

University of South Dakota Annual Security and Fire Safety Report



UNIVERSITY OF
SOUTH DAKOTA

2023

In compliance with the Jeanne Clery Disclosure of Campus
Security Policy and Campus Crime Statistics Act

Data covers the 2020-2022 calendar years

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University Police Department Welcome Message

Welcome to the University of South Dakota (USD). Thank you for reviewing the USD Annual Fire Safety & Security Report. This report contains campus crime statistics and critical campus safety information such as policies, crime prevention, crime reporting and resources to aid you in becoming more safety-minded. The University of South Dakota strives to be a safe place to learn, live, work, and grow.

The University of South Dakota Police Department (UPD) is responsible for enforcing federal, state and city law as well as university regulations. The University Police Department provides law enforcement services on USD property, including parking lots and roads. University Police Department officers work to ensure campus safety, every day, all day while working cooperatively with the Vermillion Police Department and other law enforcement agencies. They rely heavily on the university community to report any suspicious activity, crimes being committed, and crimes in progress that occur on the USD Campus. To make these reports, please call the University Police Department at 605-658-6199 or 911 for emergencies from an on-campus phone or cell phones.

I. Campus Security and Crime Report

Law Enforcement on Campus

University Police officers have police authority to apprehend and arrest individuals involved in illegal acts on campus and areas adjacent to the campus. University Police officers attend the South Dakota Law Enforcement Training Academy in Pierre, South Dakota. They are sworn in as City of Vermillion Deputy Police Officers, operating under a Joint Law Enforcement Agreement with the Vermillion Police Department (VPD). The University Police Department is composed of 15 police officers, three dispatchers, and are supported by student parking ticket writers and student security officers.

University Police officers provide 24-hour services and work closely with local, state, and federal police agencies and have direct radio communication with the Vermillion Police Department, Clay County Sheriff's Office, South Dakota Highway Patrol, Vermillion Fire EMS Department, and other emergency agencies.

Any university owned or leased property in outlying areas is patrolled either by the University Police Department, the Vermillion Police Department, the Clay County Sheriff's Office, or the South Dakota Highway Patrol.

In coordination with local law enforcement agencies, student, and student organizations, off-campus criminal activity is monitored and recorded. This information is provided to the dean of students for any action or follow-up that may be required. In instances where policy infractions may violate the Student Code of Conduct, the University Police Department will refer the incident directly to the USD Office of Student Rights and Responsibilities for a campus conduct response.

Law Enforcement in Vermillion

Other law enforcement agencies in the Vermillion community include:

Vermillion Police Department
15 Washington St
Vermillion, SD 57069
605-677-7070

Clay County Sheriff's Office
15 Washington St
Vermillion, SD 57069
605-677-7100

South Dakota Highway Patrol
5316 W. 60th St. N.
Sioux Falls, SD 57107
605-367-5700

Everbridge Mobile Safety App

Campus community members are encouraged to download the Everbridge mobile app, the University of South Dakota's campus safety app from the Google and/or Apple stores. USD uses the Everbridge emergency notification system to alert the campus community of emergencies. Through the Everbridge mobile app, faculty, staff and students have access to additional, enhanced safety features that help keep our community safe and informed during crisis situations, including an emergency call feature, SOS panic button and safe corridor check-in notifications. Further information about this safety app is available at <https://www.usd.edu/Student-Life/Student-Resources-and-Wellness/USD-Apps>.

How to Report a Crime or Suspicious Activity

Whether you are a victim of or witness to a crime, you have the responsibility to promptly and accurately report suspicious activity. If a crime occurs on or around the USD campus, report it immediately to the University Police Department. The University Police Department has primary jurisdiction over the campus.

Crimes occurring off-campus should be reported to the Vermillion Police Department; the University Police Department personnel can assist you in this process.

Emergency Procedures

Crimes in progress and crimes that have occurred should be reported by dialing 911 on the USD campus or 911 when off campus or from a cell phone. Community members are encouraged to download the Everbridge mobile app, the university's campus safety app as it allows individuals to

connect and share information with campus police. When victims or witnesses call to report a crime/incident, the following information is helpful for investigation:

- A brief description of what occurred
- Where and when the incident occurred
- Any injuries sustained during the incident
- Whether or not a weapon was used or visible
- When and where the suspect(s) was last seen
- A physical description of the suspect(s)

Non-emergency Procedures

For non-emergency assistance, please call the University Police Department at 605-658-6199. The University Police Department is located in the Davidson Building on the first floor. While individuals are encouraged to report crimes to the police, individuals may seek support and assistance with reporting from other individuals or campus offices. The Clery Act defines Campus Security Authorities (CSAs) as:

- A campus police department or a campus security department of an institution.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

You are welcome to contact USD CSAs, including the Dean of Students, Human Resources, Student Counseling Center, and Student Health, among other university staff members prepared to provide such guidance for reporting crimes on or near campus.

Confidential Reporting of a Crime

Victims of or witnesses to a crime may file a silent witness form that includes the details of the incident without revealing their identity. The purpose of a confidential report is to comply with the reporter's wish to keep the matter confidential, while taking steps to help ensure their safety and the safety of others. To access the silent witness form, visit <https://www.usd.edu/About/Departments-Offices-and-Resources/University-Police/Report-a-Crime>. With such information, USD can keep accurate records of the number of incidents involving students, determine if a pattern of crime exists with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed without identifying information in the annual crime statistics for USD.

