South Dakota State University

2026 Annual Security and Fire Safety Reports

Michael J Drake

Interim Chief of Police

Welcome to South Dakota State University. The South Dakota State University Police Department (UPD) is committed to providing a safe, secure, and welcoming environment for everyone who learns, lives, works, conducts research, and visits our campus. As a full-service university law enforcement agency, UPD works every day to protect our community while supporting the educational mission and values of South Dakota State University.

Campus safety is a shared responsibility. While the University Police Department provides professional law enforcement, emergency response, crime prevention, and public safety services, no police department can create a safe campus alone. A safe university community depends upon students, faculty, staff, visitors, and university partners recognizing risks, reporting concerns, looking out for one another, and taking an active role in preventing and responding to incidents that may affect our community.

The Annual Security and Fire Safety Report is an important part of that shared responsibility. Prepared in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), this report provides the South Dakota State University community with information intended to promote awareness and informed decision-making about campus safety. The report includes crime and fire statistics for the locations covered by the Clery Act, information regarding campus safety and security policies and procedures, crime prevention and awareness programs, emergency response and notification procedures, and resources available to members of our community.

The report also provides information concerning the rights, responsibilities, and resources available to individuals who may be affected by crime, including information regarding sexual assault, dating violence, domestic violence, and stalking. Our goal is to ensure that members of the SDSU community understand how to report concerns, where to seek assistance, and what resources are available when they need help.

UPD continually evaluates our practices, works with university departments and community partners, and seeks opportunities to strengthen the safety and security of our campus. We recognize that effective campus policing requires trust, communication, transparency, and meaningful relationships with the people we serve. We are proud to work alongside the many students, faculty, staff, administrators, and community partners who contribute to the safety and success of South Dakota State University.

I encourage every member of the SDSU community to read this report and become familiar with the resources, procedures, and information it contains. Knowing how to report a concern, how to receive emergency information, and where to find assistance can make a meaningful difference.

Thank you for your partnership in keeping South Dakota State University a safe and supportive place to learn, work, and live.

Department contact and other valuable information is available on the UPD website at https://www.sdstate.edu/safety-security/university-police.

Emergency Contacts:
UPD: 111 from campus phone
UPD: (605) 688-5117
All Brookings area Law Enforcement: 911

Everbridge Mobile Application:
https://www.sdstate.edu/safety-security/emergency-management/campus-safety

Annual Security Report Review Committee
for 2025 Calendar Year

Michael Drake
Interim Chief – SDSU Police Department

Tobias W. Uecker, Chair
Dean of Students

Dr. Michelle Johnson
Title IX/Equal Opportunity Coordinator

Kaitlyn Oleson-Hayen
Communications Supervisor – SDSU Police Department

Marc Rieger
Operations Sergeant – SDSU Police Department

Dr. James E. Schmaedeke
Program Director of Student Conduct

Andrea Zeller
Coordinator of Community Standards

CRIME REPORT STATISTICS AND DEFINITIONS

CRIME REPORTS	2023	2024	2025
MURDER & NON-NEGLIGENT MANSLAUGHTER			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
NEGLIGENT MANSLAUGHTER			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
RAPE			
On campus	5	3	5*
Non-Campus building or property	0	1	1
Residential Facilities for Students	5	3	4*
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
FONDLING			
On campus	8	4	0
Non-Campus building or property	0	3	0
Residential Facilities for Students	8	3	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
INCEST			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
STATUTORY RAPE			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
ROBBERY			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
AGGRAVATED ASSAULT			
On campus	0	1	0
Non-Campus building or property	1	0	1
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	1	0

CAVEAT: * One of the reports in the "Rape" category for 2025 was reported in 2025 but was alleged to have occurred in 2022.

CRIME REPORTS	2023	2024	2025
BURGLARY			
On campus	2	0	7
Non-Campus building or property	0	0	1
Residential Facilities for Students	2	0	6
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
MOTOR VEHICLE THEFT			
On campus	4	1	3
Non-Campus building or property	0	2	1
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	1	0	0
ARSON			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
DATING VIOLENCE			
On Campus	2	2	3*
Non-Campus building or property	0	0	0
Residential Facilities for Students	2	2	3*
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
DOMESTIC VIOLENCE			
On Campus	0	1	1
Non-Campus building or property	0	2	0
Residential Facilities for Students	0	1	1
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	2	0
STALKING			
On Campus	4	4	7
Non-Campus building or property	0	2	0
Residential Facilities for Students	1	2	1
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
HAZING			
On Campus			0
Non-Campus building or property			0
Residential Facilities for Students			0
Adjacent Public Property			0
Unfounded reports in this category			0

CAVEAT: * One of the reports in the "Dating Violence" category for 2025 was reported in 2025 but was alleged to have occurred in 2022.

HATE CRIME REPORTS	2023	2024	2025
MURDER & NON-NEGLIGENT MANSLAUGHTER			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
NEGLIGENT MANSLAUGHTER			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
RAPE			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
FONDLING			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
INCEST			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
STATUTORY RAPE			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
ROBBERY			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
AGGRAVATED ASSAULT			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0

HATE CRIME REPORTS	2023	2024	2025
BURGLARY			
On campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
MOTOR VEHICLE THEFT			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
ARSON			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
LARCENY-THEFT			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
SIMPLE ASSAULT			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
INTIMIDATION			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0
DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0
Unfounded reports in this category	0	0	0

CRIMINAL ARRESTS	2023	2024	2025
LIQUOR LAW VIOLATIONS			
On Campus	164	120	136
Non-Campus building or property	7	0	1
Residential Facilities for Students	67	61	67
Adjacent Public Property	73	45	27
DRUG LAW VIOLATIONS			
On Campus	30	12	11
Non-Campus building or property	6	0	1
Residential Facilities for Students	18	5	4
Adjacent Public Property	15	9	6
WEAPONS LAW VIOLATIONS			
On Campus	0	0	0
Non-Campus building or property	0	2	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	1	0	0

DISCIPLINARY REFERRALS TO CAMPUS JUDICIAL SYSTEM	2023	2024	2025
LIQUOR LAW VIOLATIONS			
On Campus	92	95	40
Non-Campus building or property	0	0	0
Residential Facilities for Students	92	95	40
Adjacent Public Property	0	1	1
DRUG LAW VIOLATIONS			
On Campus	1	3	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	1	3	0
Adjacent Public Property	0	0	0
WEAPONS LAW VIOLATIONS			
On Campus	0	0	0
Non-Campus building or property	0	0	0
Residential Facilities for Students	0	0	0
Adjacent Public Property	0	0	0

Definitions of Crimes (with included references, where relevant, to University Policy):

Murder and Non-negligent Manslaughter is the willful (non-negligent) killing of one human being by another. (University Policy 4:5, 2.d.ii.F.I.)

Negligent Manslaughter is the killing of another person through gross negligence.

Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. (University Policy 4:5, 2.d.ii.F.II.)

Criminal Sexual Contact (University term aligned with the Clery categorization of Fondling) is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. (University Policy 4:5, 2.d.iii.B.)

Consent as defined in University Policy 4:5 (2.d.vi.) may be implied from the facts and circumstances surrounding the commission of an act. Consent will not be found where an act has been done through the use of force, coercion, or threats of immediate and great bodily harm. Submission does not equal consent, and to establish consent, a party must utterly negate any element of force, coercion, or threat. Consent, once given, may be retracted. Consent will not be found under any of the following circumstances:

i. If the victim is less than thirteen (13) years of age; or

ii. Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or

iii. If the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or

iv. If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or

v. If the victim is thirteen (13) years of age, but less than sixteen (16) years of age, and the perpetrator is at least three (3) years older than the victim.

Incest as defined in University Policy 4:5 (2.d.iii.C.) is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by SDCL § 25-1-6, which provides that:

> Marriages between parents and children, ancestors and descendants of every degree, and between brothers and sister of the half as well as the whole blood, and between uncles and nieces, or aunts and nephews, and between cousins of the half as well as of the whole blood, are null and void from the beginning, whether the relationship is legitimate or illegitimate. The relationships provided for in this section include such relationships that arise through adoption.

Statutory Rape is sexual intercourse with a person who is under the statutory age of sixteen (16). (University Policy 4:5, 2.iii.D.)

Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence or by putting the victim in fear. (University Policy 4:5, 2.d.ii.F.III.)

Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or means likely to produce death or great bodily harm. (University Policy 4:5, 2.d.ii.F.IV.)

Burglary is defined as the unlawful entry into a structure to commit a felony, a theft, to vandalize or trespass, or with the intent to commit a felony, a theft, to vandalize, or to trespass.

Arson is maliciously burning or causing to be destroyed by burning any public or private property.

Motor vehicle theft is defined as the theft or attempted theft of a motorized vehicle. (This classification also includes "joyriding").

Hate crimes are defined for this report as crimes committed against a person which manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, gender identity, religion, ethnicity and national origin, disability, or sexual orientation. For this report, the hate crime must have been for one of the following criminal offenses that was committed where the victim was intentionally selected because one of the above listed biases motivated the perpetrator. These crimes are murder and non-negligent manslaughter, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism to property.

Liquor law violations are defined as violations of laws or ordinances prohibiting the manufacture, sale, possession, transportation, use, or furnishing of intoxicating liquors or alcoholic beverages; and all attempts to commit any of the aforementioned. (Public intoxication and driving under the influence are not included).

Drug abuse violations are defined as violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices used in their preparation and/or use.

Weapons possession violations are defined as violations of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying of deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons and all attempts to commit any of these acts.

Dating Violence as defined by University Policy 4:5 (2.d.i.) means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

i. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.
ii. For the purposes of this definition,
    a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    b. Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence as defined by University Policy 4:5 (2.d.ii.) means a felony or misdemeanor crime of violence committed by:

i. A current or former spouse or intimate partner of the victim;
ii. A person with whom the victim shares a child in common;
iii. A person who is cohabitating with, or who has cohabitated with, the victim as a spouse or intimate partner;
iv. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
v. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

South Dakota Codified Law Chapter 25-10 is the local statute covering domestic violence.

25-10-1. Definitions. Terms used in this chapter mean:

(1) "Domestic abuse," physical harm, bodily injury, or attempts to cause physical harm or bodily injury, or the infliction of fear of imminent physical harm or bodily injury when occurring between persons in a relationship described in § 25-10-3.1. Any violation of § 25-10-13 or chapter 22-19A or any crime of violence as defined in subdivision 22-1-2(9) constitutes domestic abuse if the underlying criminal act is committed between persons in such a relationship;

(2) "Protection order," an order restraining any person in a relationship described in § 25-10-3.1 from committing any act of domestic abuse or an order excluding any person in a relationship described in § 25-10-3.1 from the dwelling or residence of another person in such a relationship, whether or not the dwelling or residence is shared. A protection order has a duration of five years or less; and

(3) "Temporary protection order," an order restraining any person in a relationship described in § 25-10-3.1 from committing any act of domestic abuse or an order excluding any person in a relationship described in § 25-10-3.1 from the dwelling or residence of another person in such a relationship, whether or not the dwelling or residence is shared. A temporary protection order has a duration of thirty days except as provided in § 25-10-7.1.

25-10-3.1 Persons entitled to apply for protection order.

Any person who is involved in one of the following relationships with another party:

(1) Spouse or former spouse;
(2) Is in a significant romantic relationship or has been in one during the past twelve months with the abusing party;
(3) Has a child or is expecting a child with the abusing party;
(4) Parent and child, including a relationship by adoption, guardianship, or marriage; or
(5) Siblings, whether of the whole or half blood, including a relationship through adoption or marriage;

is entitled to apply for a protection order or a temporary protection order pursuant to the provisions of this chapter.

Stalking as defined in University Policy 4:5 (2.d.iv.) means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

i. Fear for the person's safety or the safety of others; or
ii. Suffer substantial emotional distress
iii. For the purposes of this definition:
    1. *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 communications to or about a person, or interferes with a person's property.
    2. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
    3. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

South Dakota Codified Law 22-19A is the local statute covering stalking.

22-19A-1. Stalking – Violation as a misdemeanor – Second or subsequent offense a felony.

No person may:

(1) Willfully, maliciously, and repeatedly follow or harass another person;
(2) Make a credible threat to another person with the intent to place that person in reasonable fear of death or great bodily injury; or
(3) Willfully, maliciously, and repeatedly harass another person by means of any verbal, electronic, digital media, mechanical, telegraphic, or written communication.

A violation of this section constitutes the crime of stalking. Stalking is a Class 1 misdemeanor. However, any second or subsequent conviction occurring within ten years of a prior conviction under this section is a Class 6 felony. Any conviction for, or plea of guilty to, an offense in another state which, if committed in this state, would be a violation of this section and occurring within ten years prior to the date of the violation being charged, shall be used to determine if the violation being charged is a second or subsequent offense.

Introduction to the Annual Security Report

In 1991, the U.S. Congress passed the Student Right-to-Know and Campus Security Act, which requires colleges to report the three previous years of statistics on murder, sex offenses, robbery, aggravated assault, burglary, and motor vehicle theft, and statistics on arrests for drug and alcohol violations, arson and weapons violations. In October 1998, President Clinton signed an amendment renaming the act the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and required that all crimes motivated by hate or bias be included in the statistics. In March 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act (VAWA). Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. The Stop Campus Hazing Act, signed into law by President Biden in 2024, updated the Clery Act's name to the "Jeanne Clery Campus Safety Act" and established reporting, policy, and prevention expectations related to hazing, some in connection with the Annual Security Reports. All published Clery-related information is maintained by the Office of Student Affairs.

South Dakota State University (SDSU) recognizes the importance for an institution of higher learning to develop and maintain an environment in which the academic and social pursuits of its members can be fully realized. No community's security plan can attain maximum effectiveness unless everyone contributes to making it work. Safety and security are both personal as well as shared responsibilities. Only by accepting this collaborative responsibility can members of the university community maintain a caring environment where members support one another's safety and security and advocate for their own safety and security.

Established in 1881, what we know now as South Dakota State University began as Dakota Agricultural College as a land-grant institution. Since then, the university has grown to offer over 200 areas of study in eight degree-granting colleges. Our undergraduate and graduate students, over 12,000 in all, learn to succeed in classes led by dedicated faculty. Hands-on research projects with nationally respected professors, internships that bring coursework to life, and choices from over 200 student organizations ensure that there is something for everyone.

SDSU Geography

The main SDSU campus is located in Brookings, South Dakota, and is approximately bordered by Highway 14 Bypass on the North, 22nd Avenue on the east, Sixth and Seventh Streets on the south, and Ninth Avenue on the west. Under normal conditions, approximately 4,100 students live on campus, and the campus sees at least double that in students and employees during a traditional day in the academic year.

Clery requires the reporting of crimes that occur in three types of locations, on **campus property** (and in on-campus **student housing** facilities, which are a subset of campus property); on **public property**, which is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to or accessible from the campus; and **non-campus property**, which is any property owned or controlled by a student organization that is officially recognized by the institution, or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purpose, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Campus Security Authorities (CSA)

Any university official acting in an advisory capacity to students or student organizations has the duty to report alleged Clery crimes. These officials are referred to as Campus Safety Authorities (CSAs). CSAs are employees who have "significant responsibility for students or campus activities." A partial list of CSAs can be found in Appendix A.

In addition to the listed parties, SDSU identifies CSAs by role. The following are specific student employment roles functioning as CSAs: (numbered for reference, not prioritization)

1. **Residential Life Community Assistants:** At least one community assistant (CA) resides on each floor of on-campus residential facilities operated by Residential Life. CAs may be contacted by knocking on their door, sending an email, or using a posted on-call duty phone. This information is distributed to students during beginning-of-the-year community meetings.
2. **Residential Life Front Desk Operations:** Front desks are positioned near main entrances of residence halls and are staffed by CAs who may be contacted in person or by phone during hours of operation as posted.
3. **Student Union Managers:** Student Union managers are responsible for the University Student Union after traditional business hours. They may be contacted at the managers' desk on the first floor of the University Student Union or by phone during posted hours of operation.

When a CSA becomes aware of a Clery Act incident, he or she must report the incident to UPD or submit it as a disciplinary referral.

1. A CSA may become aware of a Clery Act incident by receiving a report of conduct that constitutes a Clery Act incident, witnessing an incident, or being made aware of allegations of an incident.
2. The reporting obligation arises when the CSA becomes aware of information or an allegation of conduct or behavior that reasonably appears to constitute a Clery Act incident; the CSA must not wait for criminal charges to be brought, arrests to be made, or determinations of guilt to be made.
3. The CSA must report even if the information regarding the incident was shared with him or her in confidence (confidentially).
4. Reporting can be done by phone by calling (605) 688-5117 or in person at UPD, located at 1405 Jackrabbit Avenue.
5. CSAs who are employed by Residential Life will typically report Clery crimes through the Maxient student conduct reporting system. For example, Community Assistants will resolve matters of liquor law violations when the alleged students are compliant and will not notify UPD. However, all controlled substances and similarly significant allegations are reported to UPD.

Local Law Enforcement Agencies

Working Relationship with State and Local Police

Crime prevention and the apprehension of those who commit crimes on the SDSU campus are the primary goals of the South Dakota State University Police Department (UPD). To achieve these goals, UPD works closely with surrounding law enforcement agencies, specifically the Brookings Police Department (BPD), the Brookings County Sheriff's Department, and the Division of Criminal Investigation. The university has an agreement with BPD pertaining to jurisdiction, investigations of alleged criminal offenses and definition of authority.

Monitoring and Recording through State and Local Police

Through established relationships with local law enforcement agencies, UPD monitors and records reported criminal activity at off-campus locations. This includes officially recognized student organizations with off-campus housing and non-campus instructional sites.

Reporting at non-campus locations

SDSU also reports crime occurring at non-campus locations through local police departments in those communities. The following is a list of non-campus instructional sites for 2025.

