University of South Dakota Annual Security and Fire Safety Report



UNIVERSITY OF
SOUTH DAKOTA

2026

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

Data covers the 2023-2025 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.

USD Sanford Medical School (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 Sanford Medical school Sioux Falls campus. Sanford Health Security provides security services to the USD Sanford Medical School campus. Sanford Health Security employees do not have arrest authority, but work closely with the Sioux Falls Police Department. Sanford Health Security can be contacted at 605-333-1111. 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.

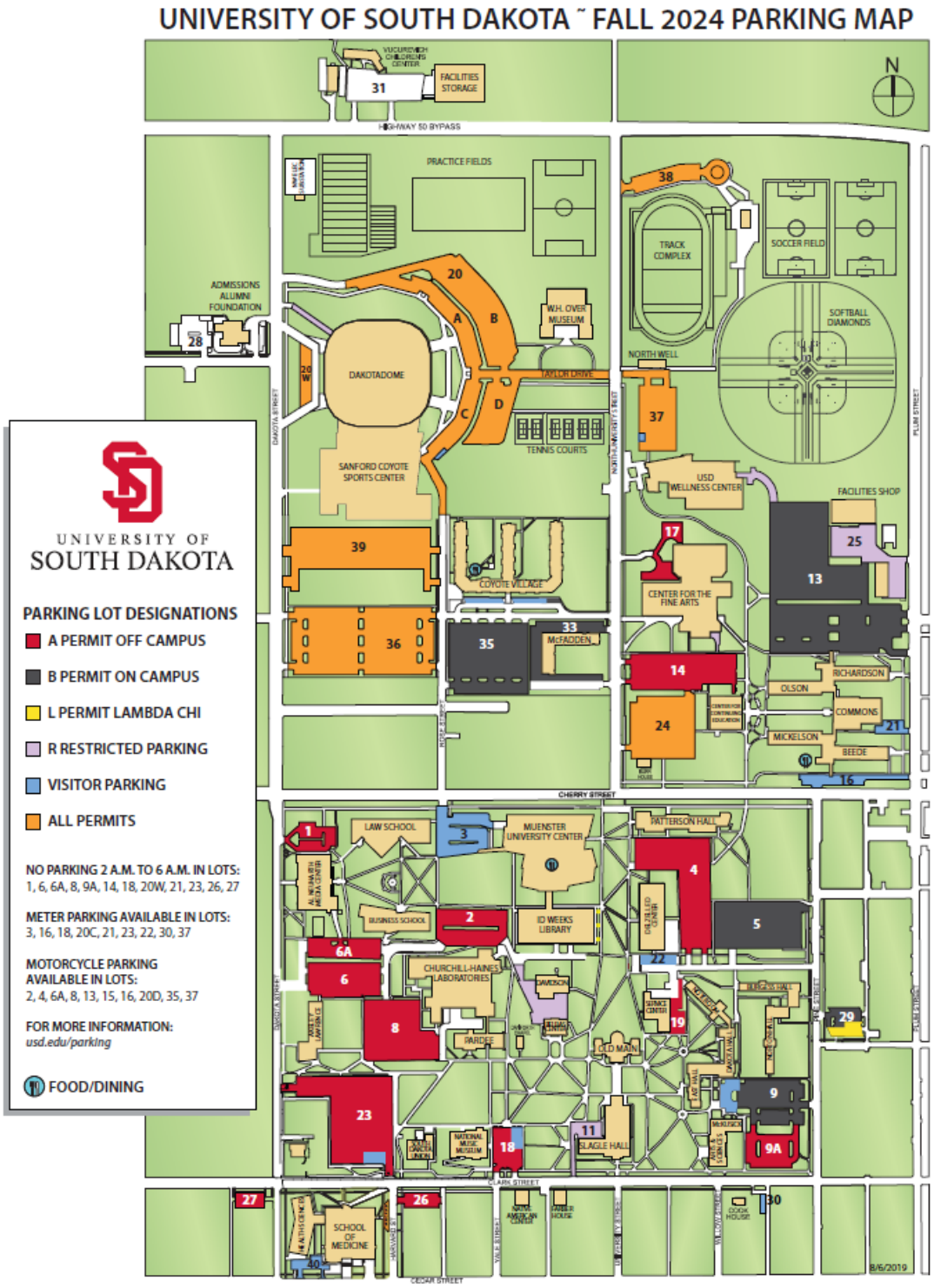
Campus crime, arrest, and referral statistics include those reported to University Police Department officers, designated campus officials, and other local law enforcement agencies. Annual notification is made via email to all enrolled students, faculty, and staff. It provides the website address from 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.