Crime Prevention Programs

During fall orientation students are introduced to services offered by the University Police Department. Further, presentations are made addressing topics such as maintaining personal safety and residence hall security. Students and employees are informed immediately of crimes on campus

and in close proximity when they are a threat to the university community through the university emergency notification system. Educational programs concerning personal safety, crime prevention, which includes bystander training, and the prevention of sexual assault (both acquaintance and stranger rape) are offered by a variety of groups and individuals on campus each year, including the University Police Department, the Office of the Dean of Students and the Title IX Coordinator. Faculty, staff, and students also complete an online sexual assault prevention and bystander training.

UPD also provides training on topics such as active assailant response, general self-defense, situational awareness, introductions to local and state laws, and other related topics. These presentations are often conducted multiple times a semester in various courses by faculty requests, at on-campus residence halls, at Greek houses, and the student wellness center for example.

The USD Title IX office provides in person training approximately four to five times a semester to students and employees. This training includes information on the Violence Against Women Act, various definitions related to Title IX and the Clery Act, how to make a report, who to report to, which individuals are Title IX mandatory reports, and trauma response behaviors.

USD Building Security and Access

The University Police Department monitors safety and security cameras in public areas of buildings, building exteriors, and parking lots across campus. The surveillance of public areas is intended to deter crime and assist in protecting the safety and property of the USD community. During business hours, USD campus, excluding residence halls, will be open to students, parents, employees, contractors, guests, and invitees. Non-business hour access to all USD facilities is by key, or electronic card access, if issued, or by admittance via the University Police Department or USD housing staff. In the case of periods of extended closing, the University Police Department will admit only those with prior written approval to certain facilities. Residence halls are secured by University Housing staff. Over extended breaks, the doors of all halls will be secured around the clock, and card readers will be deactivated for unauthorized individuals. Some campus facilities may have individual hours, which vary at different times of the year. In these cases, the facilities will be secured according to schedules compiled by the University Police Department.

USD's Facility Management department is responsible for maintaining the university's physical spaces and security systems. Facility Management maintains a system of keys and locks to all academic, residential, and administrative building doors. No keys may be duplicated by departments or individuals. Keys are not issued to doors where electronic door access is available. All access devices remain the property of the USD and will not be transferred to anyone outside the limits of the department's policy.

Criminal Activity Off-Campus

The Office of the Dean of Students maintains contact with recognized fraternity and sorority organizations through the efforts of the Coordinator of Sorority and Fraternity Life. The University Police Department does not provide law enforcement service to off-campus residences, including

those of recognized student organizations (chapter houses). Criminal activity at recognized fraternity and sorority residences is monitored and recorded by the Vermillion Police Department. The University Police Department maintains a close working relationship with the Vermillion Police Department. If violations of federal, state or local laws surface off campus, the Vermillion Police Department may request the assistance of the University Police Department personnel.

USD Sioux Falls Crime Reporting / Security Contact Information

The City of Sioux Falls Police Department, Minnehaha County Sheriff's Office, and the South Dakota Highway Patrol provide law enforcement services to the USD Sioux Falls campus. After 5PM during the week and on the weekend, a private security company called SMP Security Services ensures the buildings are secure and routinely patrols the campus area. SMP Security Services can be contacted at 605-334-9357. SMP Security Services employees do not have arrest authority, but work closely with the Sioux Falls Police Department. During routine business hours, contact USD Sioux Falls Facilities Management at 605-274-9750. In the event of an emergency, always dial 911.

Preparation of the Annual Security Report

This university report complies with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. An electronic version of this report can be located on our website at www.usd.edu/administration/university-police. You may also connect to our site via the University of South Dakota home page at www.usd.edu.

This report is prepared in cooperation with the University Police Department, the Office of the Dean of Students, the Office of Student Rights and Responsibilities, local law enforcement agencies, and campus security authorities. A campus security authority is recognized, under federal policy, as an individual responsible for appropriately communicating potential Clery incidents. At USD, individuals with responsibility for campus security who are not directly affiliated with the University Police Department include officials with significant knowledge and/or oversight of student events and activities, and campus life. These include but are not limited to officials in Student Services, such as housing, programming, and conduct.

When acting in a pastoral or professional counselor capacity, the official may not be considered a campus security authority.

Campus crime, arrest, and referral statistics include those reported to University Police Department officers, designated campus officials, and other local law enforcement agencies. Annual notification is made via email to all enrolled students, faculty, and staff. It provides the website address from which to access this report. A paper or electronic copy may be obtained at University Police Department, located in the Davidson Building, or by request at 605-658-6199 and universitypolice@usd.edu.

Annual Safety Audit

Annually, the University Police Department and members of the USD Student Government Association conduct nighttime walk-throughs of the USD campus in order to identify areas in need of security enhancement. Contact Student Government Association for more information at sga@usd.edu.

Non-Campus Buildings and Property

The table of crime statistics on the following page includes all non-contiguous-to-campus, reportable locations' data.
These facilities are:

1. Rapid City Health Science Building, Rapid City
4300 Cheyenne Blvd., Rapid City, SD 57709
 2. Black Hills Playhouse, Inc.
24834 S. Playhouse Road
Custer, SD 57730
 3. Sanford School of Medicine, Sioux Falls
1400 W. 22nd Street
Sioux Falls, SD 57105
 4. Sanford School of Medicine, Rapid City
640 Flormann Street
Rapid City, SD 57701
 5. Sanford School of Medicine, Yankton
409 Summit, Suite 1421
Yankton, SD 57078
 6. USD at Sioux Falls Seminary
2100 S. Summit Avenue
Sioux Falls, SD 57105
- Fraternities:
7. Beta Theta Pi
429 N. Plum Street
Vermillion, SD 57069
 8. Delta Tau Delta
114 N. Pine Street
Vermillion, SD 57069
 9. Lambda Chi Alpha
327 N. Pine Street
Vermillion, SD 57069
 10. Phi Delta Theta
202 East Clark Street
Vermillion, SD 57069
 11. Pi Kappa Alpha
309 N. Pine Street
Vermillion, SD 57069
 12. Sigma Alpha Epsilon
856 Madison Street
Vermillion, SD 57069
 13. Tau Kappa Epsilon
206 N. Plum Street
Vermillion, SD 57069
- Sororities:
14. Alpha Phi
707 E. Cedar Street
Vermillion, SD 57069
 15. Alpha Xi Delta
214 E. Plum Street
Vermillion, SD 57069
 16. Kappa Alpha Theta
725 E. Clark Street
Vermillion, SD 57069
 17. Pi Beta Phi
118 N. Plum Street
Vermillion, SD 57069
18. W. H. Over Museum
1110 University Street
Vermillion, SD 57069
 19. Charlie's
2 E. Main Street
Vermillion, SD 57069
 20. USD Foundation
1110 N. Dakota Street
Vermillion, SD 57069
 21. USD Foundation
101 S. Phillips Ave.
Suite 508
Sioux Falls, SD 57104
 22. USD Discovery District
4800 N. Career Avenue
Suite 100
Sioux Falls, SD 57107

Crime Statistics for University of South Dakota
Calendar Years (CY) 2020, 2021, and 2022

Criminal Offense or Primary Crimes	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Murder/Non-negligent manslaughter	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by negligence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2020	3	3	0	0	3
	2021	1	1	1	0	2
	2022	5	5	2	0	7
Fondling	2020	1	1	0	0	1
	2021	2	2	0	0	2
	2022	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2020	1	1	0	0	1
	2021	0	1	0	0	1
	2022	3	3	0	0	3
Motor Vehicle Theft	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Arson**	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0

** Arson is always counted regardless of the nature of any other offense committed during the same incident. When multiple offenses are committed during the same distinct operation as an Arson offense, the most serious offense along with the Arson is counted.

Calendar Years (CY) 2020, 2021, and 2022 Continued

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse, and Liquor Law Violations	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Domestic Violence	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	1	1	0	0	1
Dating Violence	2020	0	1	0	0	1
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2020	0	1	0	0	1
	2021	2	4	0	0	4
	2022	5	6	0	0	6
Liquor Law Violation Arrests	2020	44	44	0	7	51
	2021	15	24	1	8	33
	2022	11	14	0	0	14
Liquor Law Violations Referred for Disciplinary Action	2020	129	129	0	0	129
	2021	105	109	0	0	109
	2022	49	51	0	0	51
Drug Law Violation Arrests	2020	15	16	0	1	17
	2021	2	3	0	1	4
	2022	1	1	0	0	1
Drug Law Violations Referred for Disciplinary Action	2020	2	2	0	0	2
	2021	1	1	0	0	1
	2022	7	7	0	0	7
Weapons Law Violation Arrests	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
Weapon Law Violations Referred for Disciplinary Action	2020	0	0	0	0	0
	2021	0	0	0	0	0
	2022	0	0	0	0	0
<ul style="list-style-type: none"> • “Reported crimes” are allegations of crimes reported in good faith to CSAs. These crimes do not have to be investigated or adjudicated to count as reported crime statistics in the ASFSR. Reported crimes may involve individuals not associated or affiliated with USD. Reported crimes may include information received from an anonymous reporting source. • “Res Hall” crime statistics are a subset of the On Campus category, i.e., they are counted in both categories. 						

Hate Crime Statistics	
2020	Zero (0) hate crimes for the calendar year 2020.
2021	Zero (0) hate crimes for the calendar year 2021.
2022	Zero (0) hate crimes for the calendar year 2022.
Unfounded Crimes	
2020	Two (2) unfounded crimes for the calendar year 2020.
2021	Two (2) unfounded crimes for the calendar year 2021.
2022	Two (2) unfounded crimes for the calendar year 2022.

Separate Campus Buildings and Property

The table of crime statistics on the following page includes all non-contiguous-to-campus, reportable locations' data.
These facilities are:

1. University of South Dakota – Sioux Falls
4801 N. Career Avenue
Sioux Falls, SD 57107

USD Sioux Falls Parking Map



UNIVERSITY OF
SOUTH DAKOTA
SIOUX FALLS



Parking Lot Key

- A – Northwest
- B – West
- C – West
- D – Southwest
- E – Classroom Building
- F – Science and Technology
- G – GEAR Center

Other

- ★ Indicates Physical Entrance



Crime Statistics for University of South Dakota – Sioux Falls
Calendar Years (CY) 2020, 2021, and 2022

Criminal Offense or Primary Crimes	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Murder/Non-negligent manslaughter	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Manslaughter by negligence	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Rape	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Fondling	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Incest	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Statutory Rape	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Robbery	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Aggravated Assault	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Burglary	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Motor Vehicle Theft	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Arson**	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
<p>** Arson is always counted regardless of the nature of any other offense committed during the same incident. When multiple offenses are committed during the same distinct operation as an Arson offense, the most serious offense along with the Arson is counted.</p> <p>There are no residence halls at the University of South Dakota – Sioux Falls campus.</p>						