Name of Location	Address
Avera McKennan Hospital	*1325 S. Cliff Ave, Sioux Falls, SD*
BHSU – Rapid City	*4300 Cheyenne Blvd, Box Elder, SD*
Brookings Airport	*509 W. 2nd Street S., Brookings, SD*
Brookings Health System	*300 22nd Ave., Brookings, SD*
Brookings High School	*530 Elm Avenue, Brookings, SD*
George S. Mickelson Middle School	*1801 12th St., Brookings, SD*
Huron Regional Medical Center	*1724th Street SE, Huron, SD*
Madison High School	*800 NE 9th Street, Madison, SD*
Madison Regional Health System	*323 10th St SW, Madison, SD*
Monument Health	*353 Fairmont Blvd., Rapid City, SD*
Oak Lake Field Station	*19862 483rd Ave., Astoria, SD*
Red Cloud Indian School	*100 Mission Drive, Pine Ridge, SD*
Sanford USD Medical Center	*1305 W. 18th Street, Sioux Falls, SD*
SDSU Capital City Campus	*925 E. Sioux Ave., Pierre, SD*
SDSU Metro Center	*2400 S. Minnesota Ave, Sioux Falls, SD*
SDSU Rapid City Site	*1011 11th Street, Rapid City, SD*
Sioux Falls Convention Center	*1201 N. West Avenue, Sioux Falls, SD*
Southeast Technical College	*2300 N. Career Avenue, Suite 260, Sioux Falls, SD*
USD Sioux Falls	*4801 N. Career Avenue, Sioux Falls, SD*
West River Research Center	*711 N. Creek Drive, Rapid City, SD*

This information is gathered by the Registrar's Office annually. Additional requests were sent to numerous locations where students stayed more than one night in a location for a university purpose, such as an athletic competition or academic study of regional geography or architecture.

Reporting Crime and Daily Crime Log

Crime Reporting Policy, Procedures and Responses

Report all in progress crimes and emergencies to UPD by calling 111 (from a campus landline) or (605) 688-6805.
Report all non-emergencies to UPD by calling (605) 688-5117.

A victim of or a witness to a crime has the opportunity to report such crime and is encouraged to do so. If a crime occurs on the SDSU campus, it should be reported immediately to UPD, which has primary jurisdiction over the campus. In addition to UPD, crimes and violations of university policy may also be reported to a designated Campus Security Authority (CSA), including but not limited to a community

assistant of a residence hall staff or staff for an event or activity. A partial list of CSAs is located in Appendix A.

All criminal actions and emergencies reported to UPD will receive attention and will be investigated to determine possible legal charges.

Non-emergency Reporting Procedures

For non-emergency assistance, please call UPD at 605-688-5117. UPD is located at 1405 Jackrabbit Avenue. While students are encouraged to report crimes to the police, others, such as the Office of the Vice President for Student Affairs and Enrollment Management, the Title IX/EO Office or Student Counseling Services, will also provide assistance with reporting crimes on or near campus. Residential students can also report crimes and concerns to their respective residence hall staff members.

Confidential Reporting of Crime

For victims of a crime, reporting of the crime is voluntary. Those who choose not to pursue action with the SDSU student conduct system or the criminal justice system may want to consider making a confidential report. Unless in unique circumstances, if a complainant of a Title IX violation (rape, fondling and Violence Against Women Act [VAWA] crimes) chooses not to file a formal complaint, SDSU will respond to the complaint without conducting an investigation. The purpose of the University's response is to comply with the desire to keep information confidential, while taking steps to ensure the future safety of SDSU students and staff. With such information, SDSU can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger.

Sexual Assault reporters are notified that a decision to maintain confidentiality will limit the university's ability to conduct an investigation and respond to the allegations.

You can report anonymously at https://www.lighthouse-services.com/sdstate (linked through SDSU's "Report It" web page) and with the Brookings Area Crime Stoppers. BPD coordinates with UPD on crimes reported to Crime Stoppers. Crimes can be reported to Crime Stoppers by calling 605-692-STOP (7867).

Emergency Response and Evacuation Procedures

Campus Emergency Notification

Consistent with the requirements of the Clery Act, SDSU provides two types of alerts to the university community. They are timely warning and emergency notification. Timely warnings provide information on Clery Act crimes and other criminal activity that poses a threat to the community. Emergency notifications notify the community upon confirmation, without hesitation, of a significant emergency or dangerous situation involving an immediate threat to the health or safety of a member of the community. Both timely warnings and emergency notifications are designed to provide the necessary information to make informed decisions about safety. Both timely warnings and emergency notifications are delivered campuswide.

Information regarding incidents that meet the criteria for an emergency notification will be sent by UPD or the Emergency Management Team (EMT) chair, or designee, without delay as soon as the threat is confirmed, unless issuing of the notification will, in the professional judgement of university authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Threats will be confirmed through reports from law enforcement, fire officials, students or employees and through general public-relayed information indicating the event is authentic. Emergency notification

utilizes email, telephone, desktop notification, university home webpage and university-controlled social media.

Staying informed starts with keeping your emergency contact information updated so the EMT can contact you in the event of an emergency. You will receive information from SDSU's emergency communications system, which sends notifications through landline phone, cellphone, text messages, and email to inform you about campuswide emergencies, natural disasters and closings for inclement weather. Students, faculty and staff can easily update this information at the Campus Alert System website.

It is the policy of SDSU to respond immediately to emergencies in a manner consistent with its emergency management plan, which is available on the emergency management webpage. When events warrant, timely warnings or emergency notifications will be sent campuswide. All-clear messages will be sent when warranted and the condition requiring the emergency notification has ended.

Social media, university-controlled webpages and releases to the media will provide emergency information and updates to the general community.

The annual law enforcement request for statistical information asks police departments with Clery reportable property in their jurisdiction to notify the university should a crime(s) occur that puts the university community at risk.

The university conducts tests of the SDSU Emergency Communications System early in the fall and spring semesters. To increase participation and registration in the emergency notification system, information is shared through New Student Orientation and posted on MyState, as well as on the Emergency Management home page. Information on how to access the system, register, and enter or update additional information is provided.

Fire drills are conducted in all on-campus academic and residential facilities. Fire drills are conducted in residential facilities semiannually, in the fall and spring semesters, while academic building drills are conducted annually. Working with staff from the Department of Facilities and Services and the Department of Housing and Residential Life, drills are scheduled by the Emergency Management Specialist and may be announced or unannounced. Drills are evaluated for compliance with evacuation procedures and fire system operations. Results are documented by the SDSU Emergency Management Specialist and shared with Department of Housing and Residential Life staff. These results include a description of the exercise, time, date, location, and compliance with procedures. Department of Housing and Residential Life staff are responsible for retaining reports and disseminating reports to building occupants upon request and addressing any deficiencies identified in the report. SDSU's emergency response and evacuation procedures are described in the emergency management plan.

Emergency Procedures

Crimes in progress or emergencies should be reported immediately by dialing 111 using a landline phone on the SDSU campus, dialing (605) 688-6805 from a cell phone for UPD, or dialing 911 for the Brookings Police Department, who will relay necessary information to UPD. Whenever possible, the victim or witness of the crime should call the police directly, as firsthand information is always more accurate and complete. Emergency phones and blue-light callboxes are located throughout the campus linked directly to UPD. UPD is staffed 24 hours a day, 365 days a year. When calling to report a crime or incident, please be ready to give information such as:

- Where the incident occurred
- A brief description of what occurred
- When the incident occurred

- Whether the suspect(s) have/had a weapon
- When and where the suspect was last seen
- Description of the suspect (gender, age, height, weight, hair color, clothing, facial hair, tattoos or other relevant information)

Campus Crime Alerts – Timely Warning

Timely warnings provide information on Clery Act crimes and other criminal activity that poses a threat to the community. A timely warning is issued by the EMT chair, or designee, upon consultation with UPD and other departments (refer to university policy, "Community Notification of Potential, Imminent or Active Threat to the University" Number 10:3 reproduced in Appendix C). This information is provided to the community via campuswide email and posting on the university home webpage.

Additionally, SDSU will provide other notification to the community of incidents that do not meet the criteria for a timely warning or emergency notification but contain important safety and security related information. These notifications are provided by the EMT chair, or designee, in consultation with other university departments. Such notifications use email, webpages or other methods as determined by the university.

It is the policy of South Dakota State University to complete publicly available recordkeeping, including Clery Act reporting and disclosures without inclusion of the victim or accused individual's personally identifying information.

Community members who know of a crime or other serious incident should report that incident as soon as possible to UPD—(605) 688-5117—so they can take appropriate action and, if warranted, a timely warning or emergency notification can be issued. The SDSU Emergency Communications System is tested in the first month of the fall and spring academic semesters. By South Dakota Board of Regents (SDBOR) policy, all student and staff emails are automatically entered into the emergency communications system. Test announcements provide information on the emergency communications system and instruction on adding additional contact information into the system.

Policy Statements

Information Collection and Preparation of Annual Report

SDSU has the responsibility of gathering statistics, identifying reportable crimes, and reporting/publishing these statistics to the Department of Education and the SDSU community. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires certain crime statistics to be reported when they occur on campus property, public property on or adjacent to the SDSU campus, and non-campus property, as well as student disciplinary referrals and arrests for drugs, alcohol, and weapons offenses. The act also requires collection of information regarding crimes from non-law enforcement Campus Security Authorities (CSAs) who have "significant responsibility for students or campus activities." The current campus security report is compiled for the previous calendar year from statistics based upon crime reports provided by UPD, the Title IX/EO Office, incident reports received from CSAs as well as off-site police departments where SDSU courses are offered, and SDSU disciplinary referrals.

The following guidelines are utilized in developing the statistical disclosure for the report:

- SDSU reports crimes for liquor, drug and weapons violations occurring on campus, in student housing facilities, at non-campus buildings owned or controlled by SDSU, and on public property adjacent to the campus.

- The Office of Student Conduct tracks disciplinary referrals for drug, alcohol and weapons violations, as well as other Clery reportable crimes that were not reported to UPD.
- The Title IX/EO Office tracks reports of criminal sexual contact (fondling), rape and VAWA crimes, as well as other Clery reportable crimes that were not reported to UPD.
- When there are two crimes associated with one incident, the UPD Records Officer determines which crime should be used for reporting purposes. The Uniform Crime Reporting (UCR) Hierarchy Rule is used to make this determination. The exceptions are for VAWA crimes, arson and hate crimes, which are reported in addition to other crimes in one incident.
- SDSU observes laws of the State of South Dakota and South Dakota Board of Regents policies regarding alcohol and other drugs. Students participating in unapproved alcohol-related events will be referred to the SDSU student conduct system. Students of legal age of consumption will not be included in the Clery reporting statistics for disciplinary referrals for possession or consumption of alcohol. Clery reporting requirements include only violations of state liquor laws.
- To ensure accurate documentation of all criminal and disciplinary incidents connected with SDSU, criminal case files are maintained by UPD, disciplinary records are maintained by the Office of Student Conduct, and Title IX records are retained in the Title IX/EO Office.
- All members of the SDSU community are encouraged to report any crime promptly and accurately to UPD for on-campus crimes and to local law enforcement when crimes occur off campus. Any person who is aware of a reportable offense and is aware the victim is unable to report is encouraged to make a report on their behalf.
- Licensed counselors and medical personnel, when acting in such roles, are exempt from reporting requirements. SDSU encourages such employees, if and when they deem appropriate, to inform their clients of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the campus security report.
- When aware that a Clery reportable offense has been committed, non-law enforcement CSAs will forward the information using relevant procedure. To the degree possible, these reports will be treated as confidential unless the victim gives permission to document identifying information or for police to investigate. The information may also be forwarded to the Title IX/EO Coordinator, for review or investigation, and to ensure that supportive measures are provided. Reporting forms include the request for specific information (e.g., date, location, nature of the offense). This information is used to preserve confidentiality, avoid duplicate or inaccurate statistical reporting, and assure that the incidents are, as much as possible, congruent with the FBI Uniform Crime Reporting classifications.
- A designated university official in or with a supervisory relationship to UPD will communicate with the relevant law enforcement agencies at all off-campus instructional sites as identified by the Department of Education. Data provided from the police departments from these areas will be included in the Non-Campus category in the SDSU Annual Security Report.
- SDSU does not condone or support the illegal possession, consumption, or distribution of alcohol at off-campus events sponsored by recognized student organizations. Individuals who violate SDSU alcohol regulations at off-campus events are subject to sanctions described below. Organizations that sponsor events where violations occur are subject to student conduct action, including loss of recognition.

In addition to the above guidelines, all UPD officers are required to classify incidents according to South Dakota Codified Law (SDCL) as well as Clery criteria. UPD has also designated its Operations Sergeant as the Records Officer for the purposes of maintaining department and institutional compliance with the Clery Act. The duties for this position include but are not limited to:

- reviewing officer reports for proper UCR, South Dakota Codified Law (SDCL) and Clery classification;
- monitoring of the daily crime log (DCL) to ensure timely reporting;
- collecting data for the Clery annual report;
- training all new UPD employees (full time, part time and student staff) on the Clery regulations;
- conducting continuous training for UPD officers and dispatchers (full time, part time and student staff) on accurate reporting and classification of all crimes, updates to the Clery Act, and information regarding access to the DCL; and,
- serving as the department's representative on the Clery Reporting Review Committee.

The university's Clery Reporting Review Committee (CRRC) is responsible for meeting all compliance and other requirements for the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This committee reports to the Vice President for Student Affairs and Enrollment Management. The CRRC provides the leadership to ensure full compliance in the areas of reporting, implementing policies and procedures, updating the annual reporting list and providing educational programs. The committee membership is listed on page two of this document.

The CRRC meets a minimum of three times each year. The first meeting is designed to review updates to the law, discuss and identify off-campus instructional sites, review policies and procedures connected to the Clery Act, and gather initial data for the Annual Security Report from the Title IX/EO Office, UPD and the Office of Student Conduct. The second meeting is held to update various policies (e.g., crime reporting, emergency and non-emergency procedures, and security of facilities), identify programming efforts (e.g., campus crime procedures, crime prevention, drug and alcohol abuse education), begin reviewing crime and disciplinary data to avoid duplication of the same incident, and review communication efforts with non-campus law enforcement agencies. The third meeting will be utilized to finalize the data elements for the ASR, make any final policy updates, and confirm revised procedures for distributing of the ASR.

Distribution of the Crime Statistics Report

Email messages are sent to all SDSU students, faculty, and staff on or prior to Oct. 1 annually informing them of the posting of the ASR. The message directs these individuals to the specific SDSU website for this information. Hard copies are available through the UPD Communications Center, upon request.

Security of Campus Facilities

Access and maintenance of campus buildings

SDSU is a large campus, situated on 272 acres. During a typical school year, the daily population of several thousand students, staff, and faculty makes the university a small city in itself. The nature of the study, service, and research conducted at SDSU requires that many buildings and facilities be open and accessible 24 hours a day. Since the campus is open, many individuals find it easy to access the buildings and grounds; a few may engage in criminal activity. So, regardless of the time of day or night, no matter where people are on campus, they should be alert and aware of their surroundings and exercise common-sense safety precautions. Buildings, facilities, and landscaping are maintained to promote pedestrian safety. UPD officers regularly patrol the campus and report malfunctioning lights or other physical conditions in need of maintenance to facilities management authorities for repairs or improvements. SDSU invites reports of physical hazards through the work order process for situations such as a broken light, cracked sidewalk or landscape maintenance. Concerns can be reported by using this link, emailing sdsu.facilitiesandservicesfrontdesk@sdstate.edu, or calling (605) 688-4136. A charge account number is not required when reporting a campus maintenance issue or safety concern.

Security considerations used in maintenance: Non-Residential Buildings

The SDSU main campus has more than 320 buildings comprising over 4 million square feet. Most buildings with traditional manual locking mechanisms are locked and unlocked on an established schedule by the Custodial team, Department staff of the building, or University Police Department. Buildings remain locked from approximately 10 p.m. to 6 a.m. Card reader access has been added to the primary entry points for many of the most-utilized academic buildings, both to improve building security and monitor building access. Buildings with card reader access can be secured and opened on preset schedules or on an as-needed basis. The University has a long-term plan to add card readers on exterior access to all non-residential buildings. Campus messaging indicates that it is essential for staff, faculty, and students to cooperate to keep closed facilities locked. Individuals are encouraged to prevent unauthorized visitors from entering campus buildings by not propping doors open, not leaving doors unlocked after hours, not opening doors for unknown individuals, and immediately reporting the loss or theft of keys.

Security considerations used in maintenance: Residential Buildings

SDSU provides available housing for up to 4,700 students in traditional residence halls, apartments, and other designated housing. UPD and Department of Housing and Residential Life staff work closely together to create a safe and comfortable living and learning environment. The security of residential areas involves on-duty residence hall staff, apartment managers, and around-the-clock UPD patrols. Campuswide security and safety discussions are held for residents throughout the year to increase awareness of crime risks and improve campus safety. Facility and security rounds are performed daily in occupied buildings by residential life staff.

Residence hall students must also take an active role to ensure their own security by learning and fully observing all security procedures. In addition, since the campus is open, although visitors to residence halls and apartments are reasonably restricted and monitored, residents need to be alert and aware of their surroundings. Residents are responsible for the behavior of their guests. Visitors must be escorted by a resident of the residential facility at all times. To maintain the safety and security of residence halls, residents and visitors must ensure that locked buildings stay closed and locked. Residents are strongly encouraged to keep their room or apartment door locked, always carry and protect their keys and University ID and immediately report should either be lost or stolen. In addition, residents should not open entrance doors for people they do not know and should alert residence hall staff and UPD of attempts at unauthorized entry (for example, someone climbing in a window) or suspicious activity (an unknown person walking out of a friend's room carrying a computer).

Residents are reminded to carry provided keys and student identification when leaving their room. Tampering with and/or propping entry doors violates SDSU policy, as it endangers residents' safety, personal property, and university property.

Exterior Entrance Doors:
All exterior entrance doors (lobby, fire tower, etc.) are locked 24 hours a day, 7 days a week, with the following exceptions (note, access to student residential space is restricted to card access only even within these exceptions):

- Main lobby doors in Caldwell Hall are unlocked for access to the central Housing & Residential Life Office and to the package center located at the Caldwell Hall front desk. Hours of open lobby access for when classes are in session for fall 2026 semester are:
    - Monday-Friday – 8 a.m.-5 p.m.

