of publication, but changes may become effective before the next catalog is published. It is ultimately the student's responsibility to stay current with regulations, procedures, courses, programs and costs. While reasonable efforts will be made to publicize such changes, a student is encouraged to seek current information from appropriate offices.



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