USD Campus Map

[Click here for a fully accessible version of this map.]
[Click here for an interactive version of this map.]



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, Rapid City
   640 Flormann Street
   Rapid City, SD 57701

4. Sanford School of Medicine, Yankton
   409 Summit, Suite 1421
   Yankton, SD 57078

5. USD at Sioux Falls Seminary
   2100 S. Summit Avenue Sioux Falls, SD 57105

Fraternities:

6. Beta Theta Pi
   429 N. Plum Street
   Vermillion, SD 57069

7. Delta Tau Delta
   114 N. Pine Street
   Vermillion, SD 57069

8. Lambda Chi Alpha
   327 N. Pine Street
   Vermillion, SD 57069

9. Phi Delta Theta
   202 East Clark Street
   Vermillion, SD 57069

10. Pi Kappa Alpha
    309 N. Pine Street
    Vermillion, SD 57069

11. Sigma Alpha Epsilon
    856 Madison Street
    Vermillion, SD 57069

12. Tau Kappa Epsilon
    206 N. Plum Street
    Vermillion, SD 57069

Sororities:

13. Alpha Phi
    707 E. Cedar Street
    Vermillion, SD 57069

14. Alpha Xi Delta
    214 E. Plum Street
    Vermillion, SD 57069

15. Kappa Alpha Theta
    725 E. Clark Street
    Vermillion, SD 57069

16. Pi Beta Phi
    118 N. Plum Street
    Vermillion, SD 57069

17. W. H. Over Museum
    1110 University Street
    Vermillion, SD 57069

18. Charlie's
    2 E. Main Street
    Vermillion, SD 57069

19. USD Foundation
    1110 N. Dakota Street
    Vermillion, SD 57069

20. USD Foundation
    101 S. Phillips Ave.
    Suite 508
    Sioux Falls, SD 57104

Crime Statistics for University of South Dakota

Calendar Years (CY) 2023, 2024, and 2025

Criminal Offense or Primary Crimes	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Murder/Non-negligent manslaughter	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Manslaughter by negligence	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Rape	2023	10	11	4	0	15
	2024	6	6	1	1	8
	2025	7	7	0	0	7
Fondling	2023	1	3	0	0	3
	2024	0	1	0	0	1
	2025	1	1	0	0	1
Incest	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Burglary	2023	1	1	0	0	1
	2024	1	2	0	0	2
	2025	0	0	1	0	1
Motor Vehicle Theft	2023	0	1	0	0	1
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Arson**	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Hazing	2023	-	-	-	-	-
	2024	-	-	-	-	-
	2025	0	0	1	0	1

** 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) 2023, 2024, and 2025 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	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	1	2	0	0	2
Dating Violence	2023	1	1	1	0	2
	2024	1	1	0	0	1
	2025	2	2	0	0	2
Stalking	2023	2	6	0	0	6
	2024	6	12	0	0	12
	2025	3	6	0	0	6
Liquor Law Violation Arrests	2023	6	9	0	2	11
	2024	1	3	0	0	3
	2025	9	19	0	1	20
Liquor Law Violations Referred for Disciplinary Action	2023	142	144	0	0	144
	2024	51	51	0	0	51
	2025	67	68	0	0	68
Drug Law Violation Arrests	2023	0	0	0	0	0
	2024	1	1	0	0	1
	2025	0	0	0	1	1
Drug Law Violations Referred for Disciplinary Action	2023	8	9	0	0	9
	2024	2	2	0	0	2
	2025	3	3	0	0	3
Weapons Law Violation Arrests	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0
Weapon Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0
	2024	0	0	0	0	0
	2025	0	0	0	0	0

- "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	
2023	Zero (0) hate crimes for the calendar year 2023.
2024	Zero (0) hate crimes for the calendar year 2024.
2025	Zero (0) hate crimes for the calendar year 2025.
Unfounded Crimes	
2023	Two (2) unfounded crimes for the calendar year 2023.
2024	One (1) unfounded crime for the calendar year 2024.
2025	Three (3) unfounded crimes for the calendar year 2025.

Separate Campus Buildings and Property: USD Sioux Falls

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.
2. USD Discovery District
   4800 N. Career Avenue
   Suite 100
   Sioux Falls, SD 5710

Crime Statistics for University of South Dakota – Sioux Falls

Calendar Years (CY) 2023, 2024, and 2025

Criminal Offense or Primary Crimes	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Murder/Non-negligent manslaughter	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Manslaughter by negligence	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Rape	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Fondling	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Incest	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Statutory Rape	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Robbery	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Aggravated Assault	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Burglary	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Motor Vehicle Theft	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Arson**	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Hazing	-		-	-	-	-
	-		-	-	-	-
	2025		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.