- Main lobby doors in Hansen Hall are unlocked on a scheduled basis for access to a food service facility located in the main entrance lobby. Hours of open lobby access for when classes are in session for fall 2026 semester are:
    - Monday-Friday – 8 a.m.-Midnight (12 a.m.)
    - Saturday-Sunday – 8 a.m.-11 p.m.
- Main lobby doors in Honors Hall are unlocked on a scheduled basis when classes are in session for access to the classroom and Honors College offices on the main level. Hours of access for when classes are in session for fall 2026 semester are:
    - Monday-Friday – 7 a.m.-9 p.m.
- Main lobby doors of Larson Commons, providing access to a food service location, mail center, and student support service offices, are open on the following schedule:
    - Monday-Friday – 7:30 a.m.-Midnight (12 a.m.)
    - Saturday-Sunday – 8 a.m.-11 p.m.
- Main lobby doors for Spencer Hall are unlocked to provide access to a package center and mail area. Hours of open lobby access for when classes are in session for fall 2026 semester are:
    - Monday – 9 a.m.-10 p.m.
    - Tuesday – 9 a.m.-6 p.m.
    - Wednesday-Thursday – 9 a.m.-10 p.m.
    - Friday – 11 a.m.-10 p.m.
    - Saturday-Sunday – 6 a.m.-8 p.m.

Internal Doors:

A. Floor and elevator doors may be locked and reopened as determined by University Housing and/or hall communities.

B. Designated “fire emergency only” stair tower doors remain locked 24 hours a day and are only to be used during an emergency evacuation.

Security Awareness Services: Daily Log

Federal law requires that every university that "maintains a police or security department of any kind shall make, keep, and maintain a daily log, written in a form that can be easily understood, recording all crimes reported to such police or security department," including the nature, date, time, general location, and disposition of the complaint, if known. The UPD Records Officer is responsible for ensuring the crime log is accurately and completely updated regularly during the work week and is made readily available to the campus community and general public upon request. Paper crime logs are available at UPD, located at 1405 Jackrabbit Avenue.

The law requires that this initial information be open for public inspection within two business days of the report of the crime unless the release of the information is prohibited by law and/or if the disclosure would jeopardize the confidentiality of the victim. It also requires that new information about entries be made available within two business days. All crimes reported to UPD are included in this log. If a specific day is not listed, then no crimes were reported on that day. The disposition of the crime is "case open, investigation continuing with available information" unless indicated otherwise in the entry.

Enforcement and Arrest Authority

SDSU’s police officers are duly sworn and certified law enforcement officers with full powers of arrest. UPD employs 14 full time certified police officers, seven part time certified police officers, and approximately 10 student patrol officers. Police officers patrol the campus 24 hours a day, 365 days a year to enforce applicable local, state, and federal laws; arrest violators; deter and detect criminal

activity; investigate traffic accidents; respond to calls for service, and provide a full range of professional police services, including immediate response to all critical incidents and emergencies. Uniformed student patrol officers serve in a public safety capacity by providing vehicular and foot patrols, provide event and building security, conducting traffic control and parking enforcement, and assisting law enforcement personnel as directed.

Information on Registered Sex Offenders

The State of South Dakota (SDCL 22-24B) requires those people convicted of a sex offense to register with the local law enforcement agency of the community in which they reside. In addition, sex offenders must notify law enforcement if they change residences.

SDCL also requires the court to inform the person charged with a sex offense of their requirement to register. The Department of Corrections is required to inform inmates under their control of the registration requirement. The State makes this information available to local law enforcement agencies. Information regarding registered sex offenders in South Dakota is available via the Internet at: https://sor.sd.gov/Home/Search, with the national database available at http://www.nsopw.gov/.

Please note that not all sex offenders who may be attending or employed at SDSU reside in Brookings or Brookings County. Be sure to indicate to the local law enforcement agency you contact that you are a current student, a prospective student, or an employee at SDSU and that you want to review the sex offender registries. Law enforcement personnel at the following locations will respond by directing you to the current information:

University Police Department	1405 Jackrabbit Avenue	605-688-5117
Brookings Police Department	307 Third Avenue	605-692-2113
Brookings County Sheriff	315 Seventh Avenue	605-696-8300

Any person who uses information contained in or accessed through the South Dakota Sex Offender Registry to threaten, intimidate, or harass any individual, including registrants or family members, or who otherwise misuses this information, may be subject to criminal prosecution. A violation is a Class 6 felony, and the violator could be sentenced to the South Dakota State Penitentiary for up to two years and could be fined up to $4,000. If you believe that any of the information found in these records is in error, or you would like additional information, please contact the sheriff of the county or the chief of police of the city where the sex offender resides.

Alcohol and Drug Policies

1. Purpose
   This policy and its procedures implement SDBOR Policies 4.7.1 and sets forth the policies governing possession, use, or distribution of alcohol, marijuana, or controlled substances on University property. The sale of Alcoholic Beverages on University Property is subject also to SDBOR Policy 6.14 and University Policy 6:4.

2. Policy
   a. The University is committed to providing a drug free workplace. It is the intent of the University that all employees regardless of their faculty, exempt, or civil service status be subject to the restrictions set forth herein. Additional regulations for employees may be found in SDBOR Policies 4.3.1 and 4.4.8. In compliance with the Drug-Free Workplace Act of 1988, the University strictly proscribes the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances (including cannabis used or possessed for medical purposes) by its employees and agents while on duty or while in any workplace controlled by the University. For purposes of this proscription, the workplace shall include premises and vehicles owned and controlled by the University and other premises and vehicles when used by the University for education, research, service, or other official functions.
      i. Any person violating this proscription shall be subject to appropriate disciplinary actions, which may include termination of employment or expulsion from the University and SDBOR institutions.
   b. While South Dakota law may permit certain actions regarding marijuana, the use and possession of marijuana, whether for medicinal or recreational purposes, is prohibited under federal law. Federal law classifies marijuana (cannabis) as a Schedule 1 controlled substance and criminalizes the growth or use of marijuana. The use of medical marijuana is also restricted by federal laws, including the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act. Consequently, any use of marijuana on property owned or controlled by the University or at events hosted or sponsored by the University is strictly prohibited.
   c. Each person employed by the University to render services under a federal grant or pursuant to a federal contract will, as a condition of that employment, agree to (1) abide by the terms of this policy, and (2) to notify their Supervisor, or the University President, of any criminal drug statute conviction for a violation occurring in the workplace, that notice being submitted no later than five (5) days after such conviction.
      i. The Supervisor, University President, or appropriate designees, shall have primary responsibility for the implementation of the foregoing policy.
      ii. Each University employee who is assigned to perform services under a federal grant or pursuant to a federal contract shall be given a copy of the University's drug free environment policy.
      iii. Whenever the University receives actual notice that an employee rendering services under a federal grant or contract has been convicted of a criminal drug statute violation that occurred in the workplace, the University President, or designee, shall notify the appropriate federal agency within ten (10) days after receipt of such notice.
      iv. Within thirty (30) days of receipt of the notice specified in paragraph (iii), the University shall (1) take appropriate personnel action against the employee, up to and including termination, and (2) in the event that the personnel action stops short of termination, require such employee, at his or her own expense, to participate

satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by an appropriate agency.

d. In compliance with the Drug-Free Schools and Communities Act Amendments of 1989, the University strictly prohibits the unlawful possession, use, manufacture, or distribution of alcohol, marijuana (including cannabis used or possessed for medical purposes), or controlled substances by its students or employees while on University controlled property or while participating in any capacity in activities or employments sponsored by it.
    i. Students are subject to the provisions set forth by federal and state law and all SDBOR and University policies, including SDBOR Policy 3.4.1 and the University Student Code.
e. No possession, use, manufacture, or distribution of alcohol, marijuana (including cannabis used or possessed for medical purposes), or controlled substances is permitted on premises controlled by the University, except:
    i. When needed in conjunction with approved research activities;
    ii. When alcohol is possessed, used, or distributed in a lawful manner inside a dwelling occupied by an employee who, as a condition of employment, is required to maintain a residence on premises controlled by the University;
    iii. When 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;
    iv. When the possession, use, or distribution of the controlled substance is incidental to treatment by a licensed health care professional authorized to prescribe such substances. For purposes of this section, a prescription does not include a written certification for use of medical marijuana, pursuant to SDCL 34-20G-1(23). Employees who use medical marijuana pursuant to a validly issued written certification when not on property controlled by the University may subsequently report to work or participate in activities as long as such use does not cause impairment or inability to perform the duties of their position;
    v. When alcohol is produced or stored in accordance with SDCL 35-1-14, which provides that the University may produce up to two hundred gallons of distilled spirits, up to two hundred gallons of malt beverage, and up to two hundred gallons of wine each year, and securely store up to two hundred gallons of each at any given time, for purposes of research and offering bona fide educational courses instructing students who are at least twenty-one (21) years old in the production and serving of distilled spirits, malt beverage, or wine; or
    vi. When alcohol is possessed, used or distributed in a lawful manner on University property designated by the University President as places where such possession, use and distribution may be permitted, subject to the conditions prescribed. Additional requirements for the sale of Alcoholic Beverages are set forth in SDBOR Policy 6.14 and University Policy 6:4.
f. The University has designated a limited number of sites on campus where lawful alcohol possession and consumption may be permitted without sale as part of a University sponsored event or activity, upon University President approval. Areas for sale of Alcoholic Beverages are established pursuant to University Policy 6:4. Those sites designated as areas for activities without sale include the following locations:
    i. Football tailgate areas (pursuant to University Football Tailgating Policy)
    ii. Designated reception areas in the Oscar Larson Performing Arts Center
    iii. University Student Union

iv. McCrory Gardens
v. South Dakota Art Museum
vi. Agricultural Heritage Museum
vii. Designated hospitality areas in First Bank & Trust Arena
viii. Club 71 and Coughlin Alumni Lounge
ix. Lincoln Hall

The University President may designate additional sites on campus where the lawful alcohol possession and consumption is permitted, subject to the restrictions of this and other University and SDBOR policies and procedures, and a properly issued Permit.

g. Approved alcohol use will be limited to wine and beer. Only individual serving-sized cans of beer will be permitted under this policy. No kegs or other large containers of beer may be used on campus. Mixed drinks and liquor will not be permitted.
h. University individuals or groups requesting permission to serve alcohol on campus are prohibited from advertising the availability of alcohol use on campus.
i. Whenever an officially recognized organization is permitted under this policy to conduct a social function at which alcohol will be provided, it must adhere to the following guidelines:
    i. If the function includes the sale of alcoholic beverages, appropriate permits and licenses must be obtained;
    ii. The organization sponsoring the event should implement precautionary measures to ensure that alcoholic beverages are not accessible or served to persons under the legal drinking age or to persons who appear intoxicated;
    iii. Persons of legal age must be designated as servers. They must be trained to monitor alcohol consumption, and they alone may have direct access to alcoholic beverages.
    iv. Attractive nonalcoholic beverages must be equally available and on display.
    v. The consumption of alcoholic beverages must be limited to the area designated for the event.
    vi. A reasonable portion of the budget for the event must be designated for the purchase of food items, and food must be available throughout the event.
        A. Officially recognized student organizations remain subject to the additional restrictions set forth in the Student Code which prohibit expenditure of organizational funds for alcoholic beverages.
    vii. Alcohol service must be discontinued well before the event is expected to end.
    viii. Alcohol use should never be the primary focus of the event. Drinking contests and other activities that encourage consumption of alcohol are strictly prohibited.
    ix. Advertising may not mention the availability of alcohol in a prominent way, nor may advertising mention the amount of alcoholic beverages available. If mention is made, equal attention must be given to the availability of nonalcoholic beverages.
    x. Officially recognized organizations will have the responsibility to provide those persons conducting the event with copies of these regulations. They will also be responsible for implementing these regulations.
    xi. Officially recognized organizations must agree to abide by the foregoing regulations as a condition of continued recognition.
j. Persons who violate the provisions of this policy may be subject to corrective action or discipline.
    i. Students will be subject to the Student Code, which sets forth additional policies governing student possession, use, or distribution of alcohol, marijuana, or controlled substances.

ii. Disciplinary or corrective action procedures for employees will vary according to the individual's status as a Civil Service employee, as a non-faculty exempt employee, or as a faculty member. Disciplinary or corrective action measures shall be imposed pursuant to those procedures that are appropriate to the employee's classification.
iii. Employees whose unlawful possession, use, or distribution of alcohol, marijuana, or controlled substances violates this policy may be subject to those disciplinary or corrective action measures set out in SDBOR Policy 4.4.8, SDBOR Policy 4.3.1, and ARSD 55:10:07:01; except that absent extraordinary circumstances, a second infraction will be deemed just cause for termination.
iv. Where the infraction constitutes a felony offense under South Dakota or federal law, the essential facts of the infraction will be referred to law enforcement authorities. Referral of a matter to law enforcement authorities will not require suspension of disciplinary proceedings nor delay imposition of discipline or corrective action.

k. The University is responsible for preparing and distributing annually to all students and employees written statements that set forth in detail the following:
i. SDBOR and/or University policies that regulate the possession, use, or distribution of alcohol, marijuana (including cannabis used or possessed for medical purposes), or controlled substances, together with the relevant disciplinary procedures and sanctions;
ii. Legal sanctions under local, state, or federal law for the unlawful possession, manufacture, or distribution of illicit drugs and alcohol;
iii. Health risks associated with the use of alcohol, marijuana, or controlled substances; and
iv. Any available programs for alcohol, marijuana, or controlled substances counseling, treatment, rehabilitation, or re-entry.

l. The University is required to report, on a biennial basis:
i. Evidence about the degree to which its alcohol, marijuana, and controlled substances programs have been effective in reducing academic, social, and employment problems associated with the use of such substances;
ii. Any changes in University or SDBOR policies that might enhance program effectiveness; and
iii. Data showing what disciplinary measures were imposed on students or employees pursuant to the foregoing policies.
A. The data provided in response should contain sufficient detail to demonstrate that sanctions were imposed consistently among those students and employees who became subject to discipline.

m. Nothing in this policy abrogates the applicable requirements of the Americans with Disabilities Act.

3. Procedures
a. The University reserves the right to approve or deny requests for alcohol use without sale at its sole discretion. Sales of Alcoholic Beverages on University Property are subject to review and discretionary approval under University Policy 6:4.
i. Groups or individuals wishing to obtain authorization for Alcoholic Beverage possession or consumption without sale in accordance with this policy must submit a fully completed *Alcoholic Beverage Non-Sale Permit Application* with the

reservation or facility use agreement for review and routing through the applicable facility use reservation process to the University President, or designee.

ii. A fully completed *Alcoholic Beverage Non-Sale Permit Application* and all required documents, including a facility reservation or facility use agreement, security plans, and any other requested information must be submitted at least ten (10) business days prior to the proposed event. Once the facility manager has signed, the application and accompanying documents will route through the approved electronic process to the University-designated food and beverage provider, applicant, Safety and Security, and the University President, or designee, for review.

iii. The University President, or designee, will review the application, required documents, internal unit approvals, and will indicate whether the permit is approved or disapproved on the *Alcoholic Beverage Non-Sale Permit Application*. Following the University President's, or designee's, decision and signature, a copy of the fully completed application will be provided to the facility manager.

iv. The University President, or designee, may require additional review of facility use reservations, facility use agreements, security plans, food and Alcoholic Beverage contracts, and other supporting information and documentation by other University officials to inform the President's, or designee's, decision whether to approve or deny an application.

   A. If the application is not approved, the University President, or designee, will indicate the reason for the disapproval.
   B. If the application is approved, the University President, or designee, will approve a Permit for the event.

v. If the Permit is approved, it will be displayed at the Permitted Event at point of service.

4. Responsible Administrator

   The Vice President and General Counsel is responsible for the annual and ad hoc review of this policy and its procedures. The University President is responsible for approval of this policy.

The University has designated the following residential locations for legal alcohol consumption as follows:

1. Hansen Hall in rooms where the resident(s) are of legal drinking age (21 years of age) provided that, while alcohol is being consumed, no one under age 21 is present and the room door is closed.
2. Meadows and Southeast Neighborhood Apartments and Townhomes in units where the resident(s) are of legal drinking age (21 years of age), provided that no one under age 21 is present while alcohol is being consumed. If applicable to room configuration, alcohol is allowed in the private bedrooms of residents in these areas when the resident of the private bedroom is of legal drinking age, regardless of other residents' ages.
3. Residence Hall Director apartments provided that no one under age 21 is present while alcohol is being consumed.

Education, Awareness and Prevention: Definition of Terms

Programs to prevent: The term **programs to prevent** refers to comprehensive educational and training programs intended to prevent violence that incorporate diverse approaches that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and

consider risk and protective factors as they occur on the individual, relationship, community and societal levels.

Primary prevention: The term **primary prevention** refers to programming, initiatives, and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.

Awareness programs: The term **awareness programs** refers to programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence, and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration. These efforts can include campus communitywide mobilizations as well as targeted audience-specific programming (including both students and employees). Awareness month campaigns, "Speak Outs," rallies or marches, informational poster campaigns or resource websites, and educational programming that focus on sharing resources and information about these issues are examples of awareness programs.

Bystander intervention: The term **bystander intervention** refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.

Risk reduction: The term **risk reduction** refers to approaches that seek to mitigate risk factors that may increase the likelihood of perpetration, victimization, or bystander inaction. Risk reduction focuses on helping individuals and communities address the institutional structures or cultural conditions that facilitate sexual violence (SV), dating/domestic violence (DV), and stalking to increase safety. Examples of risk reduction may include, but are not limited to, general crime prevention education, campus escort programs, programs that educate on how to create individual and community safety plans and strategies, and bystander intervention programs that educate the campus on how to recognize and interrupt situations of harm, or implementing a communications system that can notify the entire campus community of immediate threats to security.

Ongoing awareness and prevention campaigns: The term **ongoing awareness and prevention campaigns** refers to campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to SV, DV, and stalking prevention. These programs will occur at different levels throughout the institution (i.e., faculty, athletics, and incoming students) and will utilize a range of strategies. Ongoing awareness and prevention campaigns may include information about what constitutes SV, DV, and stalking, changing social norms, promoting recognition of perpetrator tactics, enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities. Effective ongoing awareness and prevention campaigns will include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved.