Calendar Years (CY) 2020, 2021, and 2022 Continued

VAWA Offenses; and Arrests and Referrals for Disciplinary Action for Weapons, Drug Abuse, and Liquor Law Violations	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Domestic Violence	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Dating Violence	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Stalking	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Liquor Law Violation Arrests	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Drug Law Violation Arrests	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Weapons Law Violation Arrests	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
Weapon Law Violations Referred for Disciplinary Action	2020		0	0	0	0
	2021		0	0	0	0
	2022		0	0	0	0
<ul style="list-style-type: none"> • “Reported crimes” are allegations of crimes reported in good faith to CSAs. These crimes do not have to be investigated or adjudicated to count as reported crime statistics in the ASFSR. Reported crimes may involve individuals not associated or affiliated with USD. Reported crimes may include information received from an anonymous reporting source. • “Res Hall” crime statistics are a subset of the On Campus category, i.e., they are counted in both categories. • There are no residence halls at the University of South Dakota – Sioux Falls campus. 						
Hate Crime Statistics						
2020	Zero (0) hate crimes for the calendar year 2020.					
2021	Zero (0) hate crimes for the calendar year 2021.					
2022	Zero (0) hate crimes for the calendar year 2022.					
Unfounded Crimes						
2020	Zero (0) unfounded crimes for the calendar year 2020.					
2021	Zero (0) unfounded crimes for the calendar year 2021.					
2022	Zero (0) unfounded crimes for the calendar year 2022.					

Crime Definitions

Jeanne Clery Annual Report Crime Definitions from the FBI's Uniform Crime Reporting Handbook
For more information, visit ucr.fbi.gov

Under the Clery Act, college employees are mandatory reporters for a broader array of serious crimes, including the following:

CRIMINAL OFFENSES

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

A. Rape: 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. This offense includes the rape of both males and females.

B. Fondling: 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 his/her age or because of his/her temporary or permanent mental incapacity.

C. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

D. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Robbery: 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 and/or by putting the victim in fear.

Aggravated Assault: 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.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

VIOLENCE AGAINST WOMEN ACT (VAWA) OFFENSES

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length and the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabiting with, or has cohabited with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under domestic

or family violence laws of the jurisdiction in which the crime of violence occurred; by 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.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

HATE CRIMES

Hate Crimes include, by geographic location and by category of prejudice, any of the aforementioned offenses, and any other crime involving bodily injury reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g. color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks or African American, whites).

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, Atheists).

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender (e.g. male or female).

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g. bias against transgender or gender non-conforming individuals.)

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the above.

Drug Abuse Violations: Violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics that can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property. Note that Larceny-Theft, Simple Assault, Intimidation, Destruction/ Damage/Vandalism of Property are only included in Clery Act statistics if they are Hate Crimes.

Notice of Availability of Annual Fire Safety & Security Report

This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by USD; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes USD policies on matters such as sexual assault, drugs and alcohol, fire safety and crime prevention.

You can obtain a copy of this report by contacting the University Police Department or by accessing the following website: www.usd.edu/administration/university-police.

Crime Log

For daily log information regarding criminal activity on campus, please visit the University Police Department in the Davidson Building. The Vermillion Police Department's daily log can be accessed online at www.vermillionpd.org.

II. Emergency Notifications and Timely Warnings

Emergency Notification

The University of South Dakota policies guide emergency response and evacuation procedures, including use of the university's emergency notification system. The Campus Alert system is an emergency notification tool for the public universities governed by the South Dakota Board of Regents. The system notifies students, staff and faculty of any emergencies that occur on or near campus locations. Emergencies may include, but are not limited to, weather alerts, school closings, fire, and criminal activity.

Students and staff are automatically entered into this system through their USD-assigned email address. Students and staff are encouraged to update their contact preferences inside the Campus Alert system and are encouraged to download the Everbridge mobile app.

In the event of an emergency or potentially dangerous incident that may pose an immediate threat to the health or safety of the campus community,, the on-duty university police officer will contact the University Police Chief, or his/her designee, to determine if the students and staff should be alerted. Prior to issuing an emergency alert, the chief will consult with other responsible authorities, as necessary, to confirm the emergency and determine if the issuance of the alert will compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The content of any alert will be developed based on the situation, type of incident, and the amount of information known at the time.

The USD Campus Alert system shall be tested at least once a semester (fall semester and spring semester). This test shall be coordinated between UPD, the Dean of Students Office, and USD Marketing. Evidence of the test shall be stored at the University Police Department.

Timely Warnings

In the event that a situation arises, either on or off campus, that constitutes a threat to members of the campus community, a "timely warning" will be issued. The warning will be issued through the USD Campus Alert system, which includes notification through email, text message and telephone. Students and employees are encouraged to register contact preferences through the USD Campus Alert system by visiting www.usd.edu/emergency. Notice may also be sent through alternate or additional methods of communication and will be posted on the USD homepage at www.usd.edu.

- An email is sent with information on how to update registration information in the system.
- During registration, users may opt to register personal telephone numbers, personal email addresses or other personal electronic devices to receive these Campus Alerts.

- Assign priorities to each of the above; the priority one device will be notified first, followed by the second, and so on.
- Once the alert is acknowledged, additional devices will not be notified.

Information thought to warrant the issuance of a timely warning should be reported to the University Police Department in the Davidson Building or by calling 605-658-6199 or 911 from any campus phone.

South Dakota Board of Regents Policy 7:3 and USD Policy 7.001 require the University Chief of Police, or his/ her designee, to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, unless issuing a notification will compromise efforts to mitigate the emergency. Emergency messages will include information on what has occurred and instructions on what to do next. The USD Campus Alert system is tested on an annual basis and documentation of the test, description of the exercise, the date, time and whether announced or unannounced is kept in the Office of the Dean of Students.