There are no residence halls at the University of South Dakota – Sioux Falls campus.

Calendar Years (CY) 2023, 2024, and 2025 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	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Dating Violence	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Stalking	2023		0	0	0	0
	2024		1	0	0	1
	2025		1	0	0	1
Liquor Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Drug Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Weapons Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Weapon Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0

- "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	
2023	Zero (0) hate crimes for the calendar year 2023.
2024	Zero (0) hate crimes for the calendar year 2024.
2025	Zero (0) hate crimes for the calendar year 2025.
Unfounded Crimes	
2023	Zero (0) unfounded crimes for the calendar year 2023.
2024	Zero (0) unfounded crimes for the calendar year 2024.
2025	Zero (0) unfounded crimes for the calendar year 2025.

Separate Campus Buildings and Property: Sanford School of Medicine

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 – Sanford School of Medicine
   1400 W 22nd Street
   Sioux Falls, SD 57105

Crime Statistics for University of South Dakota – Sanford School of Medicine

Calendar Years (CY) 2023, 2024, and 2025

Criminal Offense or Primary Crimes	Calendar Year	Res Hall Only	On Campus (including Res Hall)	Non-Campus	Public Property	Total
Murder/Non-negligent manslaughter	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Manslaughter by negligence	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Rape	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Fondling	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Incest	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Statutory Rape	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Robbery	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Aggravated Assault	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Burglary	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Motor Vehicle Theft	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Arson**	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Hazing	-		-	-	-	-
	-		-	-	-	-
	2025		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.

There are no residence halls at the University of South Dakota – Sanford School of Medicine Sioux Falls campus.

Calendar Years (CY) 2023, 2024, and 2025 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	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Dating Violence	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Stalking	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Liquor Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Drug Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Weapons Law Violation Arrests	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0
Weapon Law Violations Referred for Disciplinary Action	2023		0	0	0	0
	2024		0	0	0	0
	2025		0	0	0	0

- "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 – Sanford School of Medicine Sioux Falls campus.

Hate Crime Statistics	
2023	Zero (0) hate crimes for the calendar year 2023.
2024	Zero (0) hate crimes for the calendar year 2024.
2025	Zero (0) hate crimes for the calendar year 2025.
Unfounded Crimes	
2023	Zero (0) unfounded crimes for the calendar year 2023.
2024	Zero (0) unfounded crimes for the calendar year 2024.
2025	Zero (0) unfounded crimes for the calendar year 2025.

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 Art 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 (Everbridge) 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.

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.

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 a Clery Act reportable crime is reported, that occurred within the last 15 days, within the USD Clery geography, a "timely warning" will be issued. The timely warning notification will be issued through the USD Campus Alert system (Everbridge), 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 https://campusalert.sdbor.edu/. 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

In accordance with South Dakota Board of Regents Policy 7:3 and USD Policy 7.001, If the crime reported is considered to be a Clery type offense, then the University Chief of Police, or his/her designee, must consider whether a timely warning is required to warn the campus community of the criminal event. This decision will be done in partnership with the Dean of Students, General Counsel, Chief of Staff, and AVP of Marketing when possible. Each report must be evaluated on a case-by-case basis in light of all the facts surrounding a Clery type offense and USD Policy 7.001.

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

A. Under South Dakota Board of Regents Policy 3.4.5 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.

B. For purposes of this policy, a student is missing when the student's whereabouts are unknown and unexplained for a period of time that would be regarded as highly unusual or suspicious by persons familiar with the student's plans, habits or routines.

Institutional Response

A. 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.

    1) Initial efforts to contact students will involve telephone or other electronic communications.

    2) If unable to contact the students by electronic means, university personnel will attempt to contact the 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 the, 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

NOTIFICATION OF VICTIMS OF CRIMES OF VIOLENCE

University of South Dakota (USD) prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, USD issues this statement of policy to inform campus of this priority and engages students and employees in the training/education in this process.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

A felony or misdemeanor crime of violence committed by—

> a current or former spouse or intimate partner of the victim,
>
> a person with whom the victim shares a child in common,
>
> a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,

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

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.

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Definition of a Crime of Violence: According to Section 16 of Title 18 of the United States Code, the term "crime of violence" means:

An offense that has an element of the use, attempted use, or threatened use of physical force against the person or property of another; or,

Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used while committing the offense.