Sexual Assault, Domestic Violence, Dating Violence and Stalking Policy and Programs

Procedures for Victims to Follow

SDSU is committed to providing a safe environment for all students, employees, and guests. UPD, administration, and others work to prevent crime and violence on campus. SDSU has specific policies prohibiting sexual harassment, which includes sexual assault, domestic violence, dating violence, and stalking. If any of these occur, SDSU stands ready to respond to the alleged conduct, fully investigate formal complaints and provide supportive measures including counseling services to all parties involved. Information regarding the investigation process will be provided to the complainant and respondent, including the maximum disciplinary sanction that may be imposed for the alleged violation. The respondent is considered not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The privacy and dignity of all involved will be protected. In addition, SDSU personnel offer assistance to all individuals with contacting university and other law enforcement officials. SDSU understands and communicates to victims that they have the option of reporting or not reporting an incident to law enforcement.

Allegations that occur outside of SDSU owned or controlled property or programs or activities will not be formally investigated or adjudicated. However, regardless of location, students, employees and program participants who report to SDSU that they have been a victim of one of the aforementioned crimes shall be provided supportive measures necessary to restore their ability to perform academically, socially and/or in their employment. Supportive measures include, but are not limited to adjustments to academic, living, transportation and working situations, and relevant financial aid and international student services if such measures are reasonably available. Supportive measures will be offered regardless of whether or not the complainant chooses to file a formal complaint or report the crime to campus police or local law enforcement.

Sex offenses include the subjection of another person to any sexual act against that person's will, without one's consent, whether forcible or non-forcible. It may be coerced through force or threats of force or with someone who is unconscious, or someone who is incapable of giving consent. The university treats both criminal sexual contact and rape as extreme forms of sexual harassment. Student disciplinary sanctions for sexual harassment include: warning, probation, loss of privileges, restitution, educational/personal development sanctions, residence suspension, residence expulsion, suspension, expulsion withholding of a degree and revoking admission and/or degree. Employee sanctions can range from remedial measures to termination. SDBOR Policy 1.4.1 – Sexual Harassment is found at https://public.powerdms.com/SDRegents/tree/documents/1729424. SDBOR Policy 3.4.1, Student Code of Conduct, is at https://public.powerdms.com/SDRegents/tree/documents/1680638. For description of SDSU's policies and their relation to SDBOR Policy and Procedure, please see the Student Conduct Code at https://www.sdstate.edu/university-policies-procedures/policy-31-student-conduct-code.

Hazing Policy

Hazing is not permitted or tolerated at SDSU, as it can significantly hinder academic progress, personal development, and emotional well-being. Allegations of hazing are addressed through SDBOR 3.4.1, Student Code of Conduct at https://public.powerdms.com/SDRegents/tree/documents/1680638. SDBOR Policies 3.4.1 and 1.4.2 define hazing as – any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such person or persons to participate, that:

- Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:

- Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Sexual Assault, Domestic Violence, Dating Violence, Stalking, and Hazing Training Programs

Purpose

University-wide training is provided to students and employees to ensure an environment free of harassment or discrimination. It is important that all individuals have an awareness of the ways in which Title IX and Equal Opportunity (EO) impact everyone affiliated with the University.

Training Components

Online Training for all employees and students

The SDBOR contracts with online training vendors to standardize Title IX training provided to all SDBOR students and employees and to initiate a succession of Title IX training courses. AliveTek provides dedicated, evidence-based programs that address federally required training areas, specifically, Title IX, the Clery Act (including Campus SaVE Act/VAWA requirements), and the Stop Campus Hazing Act. AliveTek is the training platform for students and is administered through Desire2Learn (D2L) Brightspace. The library consists of the following courses – "Cultivating Awareness & Prevention of Sexual Violence" ("CAPSV") Level 1 and Level 2, "Hazing Prevention," and "Decisions: Alcohol and Other Drugs." All new, first-year students are required to complete CAPSV Level 1, Hazing Prevention, and Decisions: Alcohol and Other Drugs. All other students new to SDSU in each given year are required to complete CAPSV training. Training is offered to all returning students as recommended.

All employees are required to complete annual Title IX training, which was administered in September 2026.

Employee training is delivered through KnowBe4, and consists of the following:.

Title IX for Higher Education (Part 1): Overview – 10 min

Title IX for Higher Education (Part 2): Types of Misconduct – 10 min

Title IX for Higher Education (Part 3): Reporting and Response Guidance – 9 min

Protected Classes: Introduction to Discrimination – 12 min

Stop Campus Hazing Act for Faculty and Staff – 10 min

The Fall 2025 training completion rate for permanent employees was 99.9%. The Title IX/EO Coordinator is responsible for selecting the materials, and training materials evolve as applicable laws and policies

are revised. It is important to note that the online training requirement applies to all employees, including temporary employees, student employees, and leadership personnel.

Prior to initiating the training, an email was sent to all employees explaining the importance of the training and how to access the training.

On-site Training – Investigations and Hearings

The SDSU Title IX/EO Coordinator provided Title IX training to SDSU decision makers on December 4 and 5, 2025.

Training Schedule / Long Term Plan

Individuals who respond to and/or investigate Title IX/EO complaints are required to complete Title IX/EO related training at a minimum of annually or as legislation requires, to ensure they stay knowledgeable about the process and to keep up to date with changes to applicable SDSU policies, and state and federal laws. All training materials are posted on the Title IX/EO public webpage at www.sdstate.edu/office-title-ixequal-opportunity.

Title IX/EO Coordinator and Investigators:

On an annual basis, the Title IX/EO Coordinator, investigator and decision makers are required to complete Title IX related training to enhance their understanding of Title IX and how to investigate complaints and/or conduct live disciplinary hearings in a manner that protects the rights of all involved parties and promotes accessibility.

Title IX Training Content

The following information is included in the CAPSV Level 1 course through AliveTek, which was administered in September 2025 for new first-time first-year students:

a. *Initial Survey* – Assesses attitudes and opinions regarding sexual violence.

b. *Overview* – Sexual violence is a serious, complex, topic and is one negative experience that can occur during college. The section includes definitions of sexual violence, including stalking, intimate partner violence, sexual assault, and technology-facilitated sexual violence; as well as the prevalence on college campuses. This section also provides an overview of consent, including the FRIES method – Freely given, Reversible, Informed, Engaged, Specific; and a description of healthy relationships.

c. *Awareness & Response* – Key takeaways include three ways to intervene for witnesses of sexual violence, the difference between healthy and unhealthy relationships, and effective ways to support a victim. The module also covers the impacts of sexual violence; an overview of Title IX, support services, supportive measures; our role in recognizing and addressing warning signs and unhealthy behaviors; bystander intervention; interactive scenarios; and responding to disclosure and identifying trauma.

d. *Campus Resources and Policies* – Overview of university specific resources and policies. Key concepts include SDSU's commitment to preventing sexual violence, university policies that protect students and promote accountability, and resources. The module also reviews relevant South Dakota state law, SDBOR Policies 1.4.1 and 1.4.2, protection from retaliation, individual's rights and university's responsibilities under Title IX, and supporting a survivor, and how to report allegations.

e. *Final Quiz and Survey* – Opportunity to check knowledge and learning and voluntarily answer questions about personal experiences at SDSU.

Communication Strategy

The communication strategy supports the institutional training objectives and provides action items for the communication of the campuswide Title IX/EO training. This plan serves as a guideline for all internal and external communication for all SDSU employees and students. The training focuses on SDSU's commitment to educating our community regarding policy, procedures, and full observation of Title IX policies.

Key Messages of Communication

Training educates campus community members on what Title IX is and how it impacts our campus. In addition to all aspects of Title IX, offered trainings include instructions on how to respond and how to report concerns, policies and procedures, bystander intervention information and ways to maintain a respectful environment. Training also includes information regarding the need for federal compliance, as completion is required for all employees and incoming students and strongly encouraged for all other students. Requiring training for incoming students fosters a culture of education around these topics with the intention of leading to increased comfort in reporting incidents and a steady decline in numbers of assaults or harassing behaviors.

Training Protocols

SDSU is committed to providing relevant training to foster a safe campus community. Title IX training will be offered and strongly recommended as stated above in "Key Messages of Communication" to all members of the campus community. The objectives and the method of the training will vary depending on an individual's role in the campus community. The Title IX/EO Coordinator will be responsible for training coordination, training content, as well as the management of training records.

Students

As stated above, all new, first-year students are mandated to complete online training courses: CAPSV Level 1, Hazing Prevention, and Decisions: Alcohol and Other Drugs. The training content provides general information and directs the students on whom to contact with any concerns.

Student participation is recorded via D2L so that the training record may be managed by the Title IX/EO Coordinator.

Faculty and Staff

All faculty and staff, including student employees, are required to complete annual online training that raises awareness on Title IX, EO, and hazing conduct. The training content provides general information and identifies whom to contact with any concerns. New faculty and staff complete the training within 30 days of employment, under the direction of the Title IX/EO Coordinator. The onboarding process is not considered complete until the employee has completed the training.

Employees are emailed a link which they use to access the training. Individuals use their credentials to sign into the session so that the training record may be managed by the Title IX/EO Coordinator.

Employees are provided access to a brochure that contains references to applicable SDSU policies and resources available on campus and in the Brookings community to assist victims of sexual harassment. The brochure contains the current contact information, including name, physical address, telephone number, and email address, for the SDSU Title IX/EO Coordinator and SDBOR Investigator. This information is available on the SDSU Title IX website.

After the initial training session, faculty and staff are required to repeat or complete additional online refresher training a minimum of one time per year. The Title IX/EO Coordinator is responsible for selecting the materials aligned with applicable laws and policies. Each training session reminds individuals of the current contact information of the SDSU Title IX/EO Coordinator and SDBOR Investigator.

Leadership, Committees, and University Police Department

In addition to the online training for faculty and staff, those who are in a leadership role at SDSU are required to participate in training to review Title IX, EO and SDSU policies. Individuals required to receive this training are: president, provost, vice presidents, and designees of such employees. Training will also be provided to various other roles that are involved in the Title IX process, as defined by the Title IX/EO Coordinator. These individuals will be required to complete this level of training at a minimum of annually, or based on federal regulation, to ensure they stay knowledgeable about the process and to keep up to date with change to applicable SDSU policies, state and federal law.

Title IX/EO Coordinator and Investigator

In addition to the online training for employees, the Title IX/EO Coordinator and Investigator are required to attend annual training to increase their understanding of Title IX and to ensure SDSU is acting in compliance with guidelines applicable to Title IX. The Title IX/EO Coordinator is responsible for overseeing and, in certain situations, conducting the training sessions, including the online training.

It is the responsibility of the Title IX/EO Coordinator to manage and record the training attendance for all members of the campus community and to ensure that members are provided with the resources and contact information for Title IX personnel.

Allegations of discrimination, harassment, and sexual harassment should be reported to:

Michelle Johnson, Ed.D., Title IX/EO Coordinator
SDSU, Human Resources, Morrill Hall Room 100
Brookings, SD 57007
(605) 688-4128
Michelle.Johnson@sdstate.edu
SDSU.Equal.Opportunity@sdstate.edu
Online Report System –1-844-880-0004
Report It link on external SDSU website

Hazing Reporting, Investigating, and Adjudication

Hazing allegations should be reported to the Division of Student Affairs:

Tobias W. Uecker, Dean of Students
312 Morrill Hall, SDSU Campus
(605) 688-4493
Tobias.Uecker@sdstate.edu
Click here to report online

Hazing allegations are addressed through SDBOR 3.4.1, Student Code of Conduct at https://public.powerdms.com/SDRegents/tree/documents/1680638. Students may also report

allegations of violence or hazing to the University Police Department by calling (605) 688-5117 or in person at 1405 Jackrabbit Avenue, SDSU.

Risk Reduction Strategies

- Yellow, Blue, and You: On January 9, 2026, SDSU conducted bystander intervention training to new, incoming students during Yellow, Blue, and You. The University uses the concepts of StepUP! training to promote and present bystander intervention training titled, *"Got Your Back, Jack!"* The training included the definitions of sexual harassment, sexual assault, dating and domestic violence, stalking, and hazing, as well as how to intervene and report alleged conduct.
    - SDSU hosted Dr. Lori Bednarchik from CampusSpeaks to deliver a presentation titled, "Wanna make out? A Conversation About Consent," on August 22, 2026, as a part of Fall 2026 Yellow, Blue, and You. All incoming freshmen and transfer students were strongly encouraged to attend. Approximately 1,700 students were in attendance and 319 attendees provided post-program feedback. Of those that provided feedback, 95% rated the program as valuable and 88% found the program relevant.
- New Student Orientation (NSO): The University hosts programs in June and August. The Title IX/EO Coordinator conducts tabling to provide information regarding SDSU's stance on and response to sexual assault, dating violence, domestic violence, and stalking; and reporting avenues. In addition, the Title IX/EO Coordinator was available to answer questions and provide additional information. In 2026, the Title IX/EO Coordinator participated in 12 in-person NSO sessions.
- Staff Training: The Title IX/EO Office provides training for permanent, temporary and student employees, upon request. On August 17, 2026, Community Assistant (CA) Training was conducted to approximately 130 permanent and student Housing and Residential Life staff members. The training included the definitions of sexual assault, domestic violence, dating violence and stalking; Quid Pro Quo; consent; bystander intervention; how to report complaints; and their roles as employees.
- Miscellaneous Presentations – The Title IX/EO Office conducted in-person Title IX/EO related trainings, upon request, to various forums, including during academic Department Head meetings.
- Monthly and Quarterly Presentations – The Title IX/EO Office offers monthly (changing to quarterly) in-person trainings on topics including sexual harassment, dating/domestic violence, stalking, discrimination, retaliation and the ADA. The trainings are offered to all employees. and are also conducted via Zoom for geographically remote employees.

Recognition of Abusive Behaviors and Avoiding Potential Attacks

In terms of domestic and dating violence, abusive behavior is defined as follows: harmful or unwanted conduct that is inflicted upon any person, by a partner who is or has been in a relationship of a romantic nature with the victim. Abusive conduct is generally a pattern of control that one person exercises which physically harms, induces fear, prevents someone from acting at will, or forces a person to behave in an unwanted manner. Abusive conduct can be verbal, psychological, emotional, financial, physical, sexual, or spiritual in nature and can include violence, threats, isolation, and intimidation.

Individuals who witness or encounter abusive conduct are recommended to:

- Go to a safe area away from the abuser.

- Immediately contact UPD—(605) 688-5117—or if off campus, Brookings Police Department—(605) 692-2113.
- Report the situation to the Title IX/EO Coordinator—(605) 688-4128, via SDSU.equal.opportunity@sdstate.edu or completing an on-line report via the SDSU Report It webpage.
- Contact SDSU Student Counseling Services at (605) 688-6146. (SDSU students only)
- Report the situation to an SDSU CSA for support and assistance in further reporting the incident.

What Victims Can Do Immediately Afterward

Anyone who believes they have been sexually assaulted, stalked, hazed or a victim of dating or domestic violence should contact any person in authority (police, residence hall staff, etc.) as soon as possible. For example:

- Students who live in the residence halls may contact their hall staff.
- Victims can call UPD at (605) 688-5117, who will, at the request of the student, contact an SDSU counselor. Individuals will also be advised of their option to file a report with the Brookings Police Department if the incident occurred off-campus, and SDSU will provide assistance in reporting. If the assault occurred in another jurisdiction, UPD will assist the victim with reporting to the appropriate agency with jurisdiction. The Brookings Police Department phone number is (605) 692-2113. The number for the Brookings County Sheriff's Office is (605) 696-8300.
- Victims may contact UPD to file a report and/or get information about resources and assistance.
- Victims of sexual assault, dating and domestic violence, and stalking are encouraged to contact the SDSU Title IX Coordinator at (605) 688-4128 to file a complaint and/or receive resources and supportive measures.
- Individuals may contact Margo's Place (formerly known as the Brookings Domestic Abuse Shelter) by calling (605) 692-SAFE (7233) for immediate assistance, information, and help in deciding options. All calls are confidential. The Brookings Domestic Abuse Shelter is a member of the Eastern Plains Sexual Assault Response Team (EPSART).
- Victims can also seek medical attention at the Brookings Health System. Victims are not required to report the incident to law enforcement or the SDSU Division of Student Affairs before seeking medical attention.

Students and employees may report sexual assault, stalking, and dating or domestic violence situations to the Title IX/EO Coordinator online via the links provided at https://www.sdstate.edu/office-title-ixequal-opportunity/report-it or by calling the 24-hour, toll-free, reporting hotline at 1-844-880-0004. Reports can be filed anonymously. South Dakota state law requires that all felonies reported to any SDSU official also be reported to a law enforcement agency. Victims of the aforementioned crimes that did not result in a felony can decline to report the incident to law enforcement officials.

It is strongly recommended that victims seek medical attention. The Brookings Health System has Sexual Assault Nurse Examiners (SANE) who are forensically trained in assisting and advocating for victims. Requesting a forensic evaluation does not require victim to file a police report. Victims are not responsible for the cost of the examination as stated in South Dakota Codified Law:

> **22-22-26. Forensic medical examination--Costs to county--Costs enumerated.**
> The county where an alleged rape or sexual offense occurred shall pay the cost of any forensic medical examination performed on the victim of the alleged rape or sexual offense.

The cost of a forensic medical examination includes:

(1) Provider, hospital, or clinic services directly related to the examination;

(2) Necessary forensic supplies;

(3) Scope procedures directly related to the examination, including anoscopy and colposcopy;

(4) Laboratory testing directly related to the examination, including drug screening, urinalysis, pregnancy screening, syphilis screening, chlamydia culture, gonorrhea coverage culture, HIV screening, hepatitis B and C screening, herpes culture, and any other sexually transmitted disease testing directly related to the examination;

(5) Any medication provided during the examination; and

(6) Any radiology service directly related to the examination.

Source: SL 1986, ch. 182; SL 2005, ch 120, § 402; SL 2012, ch 126, § 1; SL 2013, ch 108, § 1; SL 2018, ch 131, § 1; SL 2025, ch 94, § 1; SL 2026, ch 105, § 1.