In the event of a major emergency that requires the dissemination of information to the campus and larger community, this site (www.usd.edu/emergency) will become the university's homepage and will be updated with information about the nature of the emergency and further emergency procedures.

III. Missing Student Policy

Reporting a Student as Missing

- Under South Dakota Board of Regents Policy 3:21 any person may report a university student as missing by filing a report with the dean of students or at the University Police Department. It is not necessary to wait until the student has been missing for 24 hours before making a report.
- For purposes of this policy, a student is missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits or routines.

Institutional Response

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

- 3) If students who reside in university-controlled residences do not respond to electronic contacts or to knocking on their doors, student affairs personnel may enter the students' rooms in order to assess the condition of the room and to look for visible personal property (wallet, keys, cell phone or clothing) that might provide clues as to whether the student has taken an extended trip or other planned absence from the residence hall. If the initial investigation is being undertaken by the University Police Department, they will either request that student affairs personnel enter student rooms, or they will obtain search warrants.
 - 4) University personnel may pursue such additional or other investigative activities as are reasonable under the circumstances.
- B. If the university determines that the student has been missing for a period of 24 hours, or if it cannot locate the student and it determines that the student appears to be missing, the university will immediately notify local law enforcement agencies that the student is missing.
 - C. When the university notifies local law enforcement agencies, it will also notify such persons as the student may have designated pursuant to § 4(A), below, that the student is missing.
 - 1) In the case of non-emancipated students under the age of 18, the university will notify the students' custodial parents or legal guardians within 24 hours of the determination that the student is missing.
 - D. The university will determine whether circumstances suggest that others living, working or participating in activities at the university may be in danger, and if it determines that such a danger may exist, it will warn the campus.

Publication of this Policy

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

Students' Option to Identify Persons to be Informed

- A. At the time that a student is accepted as a resident in university-controlled housing, the student will be given an opportunity to designate an individual to be notified pursuant to this policy in the event that the student becomes missing.
 - 1) Students will be provided confidential means to designate such individuals and to update their designations.
 - 2) Such contact information will be held as a confidential student record.
 - 3) Confidential contact information is accessible only to authorized campus officials and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation
- B. Non-emancipated students under the age of 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.

IV. Sexual Assault and Harassment Policy and Procedures

Policy and Procedure

South Dakota Board of Regents Policy 1:17, Harassment including Sexual Harassment and South Dakota Board of Regents Policy 1:17.1, Prevention of Sexual Assault, Domestic Violence, and Stalking prohibits sexually violent acts, termed “Sexual Misconduct” by the University of South Dakota, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal relationship violence, sex/gender-based stalking and sexual harassment. While the University of South Dakota utilizes different standards and definitions than the South Dakota Code, sexual misconduct often overlaps with crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, The University of South Dakota utilizes a range of campaigns, strategies and initiatives to provide awareness, educational, risk reduction and prevention programming.

It is the policy of the University of South Dakota to offer programming to prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are conducted during new student and new employee orientation and throughout students’ tenure at the university. This training is also provided to University housing staff. These programs and others offered throughout the year include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention), and discuss institutional policies on sexual misconduct as well as the South Dakota definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions.

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals, how to avoid potential attacks and do so without victim-blaming approaches. Throughout the year, ongoing awareness and prevention campaigns are directed to students and employees, including faculty, often taking the form of campaigns, emails, guest speakers, and events such as a mandatory online training.

In the event that sexual misconduct, gender-based violence, or the crimes of sexual assault, stalking, dating violence or domestic violence do occur, the University of South Dakota takes the matter very seriously. The university employs supportive measures such as interim suspension and/or no contact orders in any case where a student’s behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with South Dakota Board of Regents policies. To report incidents please contact the following:

University Police Department 605-658-6199 (Emergency 911 on campus)

Vermillion Police Department 605-677-7070 (Emergency 911 off campus)

Resources:

The following departments may be contacted for assistance with reporting:

Student Counseling Center 605-658-3580

Student Health 605-677-3700

Dean of Students Office 605-658-3555

Title IX Coordinator 605-658-3665

Response

Employees with knowledge about sexual misconduct or gender-based violence or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence must report it immediately. Under South Dakota Codified Law §22-11- 12, "Any person who, having knowledge, which is not privileged, of the commission of a felony, conceals the felony, or does not immediately disclose the felony, including the name of the perpetrator, if known, and all the other relevant known facts, to the proper authorities, is guilty of misprision of a felony." Faculty and staff members (with the exception of Counselors at the Student Counseling Center) are responsible employees and must disclose their knowledge of any felonious activity, including but not limited to sexual misconduct. If you are the victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and contact the University Police Department at 605-658-6199 if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g.: counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to Student Counseling Center 605-658-3580 as well as to the Office of the Dean of Students, 605-658-3555 for support and guidance.
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet, to avoid contamination. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a

crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description), or even better, write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. protection orders, injunctions, protection from abuse), please notify the University Police Department 605-658-6199 or the campus Title IX coordinator so that those orders can be observed on campus.

5. Even after the immediate crisis has passed, consider seeking support from the Student Counseling Center 658-3580 and/or off-campus services such as River City Domestic Violence Center (605-665-1448) or Domestic Violence Safe Options Services (605-624-5331).
6. Contact a law enforcement agency if you need assistance with University of South Dakota concerns, such as no-contact orders or other protective measures. The law enforcement agency will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The University is able to offer reasonable academic accommodations, changes to living arrangements, transportation accommodations, escorts, no contact orders, counseling services access and other supports and resources as needed by a victim regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Legal Definitions

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. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

In South Dakota, sexual 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 withdrawn.