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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
For the purposes of this definition—

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

Rape is defined as 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.

Fondling is defined as the touching of the private parts of another person for the purposes 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.

Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person's safety or the safety of others; or,
- Suffer substantial emotional distress.

For the purposes of this definition—

a) *Course of Conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

b) *Reasonable Person* means a reasonable person under similar circumstances and with similar identities to the victim.

c) *Substantial Emotional Distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

d) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Sexual Assault

In South Dakota, sexual assault is referred to as "sexual battery" and is defined as oral, anal, or vaginal penetration by the sexual organ of another, or the anal or vaginal penetration of another by any object. Sexual battery doesn't include an act done for a bona fide medical purpose. One of the most serious forms of sexual assault is the crime of rape. South Dakota's main rape law is outlined in the table below.

SDCL § 22-22-1: **Rape**

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 old
(2) Through the use of force, coercion, or threats of immediate and great bodily harm against the victim or against another person within the victim's presence, accompanied by the apparent power of execution
(3) If the victim is incapable (because of physical or mental incapacity) of consenting to such an act
(4) If the victim is incapable of consenting to the act because of an intoxicant, narcotic, anesthetic agent, or hypnosis, or
(5) If the victim is at least 13 years old, but is less than 16 years old, and the offender is at least three years older than the victim

Definition of Sexual Penetration
Sexual penetration is an act, however slight, of sexual intercourse, cunnilingus, fellatio, anal intercourse, or the intrusion of a body part or an object into the genitals or anal openings of another person's body.

Domestic Abuse

SDCL § 25-10-1(1)
1. causes physical harm or bodily injury.
2. attempts to cause physical harm or bodily injury;
3. inflicts fear of imminent physical harm or bodily injury; and/or stalks you.

Dating Violence

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.

Stalking

SDCL § 22-19A-1. Stalking--Violation as 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.

Consent

SDCL § 22-22-7.4 (2023)
No person fifteen years of age or older may knowingly engage in sexual contact with another person other than his or her spouse who, although capable of consenting, has not consented to such contact.

Definitions under the University's Title IX Policy

Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

- An employee of an institutional conditioning the provision of education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or

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.

Sexual assault means any offense that constitutes rape, fondling, incest, or statutory rape:

Rape has the same meaning as given above in § 3.2.2.2.

Criminal Sexual Contact is 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. 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.

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:

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

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.

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 relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition,

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence means:
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 cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,
- By 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
- 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 means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition
Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Consent as defined by The University of South Dakota's and the South Dakota Board of Regents is:

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:
- if the victim is less than thirteen years of age; or
- using 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
- if the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
- if the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
- if the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim.

ICARE is the University of South Dakota's **Bystander Intervention Program.** The University engages in educational programs and trainings on how to be a good bystander.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone you know is in imminent danger, call UPD at (605) 658-6199, or the local police by dialing 911.

- This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
- Intervene when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, https://www.rainn.org

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money and/or an on-demand driver app loaded.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially ifyou are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation, here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.

- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.

- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows?

- Are there people around who might be able to help you? Is there an emergency phone nearby?

- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to address dating violence, domestic violence, sexual assault, and stalking that:

Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, informed by research, or assessed for value and effectiveness.

Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels. University of South Dakota's educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students. These programs and trainings:

- Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);

- Provide the definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms.

- Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct.

- Provide a description what bystander intervention means. Define safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking utilizing the 3 D model as best practice.

- Provide information on risk reduction. Risk reduction to discourage perpetration and increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

- Provide information regarding:

  Procedure victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this Annual Report);

  Confidentiality and how the institution will protect the confidentiality of victims and other necessary parties.

  Resources existing in counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both in the institution and in the community (as described in the University Red Card.

  Accommodations that are available for assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures available on the USD Title IX website and provided during intake for victims.

Disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking as found elsewhere in this Annual Report.

Primary Prevention and Awareness Programs
The University provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and materials during new student and employee orientations, providing programs by invitation at department meetings and requiring incoming first-year students and returning upper-class students to take online courses related to sexual assault and high risk drinking awareness and education. These trainings include:

- Clearly articulated statements that the University prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking.
- The Federal and State definitions of domestic violence, dating violence, sexual assault, and stalking.
- The University definitions of consent.
- A description of safe and positive options for bystander intervention.
- Information on specific risk reduction strategies.

Ongoing Prevention and Awareness Campaigns
The University provides an annual educational campaign for all students and employees designed to provide ongoing education and programming around issues of sexual violence – including sexual assault, domestic violence, dating violence, and stalking.