As part of the investigative process, sexual assault victims are advised NOT to bathe, shower, clean up, or change clothes. If a victim must change their clothing, they should put all of the clothing they were wearing in a paper bag and take it with them to a medical facility. Medical attention is necessary to evaluate any injuries (some may not be apparent), assess for sexually transmitted infection and/or pregnancy, and collect evidence. Although victims may not want to file a police report immediately after the incident, it is important for all victims to preserve evidence. Victims of sexual assault and other forms of harassment are also encouraged to protect and preserve digital information such as text messages, emails, phone calls, and social media site information. If they choose to report the sexual assault in the future, the evidence can be used to support their allegations. Evidence may also support efforts to secure a protection order.

What SDSU Offers Students

Confidential counseling is available to all students from SDSU Student Counseling Services. Students can schedule a screening via the Patient Portal, or walk in to the Counseling Center in the Miller Wellness Center from 8:30 a.m. to 11:00 a.m. and 12:30 p.m. to 3:00 p.m., Monday through Friday. Counselors are available to help victims deal with feelings that frequently arise due to sexual assaults and other forms of violence, which may include guilt, fear, shame, anger, embarrassment, or helplessness. Counseling services are available to all students regardless of whether the incident occurred on or off campus.

The Title IX/EO Coordinator can connect involved individuals to support for academics, housing arrangements, transportation, financial aid, and work at SDSU, if reasonably available. By law, instances reported to any employee with authority to act must be forwarded to the Title IX/EO Coordinator, which may be done by the party receiving the initial report. The Title IX/EO Coordinator records and monitors investigations of formal complaints of sexual harassment as well as general discrimination and harassment. All investigations are conducted in a prompt, fair, and impartial manner by the SDBOR Investigator, who receives annual training pertaining to such allegations. The Title IX/EO Coordinator and SDBOR Investigator provide the same rights and opportunities to all parties involved. Incidents occurring under University control and in the Unites States, found to meet the criteria for sexual harassment, according to a preponderance of evidence (or “more likely than not”) standard, will be remedied in a prompt, fair, and impartial manner. All complainants and respondents will receive written notification of their rights and resources.

Complainants will be notified of the process and their right to file for temporary and permanent protection orders, free of charge, and UPD and the Title IX/EO Office will assist students with doing so, upon request. SDSU will also assist in the enforcement of protection orders, when made aware of such orders. The university will evaluate the need for and, when appropriate, institute campus restrictions or no contact orders when requested. Supportive measures will be provided in a manner which does not result in harm to the responding party, or that provides the responding party with immediate appeal rights.

Resources: On Campus

- Emergency Assistance/Information and Safety Escorts
    - South Dakota State University Police Department—(605) 688-5117 (call from on-campus landline phones—111).
- Medical Services (Students only)
    - SDSU Student Health Clinic (118 Miller Wellness Center)—(605) 688-4157
- Counseling Services (Students only)
    - SDSU Student Counseling Services (118 Miller Wellness Center)—(605) 688-6146
- Student Conduct Procedures (Students only)
    - Program director for student conduct (167 Caldwell Hall)—(605) 688-5148
- Student Affairs Office (Students only)
    - Vice president for student affairs and enrollment management (312 Morrill Hall)—(605) 688-4493
    - Dean of students (312 Morrill Hall)—(605) 688-4493
- Students' Association (Students only)
    - Legal advice without representation—(605) 688-5181
- Title IX/EO Coordinator (100 Morrill Hall)—(605) 688-4128
- Employee Relations Specialists (100 Morrill Hall)—(605) 688-4128

Resources: Off Campus

- Medical
    - Brookings Hospital Emergency Room (322 22nd Avenue)—(605) 696-9000
    - Sexual Assault Nurse Examiners (SANE) who are forensically trained in assisting and advocating for victims (Brookings Hospital)
    - Avera Medical Group Brookings (400 22nd Avenue)—(605) 697-9500
- Advocacy/Counseling
    - Margo's Place (Domestic Abuse Shelter in Brookings)—(605) 692-SAFE (7233)
    - The Ivy Center (Brookings Behavioral Health and Wellness)—(605) 697-2850
- Police
    - Brookings Police Department (307 3rd Avenue)—(605) 692-2113
    - Brookings County Sheriff's Office (315 Seventh Avenue)—(605) 696-8300

Supportive Measures

Supportive measures are defined by SDBOR Policy 1.4.1 as *"Non-disciplinary, non-punitive individualized services offered to the complainant or the respondent."* The Title IX/EO Office provides, in writing, to both parties involved in sexual harassment allegations, a list of possible supportive measures. The Title IX/EO Office initiates discussions of such measures and maintains as confidential any measures provided to either party, to the extent that maintaining such confidentiality does not impair the ability of the university to provide supportive measures. The following are the supportive measures outlined in

SDBOR Policy 1.4.1 and other frequently used measures, which vary depending on the nature and severity of the allegations and evidence.

- **Supportive Measures:**
  - Counseling services
  - Mutual contact restrictions
  - UPD escort services
  - Restrictions from specific university-controlled areas
  - Come and go access (permission to only be on campus for courses)
  - Leaves of absence
  - Increased security and monitoring of certain areas of the campus
  - Assistance with contacting law enforcement—report filing and protection orders
  - Removal or restriction from participating in clubs or organizations
  - Restrictions from attending university-controlled events
  - Restriction of access to university-controlled public areas
  - Housing or office relocation
  - Removal from university-controlled housing
  - Referral to Margo's Place (formerly Brookings Area Domestic Abuse Shelter)
  - Academic supports
    - Hold harmless for absence from class
    - Extended time for assignment completion
    - Class assignment revisions or resubmissions
    - Re-take or reschedule of course exam
    - Adjustment to course schedule
    - Petition for an incomplete in a course
  - Request to drop a course with no "W" on transcript
  - Request to drop a course/grade from transcript
  - Parking relocation
- **Referral to Resources:**
  - Dean of Students (Students only)
  - Assistance with financial aid and scholarships (Students only)
  - Assistance with contacting law enforcement
  - Referral to Brookings Area Domestic Abuse Shelter
  - Legal aid services (Students only)
  - Office of Student Accessibility (Students Only)
  - International Student and Scholar Engagement (Students only)
  - Human Resources Employee Relations Specialists (Employees only)
  - Employee Assistance Program (Employees only)
  - Ombuds Office
  - Office of Veterans Services
  - Wintrode Student Success and Opportunity Center

University Disciplinary Sanctions and Procedures

Procedures for university disciplinary action for Title IX-related offences follow SDBOR policy 1.4.1. The following information applies to accused perpetrators of sexual harassment.

Disciplinary proceedings for policies unrelated to sexual harassment may be initiated in response to conduct that arises out of membership in the institutional community, otherwise prohibited under the

Student Conduct Code that adversely affects the institutional community or their pursuit of its objectives.

1) The consumption of alcohol before or during the assault, by the victim, that violates law or policy will not be a Student Conduct matter and therefore should not prevent a victim from reporting the incident.
2) The Title IX/EO Coordinator, or designee, shall determine if supportive measures shall be invoked for either involved party.
3) For formal complaints in which the allegations could satisfy the criteria for sexual harassment, as per SDBOR Policy 1.4.1, a hearing examiner is hired to conduct a hearing. Hearing examiners utilize a preponderance of evidence standard of evidence to resolve all cases of sexual harassment, as defined by SDBOR Policy 1.4.1.
    a) The types of hearings utilized by the SDBOR/SDSU are specified below. The type of hearing is determined based on the information pertaining to the reported policy violation along with the desires of the involved parties. An informal resolution will be utilized only when the allegations do not involve SDSU employee to student allegations, and when an outcome can be agreed upon by both parties. When an outcome cannot be fully agreed upon, the formal process will be utilized, even if for only the sanctioning component.
        i) Informal: Typically, each party and their advisor meet individually with a designated conduct hearing officer. The respondent and the conduct officer may reach resolution on the outcome. To proceed with an informal resolution, the complainant must agree, in writing, to resolving the complaint informally as well as to the terms of the proposed informal resolution.
        ii) Formal: *"Institutions shall provide for a live hearing conducted before a hearing examiner using the contested case proceedings set forth in SDCL chapter 1-26. However, the use of the procedures afforded to contested case proceedings under SDCL chapter 1-26 is not determinative as to the matters status as a contested case under South Dakota law. The individual facts and circumstances shall determine whether or not the matter meets the legal threshold for a contested case, regardless of the process afforded herein. Live hearings may be conducted with all parties physically present in the same geographic location or, at the institution's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The institution shall create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review"* (SDBOR Policy 1.4.1).
    b) The steps in both types of hearings include contact with the respondent and complainant. Neither party is required to participate in a formal hearing. Institutions shall ensure that both the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the institution and not on the involved parties.
    c) To the extent statements made by a party or witness who does not submit to cross-examination at the live hearing satisfy the relevance rules, they must be considered by the hearing examiner in reaching a determination regarding responsibility; provided, however, the hearing examiner cannot draw an inference about the determination regarding responsibility solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

d) All parties and their advisors are provided the evidence that will be reviewed during the hearing prior to the hearing to prepare for cross-examination

e) SDSU provides notice to both parties at least 15 days in advance of the live hearing. See SDBOR Policy 1.4.1 for content of such notice. Whether the informal or formal process is used, every individual engaged in the process receives a fair and just review of the information, has the opportunity to articulate their point of view, and benefits from procedural due process. Both the complainant and respondent have the right to petition for review of the outcome of a formal hearing regarding Title IX violations. The process to petition for review is included later in this section. The factors for determining the type of process to use regarding allegations of dating violence, domestic violence, sexual assault or stalking based on gender are as follows:

   i) For investigations to be conducted, formal complaints must be signed by the complainant, or in extenuating circumstances, the Title IX/EO Coordinator. In cases indicating pattern, predation, threat, weapons and/or violence, the University will likely be unable to honor a request for confidentiality and may need to proceed with an investigation regardless of the complainant's desires. Regardless of whether the complainant requests confidentiality or chooses not to sign a formal complaint, the University will offer supportive measures, as needed. The university will take Title IX related reports seriously, and when a formal complaint is filed, will investigate and properly resolve such allegations, in accordance with SDBOR Policy 1.4.1.

      (1) An institution must investigate the allegations in a formal complaint 1) that, if taken as true, would constitute a violation of Title IX, 2) when the allegations occur on SDSU owned or controlled property and/or during an SDSU sponsored event or activity 3) occurring in the United States. A formal complaint may be filed by a complainant or signed by the Title IX/EO Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegations of sexual harassment. Where the Title IX/EO Coordinator signs a formal complaint, the Title IX/EO Coordinator is not a complainant or otherwise a party. Within 5 working days of receiving a formal complaint or new allegations within the same complaint, the institution must provide written notice to the parties who are known.

         (i) Within 10 working days of receiving a formal complaint, SDSU shall determine whether the conduct alleged, if taken as true, would constitute sexual harassment, and if the allegations contained in the formal complaint occurred in SDSU's education program or activity. The university shall dismiss the formal complaint if the factual allegations, if taken as true, either fail to constitute sexual harassment; did not occur in SDSU's education program or activity; or occurred outside the United States.

         (ii) SDSU may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX/EO Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by, or otherwise affiliated with, the university; or specific circumstances prevent the university from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

      SDSU shall ensure that both the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the institution and not on the parties.

(a) The University shall provide equal opportunity to the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
(b) SDSU may not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
(c) SDSU shall provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
(d) The university shall provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, at least 5 working days in advance.
(e) SDSU shall ensure both parties and their advisors have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the institution must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The university must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
(f) SDSU shall create an investigative report that fairly summarizes relevant evidence and, at least 10 working days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

(2) The university shall provide for a live hearing conducted before a hearing examiner using the contested case proceedings set forth in SDCL chapter 1-26. Live hearings may be conducted with all parties physically present in the same geographic location or, at the institution's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. The institution shall create an audio or audiovisual recording, or transcript of any live hearing and make it available to the parties for inspection and review.

(3) Institutions shall provide notice to both parties at least 15 days in advance of the live hearing.

(4) If a party does not have an advisor present at the live hearing, the institution must provide without fee or charge to that party, an advisor of the institution's choice, who

may be, but is not required to be an attorney. Without limiting the due process provided for contested case proceedings pursuant to SDCL chapter 1-26, the live hearing must:

(a) Permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

(b) Require cross-examination to be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

(c) If requested by either party, provide for the live hearing to occur with the parties located in separate rooms with technology enabling the hearing examiner and parties to simultaneously see and hear the party or the witness answering questions.

(d) Require the hearing examiner to determine whether any question asked of a complainant, respondent, or witness is relevant before they may answer the question and explain any decision to exclude a question as not relevant before a party or witness answers a cross-examination or other question.

(e) Ensure questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

(f) Ensure that if a party or witness does not submit to cross-examination at the live hearing, the hearing examiner must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, the hearing examiner cannot draw an inference about the determination regarding responsibility solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

(5) The hearing examiner shall issue a proposed determination to the SDSU president or their designee, who cannot be the same person(s) as the Title IX/EO Coordinator or the investigator(s). The university must then issue a written determination regarding responsibility. To reach this determination, the institution must apply the preponderance of the evidence standard. In reviewing the proposed determination, SDSU must give due regard to the hearing examiner's opportunity to observe the witnesses. If the university rejects or modifies the proposed determination of the hearing examiner, or any part thereof, the reasons for doing so shall be provided in writing to the parties.

(6) The university must provide the proposed written determination to the parties simultaneously. The proposed determination regarding responsibility becomes final either at the conclusion of the petition for administrative review to the Executive Director, or if a petition for administrative review is not filed by either party in accordance therewith, the date on which the petition for administrative review would no longer be considered timely. If no petition for administrative review is filed within the timeframe provided, upon the expiration thereof, the proposed determination of the institution shall constitute the final decision on the matter, which is subject to appeal to circuit court in accordance with the provisions of SDCL ch. 1-26. 5.6. The Title IX/EO Coordinator is responsible for effective implementation of any remedies.

4) Following a determination of responsibility by SDSU, the disciplinary sanctions listed below in this section may be imposed on the respondent. More than one of these disciplinary sanctions may be imposed for any single finding of responsibility. Imposition of a disciplinary sanction may be delayed or suspended on such conditions as the institution may prescribe.

Warning – A statement to the respondent that the respondent has violated this policy.

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

Loss of Privileges – Denial of specified privileges for a designated period of time. The privileges of continued participation in institutional activities, and/or access to institutional facilities or residences may be conditioned upon participation in or completion of educational programming at the respondent's expense.

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

Educational/Personal Development Sanctions – work assignments, service to the institution or community, workshops, counseling or other related educational, training or personal development activities.

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.

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.

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.

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.

Adverse Employment Action(s) – the institution may take adverse employment action, to include suspension, with our without pay, reassignment, demotion, and termination.

Withholding Degree – the institution may withhold awarding a degree otherwise earned until the completion of the grievance process or the completion of all disciplinary sanctions imposed.

The complainant and respondent may petition for administrative review of the university's proposed determination regarding responsibility, and SDSU's dismissal of a formal complaint or any allegations therein, by petitioning in writing to Executive Director of the Board of Regents no later than ten (10) working days after notice of SDSU's decision is deemed received. Petitions for administrative review under this section are limited those made on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX/EO Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

A petition filed with the Executive Director must include the party's supporting arguments and documentation. Petitions that fail to include supporting arguments and documents or which are not made on one of the bases set above will be rejected.

Within five working days of receiving a petition for administrative review, the Executive Director, or designee, shall provide written notice of the petition to the other party. That party will have five working days from the date of the notice to submit a written statement to the Executive Director in support of, or challenging, the outcome. Petitions for administrative review will be limited to a review of:

1. The written determination of the institution, which shall include the proposed determination of the hearing examiner;
2. The verbatim record of the hearing;
3. Supporting documents submitted as part of the hearing; and
4. Written statements and/or supporting documentation submitted by the respondent and/or complainant in accordance with the appeal process set forth herein.

University Disciplinary Sanctions and Procedures for Hazing

Hazing, which includes, but is not limited to, any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against a student or students regardless of the willingness of such other student or students to participate.

SDSU prohibits hazing as defined by this policy and promotes strategies for group cohesion without hazing. 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.

The procedures for investigating and adjudicating hazing, along with the possible sanctions can be found in the SDSU Student Code – SDBOR Policy 3.4.1(3)

Type and Frequency of Programs regarding Campus Security Procedures and Practices, Crime Prevention, Drug and Alcohol Abuse, and Hazing Prevention

The key to preventing crime is awareness, which is best achieved through education. SDSU is committed to educating all students, faculty, and staff.

Type and Frequency of Campus Security Awareness Programs

- New Student Orientation (NSO): At the orientation programs in June, July, and August, information on campus safety and security is provided to parents and students. Approximately 2,000 students and their parents attend the NSO sessions each summer.

- New Student Training: The Office of Title IX/EO provides training on the topics of sexual assault and upstander intervention the day after new students move on campus before classes begin. On August 22, 2026, this training took the form of large in-person sessions delivered during the Yellow, Blue, and You extended orientation program. A more general training was conducted by the Division of Student Affairs to new students on January 9, 2026.
- International Student Orientation: The Office of International Affairs and UPD present sessions on campus safety and security to international students twice a year, once in the fall and once in the spring.
- Housing and Residence Hall Staff Fire Safety Training: During fall staff training, the live-in staff attend fire safety presentations and participate in fire safety exercises. This includes in-hall training on fire alarm response and procedures as well as education on fire safety policies. In addition, Housing and Residential Life Staff instruct the student staff on fire safety and the proper use of fire extinguishers.
- Housing and Residence Hall Student Staff and Full-time Staff Training: Every fall, all student and full-time staff attend training regarding campus safety and security.
- Initial Residence Hall Meetings: These meetings are required for all hall residents and are held in the fall, during the first week of school in all residence halls. Campus safety and security procedures are highlighted along with emergency response procedures and disciplinary policies.
- Behavioral Intervention Team Staff Training: This team is comprised of staff from Student Counseling Services, UPD, Department of Housing and Residential Life, Athletics, Miller Wellness Center, Human Resources, and Academic Affairs and is chaired by a representative of the Office of the Vice President for Student Affairs and Enrollment Management. Information on the Behavioral Intervention Team that includes the ability to refer a community member can be found at this link.
- Active Shooter Response Training: UPD in coordination with Emergency Management provides active shooter response training to the university community. Specific trainings are scheduled and additional trainings may be provided to any group or organization in the university community. More information can be found at https://www.sdstate.edu/safety-security/emergency-management/emergency-management-trainings. Active shooter response training was also offered online to all employees and students via Vector Solutions. During spring 2025, more than 1000 employees and 500 students completed such training. As of the most recent academic year, the employee online training is offered through Knowbe4 platform. As of September 24, 2025, fall completions included more than 1200 employees.
- Emergency planning and evacuation: SDSU places an emphasis on emergency planning. Fire drills are conducted in residential facilities every semester, with drills annually in administration and academic buildings. All drills are evaluated upon completion with after action items noted and addressed. Emergency management training is conducted throughout the year.