Under South Dakota law, rape is an act of sexual penetration accomplished with any person under any of the following circumstances:

- 1) If the victim is less than 13 years of age; or
- 2) 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
- 3) If the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
- 4) If the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
- 5) If the victim is 13 years of age, but less than 16 years of age, and the perpetrator is at least three years older than the victim.

Consent

As set forth in BOR Policy 1:17:1(3)E: <https://www.sdbor.edu/policy/documents/1-17-1.pdf>.

Other Sexual Offenses

Besides rape, other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

Sexual Harassment

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. It is the policy of the University of South Dakota that sexual harassment is prohibited. All members of the University of South Dakota community, especially officers, faculty and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

South Dakota Board of Regents Policy 1:17, Harassment including Sexual Harassment

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX.

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX. Any complaints or inquiries regarding sexual harassment of a student by administration, faculty member or staff member should be brought to the immediate attention of officials.

To report violations of human rights, acts of discrimination/harassment, sexual harassment, sexual violence, stalking and other forms of sexual misconduct, please contact:

Jean Merkle, Director of Equal Opportunity and Title IX Coordinator
Slagle Hall, Room 205
605-658-3665

The University of South Dakota will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire further about sexual harassment but feels it would not be appropriate to raise such issues with the director of equal opportunity and Title IX coordinator, the student may seek assistance from any campus security authority. If harassment is established through an investigation, the University of South Dakota will take disciplinary action. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the University of South Dakota for serious or repeated violations.

Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment and other acts of sex and gender discrimination.

Allegations of sexual misconduct and discrimination are institutionally addressed through the South Dakota Board of Regents Policy 1:17, Sexual Harassment available at

<http://www.sdbor.edu/policy/documents/1-17.pdf> and South Dakota Board of Regents Policy 1:18, Human Rights Complaint Procedures available at <https://www.sdbor.edu/policy/documents/1-18.pdf>.

Procedurally, when the University of South Dakota receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination the campus Title IX coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the University of South Dakota will assist the victim in making these contacts. The Title IX coordinator in concert with the appropriate senior institutional official will offer assistance to victims in the form of supportive measures such as opportunities for academic accommodations, changes in housing for the victim or the responding student, visa and immigration assistance, changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders issued through law enforcement agencies, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, he or she will be connected with a counselor on- or off-campus, as well as an off-campus victim's advocate, health services and legal assistance, who may inform the person being counseled of any procedures to report the crime on a voluntary, confidential basis. No victim is required to take advantage of these services and resources, but the University of South Dakota provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims whether they are a student, employee, guest or visitor. A comparable document is also provided to responding parties so they are likewise advised of the process.

When appropriate upon receipt of notice, the Title IX coordinator will initiate a prompt, fair and impartial process commencing with an investigation which may lead to the imposition of sanctions, based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the reporting, timeline and processes for the ensuing investigation, decision making and resolution processes of the University of South Dakota can be found in SDBOR Policy 1:17. Per SDBOR Policy 1:17, investigations are typically completed within a timely manner. The coordinator is ultimately responsible to assure in all cases that the behavior is brought to an end, the University of South Dakota acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The coordinator is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers that encompasses a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender discrimination covered by Title IX and the Clery Act. Training will help those decision-makers in the process to protect the safety of victims and to promote accountability for those who commit offenses.

The investigation and records of the resolution conducted by the University of South Dakota are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to

move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation are maintained in accordance with South Dakota law and the federal FERPA statute. Any public release of information to comply with the open crime logs or timely warning provisions of the Clery Act will not release the names of victims or information that could easily lead to a victim's identification. Additionally, the University of South Dakota maintains privacy in relation to any accommodations or supportive measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. Once complete, the parties will be informed simultaneously, in writing, of the outcome, including the finding, the sanctions (if any) and the rationale therefor. For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct and stalking, sanctions range from warnings through expulsion. Possible sanctions under SDBOR Policy 3:4 (Student Code of Conduct) include warning, probation, loss of privileges, fines, restitution, educational sanction, residence suspension, residence expulsion, suspension, expulsion, withholding degree, and revoking admission and/or degree. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion or termination of employment. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the University of South Dakota appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be simultaneously notified when the results of the resolution process become final. The University of South Dakota will, upon written request, disclose to the alleged victim of a crime of violence (as defined in Section 16, of Title 18, United States Code), or non-forcible sex offense, the results of any disciplinary hearing conducted by the university against the student who is the alleged perpetrator of the offense. If the alleged victim is deceased as a result of the crime or offense, the university will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Disciplinary Process for Sexual Misconduct Incidents.

The general steps of the University's disciplinary process for sexual misconduct incidents follow this sequence (see SDBOR Policy 1:17 for further details):

1. Formal Complaint
2. Notice of allegations of sexual harassment to the parties who are known will be given within 5 working days of the time the formal complaint is received.
3. Investigation
4. Investigative report (at least 10 working days prior to a hearing)
5. Hearing

6. Proposed written determination provided to the parties simultaneously
7. Petition for Administrative Review (no later than ten (10) working days after notice of the institution's decision is deemed received)

At any point prior to reaching a determination regarding responsibility the institution may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication.

Registered Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University of South Dakota provides a link to the South Dakota State Sex Offender Registry on the University Police Department webpage: <http://www.usd.edu/administration/university-police/crime-statistics>. All sex offenders are required to register in the state of South Dakota and to provide notice of each institution of higher education in South Dakota at which the person is employed, carries a vocation or is a student. The South Dakota State Sex Offender Registry is found at the following address <https://sor.sd.gov>.