Type and Frequency of Crime Prevention Programs

Crime prevention is an obligation shared among community members to promote a safe and secure environment. SDSU provides a wide variety of training opportunities for the community. Students and employees are encouraged to be responsible for their own safety and security and the security of others. The programs listed below are designed as a resource for this responsibility.

- Sexual Assault Prevention Programming: UPD and the Title IX/EO Office offer and present sexual assault prevention programs over the course of the academic school year to the following groups: Athletics, Department of Housing and Residential Life staff and residents, and academic clubs. Presentations are offered to any SDSU group upon request.

Type and Frequency of Drug and Alcohol Abuse Programs

- Online Training for Incoming Students: In Fall 2025, all first-year students were required to complete AlcoholEdu for College, a training module offered through VectorLMS. This 60-minute course centers authentic student-driven narratives to explore key topics such as supporting peers in recovery, understanding the short and long term effects of alcohol and substance use, and the physical, mental, and emotional benefits of abstaining and/or reducing the use of these substances while in college. Beginning in Fall 2026, all new students to SDSU are required to complete an online module from AliveTek, administered through the campus learning management system, Desire2Learn (D2L). The module, titled "Decisions: Alcohol and Drugs," allows incoming students to examine their motivations and expectations surrounding alcohol and drugs, the risks and dangers involved, and tips on how to make the best decision.
- Chemical Dependency Assessments/Screenings: Student Counseling Services administers alcohol and chemical dependency assessments to students, and makes further recommendations for these students, when needed.
- Choices About Responsible Drinking (CARD): This 90-minute course is taught by the coordinator for community standards, assisted by others as needed. This is a small-group course where students discuss their relationship with alcohol. The course provides basic information about alcohol use and potential consequences and is designed to help the student realistically evaluate their AOD usage and its impact on their life.
- Online Module – "Alcohol and Other Drugs: Sanction": This course is designed for students in need of additional training. It is typically utilized as a sanction in a first-offense alcohol policy violation, but it can be applied in other settings. This course is designed to help students better understand why they struggle with alcohol and/or other drugs, providing suggestions for avoidance strategies and other tactics that fit each student's personality. The course highlights the potential negative effects of substance use on academics, physical and mental health, social life, and life after college.
- BASICS: This is an individualized education and counseling program to meet the needs of students who have a second alcohol policy violation or a first violation where health or safety were at risk. This involves an initial meeting and a follow-up meeting.
- Fizz with the Fuzz: Presented by UPD, these programs focus on underage drinking and the dangers of driving under the influence of alcohol and/or other drugs. It is offered year-round at the request of any group, class, or organization.
- Hobo Night Live: An annual alternative program designed to offer activities for students wishing to disengage from alcohol-related homecoming events.
- Helping Everyone Reach Optimal Health (HEROH) Programs: HEROH is a student volunteer peer education organization that operates out of the Miller Wellness Center. As peer educators, HEROH provides information regarding substance abuse in classrooms and residence halls.
- Alcohol and Drug Abuse Prevention Team (ADAPT): This committee functions as a clearinghouse for student health and wellness initiatives on campus focusing on alcohol and substance education and

prevention. It provides assistance through the use of social norms campaigns, educational activities (guest speakers and class presentations), programming, and advertising.

- Student Health Clinic and Counseling Services: The Student Health Clinic and Counseling Services (SHCCS) currently employs seven full-time, masters level staff members: two full-time licensed counselors (MS, NCC, LPC-MH, QMHP; & MS, NCC, LPC), three full-time counselors under clinical supervision, one licensed social worker (LMSW, CW), and one counselor with a MS in Social Work. As of this writing, two additional counseling positions are open for hire. All counselors address mental health needs and provide referrals to alcohol programs. Counselors also offer conduct screenings based on individual needs.
- Residence Life Programs: Department of Housing and Residential Life staff members provide active programming on the topic of alcohol and drug use/abuse. Consideration is given to events associated with excessive alcohol use.
- National Collegiate Alcohol Awareness Week (NCAAW): The HEROH group on campus provides education to their peers regarding alcohol awareness and high risk drinking via presentations and tabling during throughout the week.
- Rabbit Ride: In partnership with the Brookings Area Transit Authority, SDSU sponsors a free transportation system Friday and Saturday evenings during the academic year. The Rabbit Ride program provides a safe method of transportation to potentially impaired individuals. The mission of Rabbit Ride is to save lives, prevent injuries, protect neighborhoods from late night vandalism, and keep impaired drivers off the road by offering SDSU students, Brookings community members, and visitors a safe transportation alternative.

Type and Frequency of Hazing Prevention Programs

- Online Training: In 2025, all students were required to complete an online module entitled “Hazing Awareness and Prevention for Students” through the Vector LMS online training platform. All faculty and staff were required to complete a module entitled “Hazing Awareness” through the employee training platform, KnowBe4. In 2026, a new student training platform came into place; students new to SDSU are required to complete a module entitled “Hazing Prevention 101” offered through the AliveTek online training library operated within SDSU’s learning management system, Desire2Learn (D2L). Employees are required to complete a module entitled, “Stop Campus Hazing Act for Faculty and Staff.” Members of specific Registered Student Organizations (RSOs), as well as student organizations within University departments (e.g., performing arts groups, Intercollegiate Athletic teams, etc.) are assigned to complete hazing prevention content tailored to their organization, also through AliveTek and D2L. Content of all training modules is expert-crafted and research-informed.
- National Hazing Prevention Week: Students and staff within Fraternity and Sorority Life (FSL) as well as within Campus Activities generally, participate actively in efforts connected with National Hazing Prevention Week each September. Public awareness campaigns focusing on the importance of hazing prevention and the values of respect and inclusion within student organizations provide anti-hazing messages in posters, reader boards, advertisements, etc., throughout campus. Individual organizations and members are encouraged to make public commitments in opposition to hazing.
- Speakers and Presentations: Fraternity and Sorority Life (FSL) sponsors speakers and/or presentations from outside contracted experts on the topic of hazing prevention each semester. Attendance is mandatory for organizations and/or members within chapters supported by FSL, and

other student Registered Student Organizations, organizations affiliated with University departments, and Intercollegiate Athletic teams are invited and encouraged to attend.

Missing Student Notification Policy:

1) Policy
    a. For the purpose 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.
    b. Any person, including those not affiliated with the University, may report a University student as missing by filing a report with the University. It is not necessary to wait until the student has been missing for twenty-four (24) hours before making such a report. Reports may be made to the Vice President for Student Affairs and Enrollment Management, successor, or designee, or at the University Police Department.
        i. Current contact information for the Vice President for Student Affairs and Enrollment Management: South Dakota State University, Administration (SAD) 312, Box 2201, Brookings, SD 57007; Telephone: (605) 688-4493.
        ii. Current contact information for the University Policy Department: South Dakota State University, 1405 Jackrabbit Avenue, Brookings, SD 57007; Telephone: 111 from on-campus phones or (605) 688-5117 from off-campus phones.
    c. Upon receipt of a missing student report, the Vice President for Student Affairs and Enrollment Management, successor, or designee, will promptly notify the University Police Department, and the University will attempt to locate the student on campus or at other sites controlled by the University and engage the University Police Department in this effort.
        i. Initial efforts to contact students will involve telephone or other electronic communications.
        ii. If unable to contact the students by electronic means, University personnel will attempt to contact the students at their residence on the campus or in the municipal limits of the city of Brookings.
        iii. 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 the University Police Department, they will either request that student affairs personnel enter student rooms, or they will obtain search warrants.
        iv. University personnel may pursue such additional or other investigative activities as are reasonable under the circumstances.
    d. If the University determines that the student has been missing for a period of twenty-four (24) hours, or if it cannot locate the student and it determines that the student appears to be missing, the University will immediately notify the Brookings City Police Department that the student is missing by calling 911 or by visiting 307 3rd Avenue, Brookings, South Dakota, or successor location of the Brookings City Police Department, unless the Brookings City Police Department was the entity that made the determination that the student is missing.

e. When the University notifies local law enforcement agencies, it will also notify such persons as the student may have designated as an individual to be notified pursuant to this policy in the event that the student becomes missing (see section 2h. below).
    i. In the case of unemancipated students under the age of eighteen (18), the University will notify the students' custodial parents or legal guardians.
f. 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.
g. The Office of the Vice President for Student Affairs and Enrollment Management is responsible for publishing this policy electronically through websites designed to convey emergency or law enforcement information; for incorporating its provisions into student handbooks or similar publications; and will otherwise assure that students know, or should know, of its provisions.
h. 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.
    i. Students will be provided confidential means to designate such individuals and to update their designations.
    ii. Such contact information will be held as a confidential student record.
    iii. Unemancipated students under the age of eighteen (18) 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.

II. Annual Fire Safety Report

This report is due Oct. 1 of each year and contains:

- A description of the fire safety system for each on-campus student housing facility.
- The number of fire drills held the previous calendar year.
- The institution's policies or rules on portable electrical appliances, smoking, and open flames in student housing facilities.
- Procedures for student housing evacuation.
- Policies for fire safety education and training programs for students, faculty, and staff.
- A list of the titles of each person or organization to which individuals should report that a fire has occurred.
- Plans for future improvements in fire safety, if determined necessary by the institution.

Fire Reporting

When a fire incident occurs, the University fire alert system notifies UPD at a central control panel. Additionally, residential students and staff should report the fire to any community assistant, residence hall director, area coordinator, residential life assistant director, residential life associate director or director of University Housing and Residential Life. Students living in university-owned or -controlled property should report the fire first by calling 911 and then contact their property manager. After students have called 911 and are safe and secure, students in Greek community housing should contact the Greek Life Advisor.

Fire Safety – Procedures and Documentation

Any institution that maintains an on-campus student housing facility must collect fire statistics, publish an annual fire safety report, and keep a "fire log." These requirements are separate from those of the campus crime reporting.

Fire Statistics: The following statistics must be collected and reported, both in the annual fire safety report and the U.S. Department of Education's web-based data collection system, for each on-campus student housing facility.

- The number of fires and the cause of each fire.
- The number of deaths related to the fire.
- The number of injuries related to the fire that resulted in treatment at a medical facility.
- The value of property damage related to the fire.

Fires - Summary 2023-2025									
	2023			2024			2025		
Name and Street Address of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Ben Reifel Hall 1351 8th Street	0	0	0	0	0	0	1	0	0
Hyde Hall 1451 8th Street	0	0	0	0	0	0	0	0	0
Honors Hall 1426 Student Union Lane	0	0	0	0	0	0	0	0	0
Schultz Hall 1456 Student Union Lane	0	0	0	0	0	0	0	0	0

Name and Street Address of Facility	Fires - Summary 2023-2025								
	2023			2024			2025		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Meadows North 717 11th Street	0	0	0	0	0	0	0	0	0
Meadows South 707 11th Street	0	0	0	0	0	0	0	0	0
Binnewies Hall 821 Jackrabbit Avenue	0	0	0	0	0	0	0	0	0
Brown Hall 1391 8th Street	0	0	0	0	0	0	0	0	0
Caldwell Hall 934 Student Union Lane	0	0	0	0	0	0	0	0	0
Hansen Hall 857 11th Street	0	0	0	0	0	0	0	0	0
Spencer Hall 1010 Campanile Avenue	0	0	0	1	0	0	0	0	0
Thorne Hall 980 Campanile Avenue	0	0	0	0	0	0	0	0	0
Abbott Hall 950 Campanile Avenue	0	0	0	0	0	0	0	0	0
Mathews Hall 1416 Student Union Lane	0	0	0	1	0	0	0	0	0
Pierson Hall 1452 Student Union Lane	0	0	0	0	0	0	0	0	0
Waneta Hall 1026 9th Avenue				0	0	0	0	0	0
Young Hall 947 Jackrabbit Avenue	0	0	0	0	0	0	0	0	0
Alpha Gamma Rho 1929 8th Street	0	0	0	0	0	0	0	0	0
Alpha Xi Delta 715 20th Avenue	0	0	0	0	0	0	0	0	0
Farm House 729 20th Avenue	0	0	0	0	0	0	0	0	0
Lambda Chi Alpha 1303 7th Street	0	0	0	0	0	0	0	0	0
Sigma Alpha Epsilon 621 20th Avenue	0	0	0	0	0	0	0	0	0
Sigma Phi Epsilon 1712 8th Street	0	0	0	0	0	0	0	0	0
Ceres 721 20th Avenue	0	0	0	0	0	0	0	0	0
House 4 712/714 Campanile Avenue	0	0	0	0	0	0	0	0	0
Apartment 1-7 704 12th Avenue	0	0	0	0	0	0	0	0	0

Fires - Summary 2023-2025									
	2023			2024			2025		
Name and Street Address of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Apartment 1-9 910 11th Street	0	0	0	0	0	0	0	0	0
Townhomes Building 1 1453 7th Street	0	0	0	0	0	0	0	0	0
Townhomes Building 2 1447 7th Street	0	0	0	0	0	0	0	0	0
Townhomes Building 3 1443 7th Street	0	0	0	0	0	0	0	0	0
Townhomes Building 4 1439 7th Street	0	0	0	0	0	0	0	0	0
Townhomes Building 5 1435 7th Street	0	0	0	0	0	0	0	0	0
Apartments – Southeast 1460 8th Street	0	0	0	0	0	0	0	0	0
Total	**0**	**0**	**0**	**2**	**0**	**0**	**1**	**0**	**0**

Caveats:

- 2024 fire in Mathews Hall was caused by a toaster.
- 2024 fire in Spencer Hall was a stovetop grease fire in a public area kitchen.
- 2025 fire in Ben Reifel hall was a stovetop fire in a public area kitchen.

Fire Log:

The law requires institutions to use either a hard copy log or an electronic format. SDSU provides a hard copy log that is available at UPD. The fire log for the most recent 60-day period must be open to public inspection, upon request, during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Fires are recorded by the date they were reported. For each fire, the nature of the fire, the date the fire occurred, the time of day the fire occurred, and the general location of the fire are included. If a specific day is not listed, then no fires were reported on that day.

Policies and rules on fire safety in student housing facilities

Fire/Health/Safety Inspection

Room inspections are intended to ensure the health and safety of not only the room's residents but also other individuals who live in the community. Authorized Department of Housing and Residential Life staff may inspect a resident's room to ensure the room is free of fire, health, and safety threats. The Department of Housing and Residential Life will give at least a 24-hour notice to residents, except in cases authorized by its director to check on an imminent danger or need. These inspections are routinely completed during winter and spring break. To guard against fire danger, several policies apply in residential facilities. Please note that for the safety and protection of life and property, violation of these regulations will be grounds for immediate confiscation and possible disposal of prohibited item(s) and as necessary, action through the student conduct process.

Fire Safety Systems in SDSU Residential Facilities Fall 2023					
SYSTEM TYPES LEGEND: A. Automatic Sprinkler System B. Fire Alarm System Monitored by the South Dakota State University Police Department C. Smoke Alarm in each sleeping room, interconnected and in common areas and suites D. Individual Battery Operated Smoke Alarms					
Residential Facilities	**Residence Type**	**System Type(s)**	**Fire Extinguisher Devices**	**Evacuation Plans & Placards**	**Number of Evacuation (Fire) Drills Each Calendar Year**
Abbott Hall 950 Campanile Avenue	Residence Hall	A, B, C	YES	YES	2
Ben Reifel Hall 1351 8th Street	Residence Hall	A, B, C	YES	YES	2
Binnewies Hall 861 Jackrabbit Avenue	Residence Hall	B, C	YES	YES	2
Brown Hall 1391 8th Street	Residence Hall	B, C	YES	YES	2
Caldwell Hall 934 Student Union Lane	Residence Hall	B, C	YES	YES	2
Hansen Hall 511th Street	Residence Hall	B, C	YES	YES	2
Honors Hall 1426 Student Union Lane	Residence Hall	A, B, C	YES	YES	2
Hyde Hall 1451 8th Street	Residence Hall	A, B, C	YES	YES	2
Mathews Hall 1416 Student Union Lane	Residence Hall	B, C	YES	YES	2
Meadows North 717 11th Street	Apartment	A, B, C	YES	YES	2
Meadows South 707 11th Street	Apartment	A, B, C	YES	YES	2
Pierson Hall 1452 Student Union Lane	Residence Hall	A, B, C	YES	YES	2
Schultz Hall 1456 Grove Lane	Residence Hall	A, B, C	YES	YES	2
Spencer Hall 1010 Campanile Avenue	Residence Hall	A, B, C	YES	YES	2
Thorne Hall 980 Campanile Avenue	Residence Hall	A, B, C	YES	YES	2
Young Hall 947 Jackrabbit Avenue	Residence Hall	B, C	YES	YES	2
Alpha Gamma Rho 1929 8th Street	Fraternity	C	YES	NO	2
Alpha Xi Delta 715 20th Avenue	Fraternity	A	YES	NO	2

Fire Safety Systems in SDSU Residential Facilities Fall 2023					
SYSTEM TYPES LEGEND: A. Automatic Sprinkler System B. Fire Alarm System Monitored by the South Dakota State University Police Department C. Smoke Alarm in each sleeping room, interconnected and in common areas and suites D. Individual Battery Operated Smoke Alarms					
Residential Facilities	**Residence Type**	**System Type(s)**	**Fire Extinguisher Devices**	**Evacuation Plans & Placards**	**Number of Evacuation (Fire) Drills Each Calendar Year**
Farm House 729 20th Avenue	Fraternity	C	YES	NO	2
Sigma Phi Epsilon 1712 8th St.	Fraternity	A, C	YES	NO	1
Sigma Alpha Epsilon 3 621 20th Avenue	Fraternity	A	YES	NO	2
Lambda Chi Alpha 1303 7th Street	Fraternity	D	YES	NO	2
Ceres 721 20th Avenue	Fraternity	A	YES	NO	2
House 4 712 1/2 & 712/714 13th Avenue (one structure)	Six Plex	D	YES	NO	0
Apartment 1-7 704 12th Avenue	Apartment	C,D	YES	NO	0
Apartment 1-9 910 11th Street	Apartment	C (all),D (half of units)	YES	NO	0
Townhomes Building 1 1453 7th Street	Townhouse	A, B, C	YES	YES	0
Townhomes Building 2 1447 7th Street	Townhouse	A, B, C	YES	YES	0
Townhomes Building 3 1443 7th Street	Townhouse	A, B, C	YES	YES	0
Townhomes Building 4 1439 7th Street	Townhouse	A, B, C	YES	YES	0
Townhomes Building 5 1435 7th Street	Townhouse	A, B, C	YES	YES	0
Southeast Apartments 1460 8th Street	Apartments	A, B, C	YES	YES	2

Portable electrical appliances

The capacity of the electrical system in the residence halls is limited. Overloading these systems can present fire and safety hazards. If students want to increase the number of outlets in their room, they are required to use Underwriter Laboratory (UL) approved multiple outlet power strips that must be plugged directly into wall outlets. All power strips and UL cords must be in good condition. Power strips must have 15-amp circuit breakers.

Radios, stereos, desk lamps, televisions, and other small appliances are permitted, provided the equipment is kept in safe operating condition. However, lamps with halogen bulbs are not permitted. The only cooking equipment permitted in student rooms are appliances made of solid-state construction with thermostats, no open coils, and automatic shut-offs (i.e., slow cookers, coffee pots).

- Two refrigerators per room are permitted; each must not individually exceed 5 cubic feet.
- Only one microwave per room is permitted; not to exceed more than 700 watts.
- Electric grills are permitted for use in kitchen areas only.

The following items are not permitted in SDSU residence halls:

- Open element appliances such as space heaters, immersion heaters, kerosene heaters, hot plates, broilers, ovens, electric skillets/fry pans, or pizza cookers.
- Sun lamps, halogen lamps, lava lamps, and neon signs.
- Air conditioning units not provided by the university.
- Outside antennae/satellite dishes.
- Potpourri pots (candle and electric).
- Candle warmers.
- Personal Electric Vehicles (per SDSU Policy 10:14, adopted 04/04/2024).
- Alternative light bulbs (e.g., black light bulbs, color bulbs, etc.).
- Air fryers.

Further, no internal combustion engines will be allowed in the residence halls. This includes, but is not limited to, motorized scooter/skateboards, lawn tools, remote controlled toys, etc.

Smoking

SDSU's campus is tobacco-free. Smoking and vaping are not permitted anywhere in the facilities and on campus grounds. No products containing tobacco are allowed on campus.

Open flames

Use of candles with a wick or use of any other item that has an open flame or burning embers is prohibited. Decorative candles with the wick(s) removed or cut off are permitted. However, candle warming plates are not allowed. The use of incense that must be ignited is prohibited. Spray scents are allowed.

Smudging and Pipe Ceremony Policy

In deference of the ceremonial use of smoke as a way of life of American Indian/Alaska Native people, American Indian/Alaska Native students may carry out—within the privacy of their dormitory rooms—cultural practices consistent with traditional ceremonies and observances that involve the use of sacred plants. Typically, the smoke associated with this spiritual practice lasts for a brief duration of time. American Indian/Alaska Native students are required to submit a Ceremonial Use Exemption form to the director of the American Indian Student Center (AISC). The director of the AISC will work in partnership with the director of the Department of Housing and Residential Life to review all submitted requests and to assure the respectful governance of ceremonial smoke in residential halls. Any smudging under this policy must include a specification of the planned procedures and adhere to other SDSU procedures and policies concerning safety on campus. American Indian/Alaska Native students are expected to resubmit the Ceremonial Use Exemption form each academic year.

In addition, the AISC serves as a designated venue where smudging and pipe ceremonies may be conducted by students, staff, faculty, and community members and may possibly be used at the start/end of meetings, counseling sessions, and other events and occasions including, but not limited to,

pedagogy. Other campus spaces may be evaluated, in collaboration with the Department of Facilities and Services, to assess if rooms are equipped with appropriate ventilation systems.

Other Fire Hazards

- Heat sensors and/or smoke detectors shall not have anything attached to or within 2 feet of them. It is a violation of fire code to cover, tamper with, or tape over a smoke or heat sensor.
- Nothing may be hung from light fixtures, fire detectors/sprinklers, or ceilings.
- Flammable liquids, including charcoal lighter fluid, propane tanks, and explosives are not allowed in the residence halls.
- Fire towers and enclosed stairways are regulated by state and local fire codes. No flammable items may be stored, hung, or placed in these spaces. In addition, these spaces must be kept free of any item that may obstruct clear and safe passage.

Fire Detection Equipment

Fire alarms, firefighting, and detection equipment installed in the halls are for the safety of all residents. Every residence hall room contains a smoke alarm and heat sensor. Residents are expected to become familiar with their location and operation. In case of a fire, students should activate the nearest alarm station.

Tampering with firefighting or fire detection equipment endangers the lives of all residents. Cases of tampering are investigated and responsible individuals face serious campus and legal action.

Fire Alarm Evacuation

It is SDSU policy that everyone is required to leave the building immediately and in an orderly fashion when a fire alarm is sounded and to remain outside until authorized to return by the Brookings Fire Department or UPD. The primary intention of an alarm is to clear the building and save lives. Unless every other evacuation route is inaccessible, do not jump from a window during a fire alarm.

The hall staff will conduct general safety meetings early in each semester on all emergencies, but as a general rule, in the event of a real fire:

1. Move as close to the floor as possible when there is smoke.
2. Check doors to see if they are hot before proceeding.
3. Occupants who are unable to evacuate a room should:
    a. Stuff towels under the door.
    b. Hang a sheet from the window as this indicates to firefighters that people are trapped in the room.

False Alarms

False fire alarms are illegal and dangerous. Every time a building is evacuated, there is the possibility of injury. Frequent false alarms tend to create a feeling of false security and it becomes more difficult to evacuate the building. In the event of an actual fire, this could lead to serious consequences. For these reasons, everyone must evacuate immediately every time the alarm sounds. Students who do not evacuate the hall during a fire alarm face student conduct action. Any student found guilty of causing a false fire alarm or fire may be subject to suspension, expulsion, arrest, and fines.

Policies for Fire Safety Education and Training Programs for Students and Employees

Each residence hall is supervised by a residence hall director. Each residence hall is also staffed with undergraduate students serving as community assistants (CAs). These individuals receive training throughout the school year outlining fire and emergency evacuation procedures as well as working with UPD and emergency personnel.

Soon after the residence halls open for the year, residents attend a community meeting with their CA. At that meeting, the CA outlines fire and emergency evacuation procedures and discusses policies and procedures regarding electrical appliances, smoking, and open flames. Students also have online access to the Department of Housing and Residential Life Handbook that contains policies and procedures regarding fire and personal safety.

Additionally, CAs check residence hall rooms during semester and spring breaks. At this time, the CA ensures that students are in compliance with fire and other life safety policies.

Plans for Future Improvements in Fire Safety

Fraternities – No improvements are planned in the coming year.

Residential Campus Facilities (Housing & Residential Life)
Projects completed in the last year:

1. A complete fire alarm replacement project was completed in Hansen Hall.

Projects in design or ongoing for construction:

1. Complete renovation of Binnewies Hall beginning in Spring 2027 will include installation of fire suppression.

Non-residential Campus Facilities (Facilities and Services)
Projects completed in the last year:

1. Completion of the Larson Commons remodeling project involved installation of a new fire alarm and suppression system.
2. Upgrade of fire alarm system in McFadden Biostress Laboratory.
3. Stage curtains in the Oscar Larson Performing Arts Center were treated with fire retardant.

Projects in design or ongoing for construction:

1. Installation of new fire extinguishers in both the existing space and the new addition of the Swine Unit.

Appendix A: Report Campus Crime to UPD or Any of These Personnel: Campus Safety Authorities (CSA)

Department	Title	Office	Last Name	First Name	Email @sdstate.edu	Phone Area code 605
University Police Department	UPD Dispatch Personnel	SUPD 104				688-5117
Student Affairs	Vice President for Student Affairs and Enrollment Management	SAD 312	Willis	Michaela	Michaela.Willis	688-4493
Student Affairs	Assistant VP for Enrollment Management	SAD 312	Helmbolt	Shawn	Shawn.Helmbolt	688-4493
Student Affairs	Dean of Students	SAD 312	Uecker	Tobias	Tobias.Uecker	688-4493
Student Affairs	Chief Wellness Officer	SSWC 100	Landmark	Shari	Shari.Landmark	688-5386
Student Affairs	Director of Student Health & Counseling	SSWC 113	Lunday	Tamara	Tamara.Lunday	688-4157
Student Affairs	Director of Recreation and Fitness	SSWC 100	Weber	Mariah	Mariah.Weber	688.4585
Student Affairs	Assistant Director Counseling	SSWC 159	Fullerton	Audra	Audra.Fullerton	688-4157
Student Affairs	Assistant Director of Operations – MWC	SSWC 100	Vossekuil	Chad	Chad.Vossekuil	688-4312
Student Affairs	Fitness and Aquatics Coordinator	SSWC 111	Heidenreich	Jacob	Jacob.Heidenreich	688-6415
Student Affairs	Assistant Vice President for Student Life	SSU 150	Novotny	Jennifer	Jennifer.Novotny	688-4960
Student Affairs	Director of Student Union Operations and Event Services	SSU 150	Venhuizen	Mark	Mark.Venhuizen	688-4960
Student Affairs	Assistant Director of Student Activities and Orientation	SSU 150	Karnopp	Adam	Adam.Karnopp	688-4960
Student Affairs	Advisor – University Traditions	SSU 055	Witte	Danielle	Danielle.Witte	688-6483
Student Affairs	Advisor – Fraternity & Sorority Life	SSU 136	VACANT	VACANT	VACANT	688-4425
Student Affairs	Director of Career Development	SSU 136	Fullerton	Kevin	Kevin.Fullerton	688-4425
Student Affairs	Director of Multicultural Affairs	SSU 065	Bayer	Shelly	Shelly.Bayer	688-4504
Student Affairs	Coordinator of Disability Services	SSU 271	Hartenhoff-Crooks	Nancy	Nancy.Crooks	688-4504
Student Affairs	Director of Veterans Services	SBH 134	Chavez	Russ	Russel.Chavez	688.6478
Student Affairs	Director for Student Conduct	SCH 167	Schmaedeke	James	James.Schmaedeke	688-5148
Student Affairs	Coordinator for Community Standards	SCH 167	VACANT	VACANT	VACANT	688-5148
Student Affairs	Director of Housing and Residential Life	SCH 167	Peterson	Becky	Rebecca.Peterson	688-5148
Student Affairs	Associate Director for Operations	SCH 167	Taute	Maryke	Maryke.Taute	688-5148
Student Affairs	Assistant Director for Student Success	SCH 167	VACANT	VACANT	VACANT	688-5148
Student Affairs	Assistant Director for Residential Life	SCH 167	Condelli	Nathaniel	Nathaniel.Condelli	688-5148
Student Affairs	Assistant Director for Housing Services and Operations	SCH 167	VACANT	VACANT	VACANT	688-5148
Student Affairs	Assistant Director for Community and Connection	SCH 167	VACANT	VACANT	VACANT	688-5148
Student Affairs	Residence Hall Director - Binnewies Hall	SYH 143	Lowry	Shauna	Shauna.Lowry	688-5320
Student Affairs	Residence Hall Director - Brown Hall	SBH 137	Bult	TJ	Tyler.Bult	688-6524
Student Affairs	Residence Hall Director - Hansen and Waneta Halls	SHN 153	Curran	Andrew	Andrew.Curran	688-6624
Student Affairs	Residence Hall Director - Mathews Hall	SMH 101	Klausenburger	Emma	Emma.Klausenburger	688-6318
Student Affairs	Residence Hall Director - Meadows Apartments		Agyemang	Paa Kwasi	PaaKwasi.Agyemang	688-4229
Student Affairs	Residence Hall Director - Pierson Hall	SREF 128	Beall	Faythe	Faythe.Beall	688-5136
Student Affairs	Residence Hall Director - Caldwell Hall	SCH 167	Aschwege	Yanci	Yanci.Aschwege	688-4526
Student Affairs	Residence Hall Director - Honors and Schultz Halls	SCH 127	Ady	Rebecca	Rebecca.Ady	688-6417
Student Affairs	Residence Hall Director - Abbott, Spencer and Thorne Halls	SSH 102	Werley-Gonzales	Cam	Cameron.Gonzales	688-5140
Student Affairs	Residence Hall Director - Hyde and Ben Reifel Halls	SREF 128	Meany	Rachel	Rachel.Meany	688-5136
Student Affairs	Residence Hall Director - Young Hall	SYH 143	Berg	Amelia	Amelia.Berg	688.5424
Student Affairs	Graduate Assistant - University Apts.	SCH 167	Wang	Shouhan	Shouhan.Wang	688-5148
Student Affairs	Larson Family Endowed Director of American Indian Student Success	SAIS 127	His Horse Is Thunder	Wiyaka	Wiyaka.HisHorseIsThunder	688-4066
Student Affairs	Student Success Advisor	SAIS 124	Hare	Marisa	Marisa.Hare	688-5263
Student Affairs	Student Success Advisor	SAIS	Weston	Christin	Christin.Weston	688-6416
Academic Affairs	Program Director – Upward Bound	SMC 120	Nathan	Bylander	Nathan.Bylander	688.6653
Student Affairs	Director of Financial Aid	SESC 511A	Vollan	Beth	Beth.Vollan	688-4703

Department	Title	Office	Last Name	First Name	Email @sdstate.edu	Phone Area code 605
Jacks Dining (Sodexo)	General Manager	SSU 073	O'Connor	Emily	Emily.oconnor@sodexo.com	688-5309
President's Office	President	SAD 222	Dunn	Barry	Barry.Dunn	688-4111
President's Office	Chief of Staff	SAD 222	Weber	Karyn	Karyn.Weber	688-4111
President's Office	Ombudsperson	SDEH 165	Christensen	Mary	Mary.Christensen	688-6474
University Counsel	Vice President & General Counsel	SAD 222	Greene	Tracy	Tracy.Greene	688-5248
Academic Affairs	Provost & Vice President for Academic Affairs	SAD 230	Hedge	Dennis	Dennis.Hedge	688-4173
Finance & Business	Vice President for Finance & Business	SAD 324	Holbeck	Mike	Michael.Holbeck	688-4455
Information Technology	Vice President Technology and Security	SAD 208	Overby	David	David.Oberby	688-4988
Research	Vice Pres., Research & Sponsored Programs	SAD 200	Scholl	Daniel	Daniel.Scholl	688-5642
Academic Affairs	Vice Provost for Undergraduate Education	SAD 230	Seefeldt	Teresa	Teresa.Seefeldt	688-4173
Academic Affairs	Vice Provost for Graduate Education and Extended Studies	SAD 230	Taylor	Victor	Victor.Taylor	688-4173
Facilities	Asst. Vice President, Facilities & Services	FSB 100	Mielke	Barry	Barry.Mielke	688-4136
Academic Affairs	Dean of Agriculture, Food and Environmental Sciences	SAG 131	Cassady	Joe	Joseph.Cassady	688-5133
Academic Affairs	Dean of Arts, Humanities & Social Sciences	SWG 251	Earnest	David	David.Earnest	688-4723
Academic Affairs	Dean of Education & Human Services	SWG 249	Ortlieb	Evan	Evan.Ortlieb	688-6181
Academic Affairs	Dean of Engineering	SCEH 201	Kumar	Sanjeev	Sanjeev.Kumar	688-4161
Academic Affairs	Dean of Natural Sciences	SWE 227	Subramanian	Sen	Senthil.Subramanian	688-4420
Academic Affairs	Dean of Honors College	SBL 126	Heiberger	Greg	Greg.Heiberger	688-5268
H.M. Briggs Library	Chief University Librarian	SBL 108	Tornquist	Kristi	Kristi.Tornquist	688-5106
Academic Affairs	Dean of Nursing	SWG 255	Krogh	Mary Anne	MaryAnne.Krogh	688-4098
Academic Affairs	Dean of Pharmacy & Allied Health Professions	SAV 133	Hansen	Dan	Dan.Hansen	688-5591
Academic Affairs	Director of the Graduate School	SAD 130	Lounsberry	Nicole	Nicole.Lounsberry	688-4181
Academic Affairs	Director of Study Abroad	SBL 119	Gillman	Sally	Sally.Gillman	688-6094
Academic Affairs	Director of International Students & Scholars Engagement	SBL 119	Linke	Kirsten	Kirsten.Linke	688-4482
Wintrode Success & Opportunity Center	Senior Director of Student Success & Opportunity Center	SWG 251B	Owen	Jody	Jody.Owen	688-4153
Wintrode Success & Opportunity Center	Coordinator for Student Success and Opportunity	SWG 251	Birgen	Tina	Tina.Birgen	688-6811
Env. Health and Safety	Emergency Management Specialist	SAD 119	Trygstad	Jayme	Jayme.Trygstad	688-4260
Human Resources	Director of Human Resources	SAD 100	Larson	Mary	Mary.Larson	688-4128
Human Resources	Employee Relations Specialist/Trainer	SAD 100	Fiechtner	Roxanne	Roxanne.Fiechtner	688-4128
Human Resources	Employee Relations Specialist/Trainer	SAD 100	Johnson-Kane	Stephanie	Stephanie.Johnsonkane	688-4128
Title IX / EO	Title IX/EO Coordinator	SAD 100	Johnson	Michelle	Michelle.Johnson	688.4128
Athletics	Director of Athletics	SPE 253B	Sell	Justin	Justin.Sell	688-6388
Athletics	Deputy Athletic Director	SPE	Hieb	Austin	Austin.Hieb	688-5625
Athletics	Sr. Assoc. Athl. Dir. for Student-Athlete Experience/Sr. Women's Administrator	SPE 255	VanVlymen	Holly	Holly.VanVlymen	688-5308
Athletics	Assistant Athletic Director – Admin.	SPE 251	Loban	Tammy	Tammy.Loban	688-6388
Athletics	Senior Athletic Dir. – Facilities & Operations	SPE 253A	Holm	Jeff	Jeff.Holm	595-2403
Athletics	Head Coach – Baseball	SPE 275	Bishop	Rob	Rob.Bishop	690-9851
Athletics	Head Coach – Men's Basketball	SPE 281	Petersen	Bryan	Bryan.Petersen	688-5625
Athletics	Head Coach – Women's Basketball	SPE 271	Johnston	Aaron	Aaron.Johnston	690-8412
Athletics	Head Coach – Cross Country/Track/Field	DSAC 244	DeHaven	Rod	Rod.DeHaven	651-3645
Athletics	Head Coach – Equestrian	Equestrian Center	Werkhoven	Julia	Julia.Werkhoven	
Athletics	Head Coach – Football	DSAC 238	Jackson	Dan	Daniel.Jackson	688-6955
Athletics	Head Coach – Women's Golf	SPE 251	Schneider	Ericka	Ericka.Schneider	688-5625
Athletics	Head Coach – Men's Golf	SPE 251	Edens	Parker	Parker.Edens	688-5625
Athletics	Head Coach – Soccer	SPE 262S	Thompson	Brock	Brock.Thompson	690-1270
Athletics	Head Coach – Softball	SPE 277	McSweeney	Kristina	Kristina.McSweeney	688-5625
Athletics	Head Coach – Swimming	SPE 290A	Humphrey	Doug	Douglas.Humphrey	(402) 540-1148
Athletics	Head Coach – Volleyball	SPE 273	Georgalas	Dan	Dan.Georgalas	(847) 962-4420
Athletics	Head Coach – Wrestling	SPE 263	Hahn	Damion	Damion.Hahn	(612) 964-0525