Registered sex offenders can be identified by contacting the local law enforcement officials in our host municipality. If you would like information regarding registered sex offenders who are actively enrolled or employed at the University of South Dakota, contact the Clay County Sheriff's Office at 605-677-7100. They will advise you regarding the information you may obtain and their guidelines for obtaining the information or the information can be accessed at www.claysheriff.org/sex_offenders.html. Regarding the USD Sioux Falls campus, the Minnehaha County Sheriff's Office may be contacted at 605-367-4300, or information can be obtained at www.minnehahacounty.gov/dept/so/sexOffender/sexOffender.php.

Not all sex offenders who may be attending or employed at the University of South Dakota reside in Vermillion or Clay County. Be sure to indicate to the local law enforcement agency you contact that you are either a current or prospective student or employee at the University of South Dakota and that you want to review the listing for this institution. The law enforcement personnel will respond by directing you to the correct information.

V. Alcohol and Drug Policy

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989, the South Dakota Board of Regents strictly prohibits the unlawful possession, use or distribution of alcohol, marijuana or controlled substances by its students or employees while on property controlled by the board or while participating in any capacity in activities or employments sponsored by it. Therefore, the USD campus has been designated "alcohol and drug free" and only under certain circumstances is the consumption of alcohol permitted.

The [University of South Dakota Drug-Free Schools and Campuses Act Biennial Review](#) is located on the USD website.

The [University of South Dakota Drug Free School and Campuses Act Annual Notification](#) is located on the USD website.

The manufacture, sale, possession or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the University Police Department. Violators are subject to disciplinary action within the university (<https://www.sdbor.edu/policy/documents/3-4.pdf>) and/or criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of USD policy for anyone to consume or possess alcohol in any public or private area of campus without prior university approval. Organizations or groups found in violation of alcohol and other substance policies or state or federal laws may be subject to sanctions by the university. Drug and alcohol abuse programming is offered through Student Services, University Housing and the Student Counseling Center.

USD Employee Drug and Alcohol Policy

In compliance with the Drug-Free Workplace Act of 1988, the South Dakota Board of Regents strictly proscribes the unlawful manufacture, distribution, dispensing, possession or use of controlled substances by board employees and agents while on duty or while in any workplace controlled by the board. For purposes of this proscription, the workplace shall include premises and vehicles owned and controlled by the board and other premises and vehicles when used by the board for education, research, service or other official functions.

Employees needing assistance related to drug and alcohol abuse should contact the Employee Assistance Program (EAP) at 800-713-6288.

Any person violating this proscription shall be subject to appropriate disciplinary action, which may include termination of employment. The full text of the South Dakota Board of Regents policy related to the Drug-Free Workplace Act can be found at <http://www.sdbor.edu/policy/documents/4-27.pdf>.

USD Parental Notification of Drug and Alcohol Violations

The Family Educational Rights and Privacy Act (FERPA) permits colleges and universities to inform parents of drug and alcohol policy violations committed by their students. University of South Dakota (USD) personnel understand that parents are partners in responding to issues of substance abuse. Thus, it is USD policy to notify parents or guardians of their student's alcohol and/or drug policy violation if the student is less than 21 years of age and not emancipated, and the violation occurred as follows:

1. Parental notification may occur when it is determined that the student has committed a second violation of the South Dakota Board of Regents (BOR) Alcohol/Drug Policy, that the violation resulted in at minimum an imposition of disciplinary probation and that the violation was (a) committed while on property owned or controlled by USD or any other BOR institution; or (b)

committed during travel sponsored by a department, college, or recognized student organization of USD or any other BOR institution; or (c) committed while attending an event sponsored by a USD department, college, or recognized student organization or that of any other BOR institution;

2. Violation of the Board of Regents Alcohol/Drug Policy by the student while enrolled at another institution under the control of the BOR shall be considered a violation under this policy.
3. The dean of students will determine, in each instance, whether parental notification will be made. In the event the dean determines that parental notification is appropriate, notification of a parent or guardian shall be made in writing and mailed to the home address on record. Students whose parents will be notified consequent to a conduct process may view a template of the notification letter in the Office of Student Rights & Responsibilities.
4. Records of parental notification under this policy will be maintained in the Office of the Dean of Students or as s/he may otherwise designate.
5. In addition to the foregoing, USD policy provides for parental notification of drug or alcohol violation or misuse without prior notice to the student in circumstances where action has been or will be taken to protect the safety of the student or other individuals.

VI. Fire Safety Report

Vermillion Fire Department

The Vermillion Volunteer Fire Department provides services to Vermillion, the University of South Dakota, and area residents for the protection of life and property from fire and natural disasters. They maintain a standard of training which encompasses both a prompt response to emergencies and the safety of citizens. Volunteer firefighters promote community safety through public education and fire safety programs.

Fire Reporting

All fires on campus should be immediately reported to the Vermillion Fire Department and University Police Department.

Fire Safety System

The University of South Dakota residence halls are protected by fire alarm and smoke detection systems which are monitored 24 hours a day, seven days a week by the University Police Department.

Fire Safety Training

Fire safety is a shared campus concern. Students are made aware of the location of fire safety equipment. Fire evacuation plans and instructions are posted in the residence halls (posted in each residential unit) and copies may be obtained through University Housing.

Residence hall staff are trained to respond to both fire and medical emergencies. Training incorporates hands-on practical use of fire extinguishers with live fire exercises under the direction of the Vermillion Fire Chief.