Appendix B: 4:5 Prevention of Dating Violence, Domestic Violence, Sexual Assault, Stalking and Hazing

Office/Contact: Office of Human Resources
Source: SDBOR Policy 1.4.2 and 1.4.3
Link: https://public.powerdms.com/SDRegents/tree/documents/1729423;
https://public.powerdms.com/SDRegents/tree/documents/1729422

SOUTH DAKOTA STATE UNIVERSITY
Policy and Procedure Manual

SUBJECT: Prevention of Dating Violence, Domestic Violence, Sexual Assault, Stalking and Hazing
NUMBER: 4:5

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1. Purpose

   This policy and its procedures implement SDBOR Policy 1.4.2 to define process and procedures related to prevention of dating violence, domestic violence, sexual assault, stalking, and hazing.

2. Policy

   a. State and federal policies proscribe dating violence, domestic violence, sexual assault, stalking, and hazing, often treating such actions as criminal offenses. These forms of misconduct interfere with the ability of victims to realize the benefits of the educational, cultural, and social programs offered by the University.
   b. Any student, employee, or other person participating in University activities or using University facilities who engages in conduct that would constitute dating violence, domestic violence, sexual assault, stalking, or hazing, as defined herein, in circumstances that implicate the person's fitness to study, work, participate in the functions or use the facilities at the University will be held accountable for their conduct and may be expelled, terminated, denied further participation in University programs or use of University facilities, or otherwise disciplined, upon notice and opportunity to be heard. Students may also be subject to sanctions as set forth in University Policy 3:1, Student Conduct Code, and other perpetrators will be subject to the disciplinary procedures applicable to their status at the University. The decision to pursue disciplinary charges of dating violence, domestic violence, sexual assault, stalking, or hazing will not prevent pursuit of additional, related charges arising from the same facts.
   c. The University will review reports of such conduct to determine whether the employee or student be disciplined, and the University will establish and implement programs designed to help prevent dating violence, domestic violence, sexual assault, stalking, and hazing by:
      i. Holding perpetrators accountable for their conduct;
      ii. Encouraging victims to report incidents; and
      iii. Informing students, staff, and visitors of:

A. SDBOR and University policies proscribing dating violence, domestic violence, sexual assault, stalking, or hazing;
B. Strategies individuals may use to protect themselves;
C. Prevention strategies intended to stop hazing before it occurs;
D. Contact information for the University officials responsible for investigating reports of dating violence, domestic violence, sexual assault, stalking, and hazing;
E. University resources to assist in reporting incidents and preserving evidence; and
F. University and community resources to assist victims.

d. As used in this policy,
   i. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
      A. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.
      B. For the purposes of this definition:
         I. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
         II. Dating violence does not include acts covered under the definition of domestic violence.
   ii. Domestic violence means a felony or misdemeanor crime of violence committed by:
      A. A current or former spouse or intimate partner of the victim;
      B. A person with whom the victim shares a child in common;
      C. A person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner;
      D. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
      E. Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
      F. For purposes of this section, violent crimes are determined under the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program, which classifies four (4) offenses involving force or threat of force as violent crimes: murder and nonnegligent manslaughter, rape, robbery, and aggravated assault, as set forth in 34 C.F.R. part 668 Appendix A to Subpart D of part 668 – Crime Definitions in accordance with the FBI's UCR Program:
         I. Murder and nonnegligent manslaughter means the willful (nonnegligent) killing of one human being by another.
         II. Rape means the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

III. Robbery means the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence or by putting the victim in fear.

IV. Aggravated assault means an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

iii. Sexual Assault, for purposes of the Clery Act, means any offense that constitutes rape, criminal sexual contact, incest, or statutory rape:

A. Rape has the same meaning as given above.

B. Criminal Sexual Contact: the intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This definition also includes the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim, for the purpose of sexual degradation, sexual gratification, or sexual humiliation. This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

C. Incest means sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by SDCL 25-1-6, which provides that:

I. Marriages between parents and children, ancestors and descendants of every degree, and between brothers and sister of the half as well as the whole blood, and between uncles and nieces, or aunts and nephews, and between cousins of the half as well as of the whole blood, are null and void from the beginning, whether the relationship is legitimate or illegitimate. The relationships provided for in this section include such relationships that arise through adoption.

D. Statutory Rape means sexual intercourse with a person who is under the statutory age of sixteen.

iv. Stalking means:

A. engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

I. Fear for the person's safety or the safety of others; or

II. Suffer substantial emotional distress.

B. For the purposes of this definition:

I. Course of conduct means two (2) 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 communications to or about a person, or interferes with a person's property.

II. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
III. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

v. Hazing means any intentional, knowing or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such person or persons to participate, that:
   A. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
   B. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the University or organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including:
      I. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
      II. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
      III. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
      IV. Causing, coercing, or otherwise inducing another person to perform sexual acts;
      V. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
      VI. Any activity against another person that includes a criminal violation of local, state, tribal, or federal law; and
      VII. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, state, tribal, or federal law.

vi. Consent may be implied from the facts and circumstances surrounding the commission of an act. Consent will not be found where an act has been done through the use of force, coercion, or threats of immediate and great bodily harm. Submission does not equal consent, and to establish consent, a party charged must utterly negate any element of force, coercion, or threat. Consent, once given, may be retracted. Consent will not be found under any of the following circumstances:
   A. If the victim is less than thirteen years of age; or
   B. Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim’s presence, accompanied by apparent power of execution; or
   C. If the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
   D. If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
   E. If the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three (3) years older than the victim.

e. To the extent that this policy is intended to implement protections arising under the criminal law, amendments to those underlying statutes will be deemed to have been incorporated hereto on the effective date of such amendments.
f. For purposes relating to the annual security report required under the Jeanne Clery Campus Security Safety Act (20 USC § 1092(f)), conduct constituting dating violence, domestic violence, sexual assault, and stalking, as defined in this policy shall be reported as crimes, irrespective of its treatment under South Dakota law.
    i. For purposes of its annual security report, a statement of policy that addresses the University's programs to prevent dating violence, domestic violence, sexual assault, and stalking, the South Dakota criminal law classifications align with the definitions set out in this policy as follows:
        A. Consent is defined above;
        B. Dating violence includes domestic abuse as defined in SDCL ch. 25-10 that occurs between persons involved in a romantic relationship as defined in SDCL 25-10-3.2 who are not cohabiting and who have never cohabited;
        C. Domestic violence includes domestic abuse as defined in SDCL ch. 25-10 that occurs between persons involved in a romantic relationship as defined in SDCL 25-10-3.2 who are cohabiting and who have cohabited;
        D. Sexual assault includes rape as defined in SDCL 22-22-1; sexual contact with a minor as defined in SDCL 22-22-7; sexual contact as defined in SDCL 22-22-7.1 without consent as set forth in SDCL 22-22-7.4 or with a person incapable of consenting as set forth in SDCL 22-22-7.2; and attempts to commit such offenses as defined in SDCL 22-4-1; and
        E. Stalking includes stalking as defined in SDCL ch. 22-19A.
g. The Title IX/EO Coordinator is responsible for review and handling reports of dating violence, domestic violence, sexual assault, or stalking at the University in conjunction with federal and state law and SDBOR and University policies.
h. Title IX/EO Coordinator contact information shall be maintained and made available in, and disseminated to the University community and general public by, the University Title IX/EO Coordinator Office located in the University Office of Human Resources, or successor unit.
i. The Dean of Students is responsible for reviewing and handling of reports related to hazing at the University in conjunction with federal and state law and SDBOR and University policies.
j. The Title IX/EO Coordinator will establish and coordinate educational and training programs for members of the University community to engage awareness and to help prevent dating violence, domestic violence, sexual assault, stalking, and hazing at the University. The requirements and method of training will be dependent on an individual's role in the University community. The Title IX/EO Coordinator is responsible for developing and following a training protocol to meet the necessary requirements.
k. The Title IX/EO Coordinator is responsible for posting notices to students, staff, visitors, and other members of the University community to inform them of SDBOR and University policies and procedures and of their rights as potential victims of dating violence, domestic violence, sexual assault, stalking, or hazing, strategies for self-protection, and University resources for reporting incidents and preserving evidence. Such notices will encourage victims to report incidents and will contain a clear, accurate identification of the person currently serving as the Title IX/EO Coordinator at the

University. Such notices will also make reference to University and community resources available to assist victims.

3. Procedures

    a. Alleged victims of dating violence, domestic violence, sexual assault, or stalking at the University should contact the Title IX/EO Coordinator at the University to make a report. Alleged victims of hazing at the University should contact the Dean of Students to make a report. In cases of emergency, victims should call 111 from on-campus phones and 911 from off-campus phones to reach University Police. Alleged victims may also utilize the emergency call boxes located across campus, and a University Police Officer will respond to the area immediately.

    b. Upon receipt of such a report, the Title IX/EO Coordinator or Dean of Students, as applicable, will meet with the alleged victim to discuss the incident and resources available at the University and in the community to assist the individual.

    c. The Title IX/EO Coordinator, Dean of Students, University Police, and any other appropriate University official(s) made aware of the misconduct will take appropriate safety measures to help prevent the misconduct from occurring again.

    d. For matters involving dating violence, domestic violence, sexual assault, or stalking, the Title IX/EO Coordinator and other affiliated parties will follow the procedures set forth in University Policies 4:4 or 4:6 regarding the complaint and investigation process following such misconduct.

    e. For matters involving hazing, the Dean of Students and other affiliated parties will follow the procedures set forth in University Policy 3:1 regarding the complaint and investigation process following such misconduct.

4. Responsible Administrator

    The Title IX/EO Coordinator, successor, or designee is responsible for annual and ad hoc review of this policy and its procedures. The University President is responsible for approval of modifications to this policy and its procedures.

Approved by President on 08/01/2014. Revised in conjunction with SDBOR revisions; Approved by President on 09/30/2015. Revised 11/16/2018 (clerical); Revised on 1/29/2024 (clerical). Revised 6/10/2025 (interim). Revised; Approved by President on 03/24/2026.

Appendix C: Community Notification of Potential, Imminent or Active Threat to the University

Office/Contact: Division of Technology and Security
Source: Clery Act, codified at 20 U.S.C. § 1092 (f); 34 CFR 668.46(e) and (g).
Link: https://www.gpo.gov/fdsys/pkg/USCODE-2011-title20/html/USCODE-2011-title20-chap28- subchapIV-partF-sec1092.htm

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SOUTH DAKOTA STATE UNIVERSITY
Policy and Procedure Manual

SUBJECT: Community Notification of Potential, Imminent or Active Threat to the University
NUMBER: 10:3

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1. Purpose

   This policy and its procedures set forth the guidelines for when and how the University provides information to the University community regarding potential, imminent and active threats to the University in compliance with the Clery Act and other applicable laws and policies.

2. Definitions
   a. Timely Warnings: Notifications to the University community that provide information on Clery Act crimes that occur on University Clery geography, are reported to campus security authorities, the University Police Department ("UPD"), or local law enforcement, and pose a serious or continuing threat to students and employees.
   b. Emergency Notifications: Notifications to the University community that alert the University community to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the University campus.
   c. Other Notifications: In addition to Timely Warnings and Emergency Notifications, the University, at its discretion, may provide information to the University community when an incident does not meet the threshold for a Timely Warning or an Emergency Notification.

3. Policy
   a. The University establishes campus safety and security measures to be observed by and for the benefit of all students, employees, and visitors. Timely Warnings, Emergency Notifications, and Other Notifications are designed to inform and direct community members to mitigate the damage of a real or potential threat to the University. To accomplish this, the University uses redundant means of communication to provide Timely Warnings, Emergency Notifications, and Other Notifications to the University community.
   b. The University issues Timely Warnings when a situation arises that constitutes a Clery Act crime within the Clery Geography of the University, which are reported to Campus Security Authorities, and that the University considers to constitute an serious ongoing or

continuing threat that meets the criteria for notification as set forth in this policy, its definitions and procedures. Emergency Notifications are issued without hesitation upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety, unless the Emergency Notification will compromise efforts to assist a victim, contain the incident, or otherwise mitigate the emergency. In every case, an evaluation of the circumstances will be conducted to determine if a Timely Warning or Emergency Notification is required or if Other Notification is appropriate. Notifications will be issued and shall be continually updated until it has been determined the threat is contained or ended.

c. Decisions to issue a Timely Warning, Emergency Notification or Other Notification to the University community shall be made on a case-by-case basis dependent on the nature of the incident and the continuing danger to the campus community. In criminal cases, information will be provided to the extent possible without compromising law enforcement efforts.
d. The Chair of the Emergency Management Team, or designee, in consultation with the appropriate member(s) of the Emergency Management Team, and other University units as appropriate, is responsible for initiating Timely Warnings, Emergency Notifications, and Other Notifications to the campus community.
e. The University's Emergency Management Team (EMT), under the direction of its Chair, is responsible for the preparation for, response to, and recovery from real or potential emergencies that affect, or may affect, the University community.
f. Individuals with information warranting a Timely Warning, Emergency Notification, or Other Notification should report circumstances to UPD.
g. Two times per year a request will be sent electronically to individuals new to the University requesting that they designate their notification preferences at least once per year.
h. The University's emergency communication system is tested within the first two (2) weeks of the fall and spring academic semesters. These tests will be announced prior to being conducted and will contain the location of the University's plans on emergency communications, emergency planning and response, and the evacuation of the University campus.

4. Procedures
    a. Timely Warnings
        i. When a situation is known to the University that constitutes a Clery crime within the University's Clery geography and poses an ongoing threat to safety and security, the case will be evaluated for possible Timely Warning.
        ii. The Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, will issue a Timely Warning as soon as pertinent information is available.
        iii. Timely Warnings will be provided to the University community via campus-wide email and posting on the University's webpages.
        iv. Timely Warnings shall contain sufficient information about the nature of the threat to allow members of the campus community to take protective action. This information will include as appropriate: a succinct statement of the incident; possible connection to previous incidents, if applicable; date, time and location of the warning; description and drawing of any suspects, if applicable and available; and other relevant and important information.

b. Emergency Notifications
    i. In situations where an imminent or active threat to the University has been confirmed, the Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, will issue an Emergency Notification to the University community without delay.
    ii. Emergency Notifications will be sent using the University emergency communication system, which will include notifications through email and other formats selected by the subscribers. This notification system may also include desk phones, personal and University-owned computer monitors, video display monitors, cellular phones, and text messages. Information will also be displayed on official University webpages and social media.
    iii. Emergency Notifications will provide sufficient information to inform individuals of threat mitigation needs.
    iv. University may elect to send Emergency Notifications based on geographically limited effect such as weather alert not being sent to Clery Geography when not affected by severe weather. University may separate notifications by residence halls and other geographic areas.
c. Other Notifications
    i. In situations where a Timely Warning or Emergency Notification is not warranted, the Chair of the Emergency Management Team, or designee, upon consultation with designated units as appropriate, may issue Other Notifications to the campus community in order to mitigate potential threats and assist with safety and security.
    ii. Other Notifications may use email, webpage, or other formats determined by the University.
    iii. Other Notifications will provide sufficient information to inform individuals of threat, safety, or security needs.
d. Updates to the original Timely Warning, Emergency Notification, or Other Notification messaging will be issued by the Chair of the Emergency Management Team, or designee, in consultation with designated units as appropriate.

5. Responsible Administrator

The Vice President and General Counsel, or designee, is responsible for the ad hoc and annual review of this policy and its procedures. The University President is responsible for approval of this policy.

Approved by President on 02/05/2015; Revised and Approved by President on 10/06/2017; Revised and Approved by President on 09/14/2021.