Fire drills are also conducted to ensure students understand emergency building evacuation procedures. Students must evacuate the building whenever an alarm sounds. If it is safe to do so, staff may enter rooms to ensure residents have evacuated the building. Students who ignore evacuation instruction may be subject to conduct proceedings.

The University conducts yearly assessments of its various evacuation procedures, including fire drills and exercises that simulate specific scenarios. These tests are announced in advance, as unannounced drills are not typical at the University. For each drill, the Building Safety Point of Contact (BSPOC) in the relevant building are informed and tasked with communicating the evacuation plan and drill schedule to building occupants. The University Safety Officer collaborates with campus BSPOCs to designate a responsible person for the building's evacuation and severe weather plan, which is updated annually. Furthermore, the Safety Officer is responsible for maintaining a suitable evacuation plan and ensuring that the building undergoes a drill at least once a year to ensure that everyone is aware of how to handle an emergency evacuation, or if necessary, a shelter-in-place situation. Although the University's drills do not involve the entire campus at once, the system in place ensures that each University building participates in an exercise. Records of these drills and exercises are retained by the USD Safety Officer.

Tampering with emergency equipment such as fire extinguishers, fire alarms, or emergency exit signs is prohibited by state law and the University Code of Conduct.

Fire Safety at the University of South Dakota

The majority of campus Community Living Policy addresses matters of health and safety. Accordingly, several pertain to fire safety and the hazards frequently associated with fires.

Exemption from Policy

Any student who wishes to burn a substance for religious purposes must complete and submit a request for exemption from residence hall policy. This form can be obtained at the University Housing office. The student must meet with the director of University Housing and an appropriate religious advisor before burning any substance. Upon completion of the meetings, the advisor will make a recommendation on whether the request should be approved or denied.

Safety Inspections

The university may routinely inspect rooms to ensure that the preceding safety standards are being followed. Generally, 24 hours notice will be given prior to inspections. Residence hall rooms will be inspected during all closing times (Thanksgiving, semester break and spring break) and as needed for building monitoring during breaks.

Smoke Free Environment

At USD, smoking and vaping are not allowed in any building or on campus property.

Fire Logs

Fire logs are chronological lists of fires occurring in USD residence halls during a calendar year. The logs list the date, time, incident number, general location, nature of incident, cause, number of deaths, number of injuries requiring treatment, and dollar loss. Any fire should be reported to the University Police Department.

Definitions

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire: The factor or factors that give rise to a fire. The causal factors may be but are not limited to the result of intentional or unintentional action, mechanical failure or act of nature.

Fire Related Injury: Any instance in which a person is injured as a result of a fire, including any injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire Related Death: Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from dangers of fire, when death occurs within one year of injuries sustained as a result of the fire.

University of South Dakota Residence Facilities Fire System Chart

Residential Hall	Full Sprinkler System	Partial Sprinkler System	Fire Alarm System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Fire Drills Per Year
Beede	No	Yes	Yes	Yes	Yes	Yes	2
Mickelson	No	Yes	Yes	Yes	Yes	Yes	2
Richardson	No	Yes	Yes	Yes	Yes	Yes	2
Olson	No	Yes	Yes	Yes	Yes	Yes	2
Burgess	Yes	-	Yes	Yes	Yes	Yes	2
Norton	Yes	-	Yes	Yes	Yes	Yes	2
Coyote Village	Yes	-	Yes	Yes	Yes	Yes	2
McFadden	Yes	-	Yes	Yes	Yes	Yes	2
Brookman	No	-	Yes	Yes	Yes	Yes	1

- Brookman Hall was demolished in 2022. The last resident moved out in May 2022.

Fire Log 2020-2022

Residential Hall	Date Occurred	Time Occurred	Incident Number	Nature of Incident	Cause	Number of Deaths	Number of Injuries that Required Treatment	Dollar Loss
Beede	-	-	-	-	-	-	-	-
Mickelson	-	-	-	-	-	-	-	-
Richardson	09/29/2021	7:59 PM	1	Cooking Fire (Code 113)	Oven Malfunction	0	0	\$300
Olson	-	-	-	-	-	-	-	-
Burgess	-	-	-	-	-	-	-	-
Norton	03/01/2021	3:14 PM	1	Building Fire (Code 111)	Unknown	0	0	\$57,500
Coyote Village	-	-	-	-	-	-	-	-
McFadden	-	-	-	-	-	-	-	-
Brookman	-	-	-	-	-	-	-	-

- Copies of the fire log may be obtained by contacting the University Police Department
- Cause: listed in accord with the National Fire Incident Reporting System
- Nature of incident: listed in accord with the National Fire Incident Reporting System

UNIVERSITY OF SOUTH DAKOTA POLICE DEPARTMENT

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Vermillion, SD 57069

Phone: 605-658-6199 • Fax: 605-677-5999

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UNIVERSITY OF SOUTH DAKOTA

As the flagship liberal arts institution of South Dakota, the University of South Dakota, founded in 1862, has long been regarded as a leader in the state and region. Learn more about the university at www.usd.edu.

The South Dakota Board of Regents is an Equal Opportunity Employer. The Board of Regents will take Affirmative Action to ensure that all employment practices are free of discrimination. In addition, the Board of Regents fully supports incorporation of non-discrimination and Affirmative Action rules and regulations into all of its employment practices. Arrangements for accommodations required by disabilities can be made by contacting the appropriate Human Resources office. Please contact USD Human Resources at 605-658-3660.

This document is available in alternative formats upon request. Students contact Disability Services at 605-658-3745. Faculty and staff contact Human Resources at 605-658-3660.