Campaign strategies employed include face-to-face presentations, online training programs, printed materials, self-defense programming, and tabling displays. The University additionally provides educational information to camp staff on Clery Act-specific policies and crime reporting practices, along with information related to the Department of Education's Office of Civil Rights Title IX Guidance.

Ongoing prevention and awareness campaigns include self-defense programming; domestic violence month events and activities; sexual assault and awareness month, which includes presentations and an annual Clothesline event; prevention speaker, Greek life educational sessions specific to bystander intervention and collaboration with the student organization PAVE (Promoting Awareness Victim Empowerment) activities. University Police department trainings on personal safety and investigation for any campus allies. And engaging local advocacy to help with trauma informed practices in working with a victim.

The following are some specific examples of annual programs currently offered by the university. This list is not all inclusive:

Online Education: First year students complete online learning module offered by Vector Solutions/Safe universitys to learn effective ways to prevent and report sexual assault on our campus. In addition, all returning upper-class students also complete online learning prior to their return to campus in the Fall semester. Employees receive annual training from the Offices of Human Resources and Title IX through online education that is created by the University.

Orientation Programming: Incoming first year students participate in an information session about the Clery Act and Title IX information, in addition to learning about the Sexual Misconduct Policy, bystander intervention, and resources. New faculty and employees receive Clery Act and Title IX information during orientation programs.

Extended Orientation Programming: New students are encouraged to attend at least one consent program. These programs include, consent education, self-defense workshops, and other interactive educational workshops geared to providing personal tools to reduce and prevent violence. These programs are offered multiple times a semester.

Campus Safety Community Outreach: University Police often participate in panel discussions on safety as well as offer presentations about Clery and personal safety to the campus community.

Bystander Intervention Workshops: Bystander Intervention presentations help people understand what stops us from intervening in potentially harmful situations and provides tools to intervene. This workshop covers ways to end power-based personal violence. It's a session that gives participants practical tips on how to intervene.

Awareness Programming: The University provides various domestic violence awareness programs and sexual assault awareness programs throughout the academic year. Programming such as, Walk a Mile in Their Shoes event, documentary showings, tabling events, guest speakers, self-defense and safety awareness training with University Police Department and River City Domestic Violence Center, small group healthy relationship and bystander intervention trainings.

PROCEDURES FOR VICTIMS TO FOLLOW IF A CRIME OF DOMESTIC/DATING VIOLENCE, SEXUAL ASSAULT OR STALKING OCCURS

Immediate response: After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at the Sanford Hospital Emergency Department. Evidence may be collected, even if the victim chooses not to make a report to law enforcement. Sanford Hospital has established a way to anonymously report incidents for victims of sexual assault. If a sexual assault victim does not currently wish to involve police, there is still an option to have the forensic evidence collected in a timely manner. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. By providing victims with the opportunity to preserve evidence, gather information, solidify their support system, and establish rapport with first responders, the county hopes to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling, or unsure about doing so.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring, or may be helpful in obtaining a protection order.

In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually

transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to university adjudicators/investigators or local police.

Involvement of Law Enforcement and Campus Authorities Although the University strongly encourages all members of its community to report violations of this policy to the University Police Department (UPD) or Vermillion Police Department, it is the victim's choice whether to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, UPD will assist any victim with notifying law enforcement if the victim so desires. The Vermillion Police Department may also be reached directly by calling (605) 677-7070 during normal business hours, or 911 during off hours or in emergency situations; or in person at Vermillion Police Department located at 15 Washington Street in Vermillion. Additional information about the Vermillion Police Department can be found at: https://vermillionpd.org/

Individuals at the USD Sioux Falls campus or USD Sanford School of Medicine campus in Sioux Falls may also report to the Sioux Falls SD Police Department. The Sioux Falls Police Department may be reached at (605) 367-7212 or by calling 911. The Sioux Falls SD Police Department is located at 320 W 4th St in Sioux Falls.

NOTE: In the State of South Dakota, employees of institutions of higher learning who suspect incidents of child abuse (including incidents of suspected child sex abuse) must report such incidents to Child Protective Services (877) 244-0864, the police having jurisdiction, and then to their supervisor.

South Dakota recognizes students under the age of 18 as "children" for purposes of this law and, as such, the University is mandated to report a criminal complaint of abuse or sexual abuse involving any student victim under the age of 18 immediately to Child Protective Services line and the police having jurisdiction. Law Enforcement authorities may notify the victim's parents or guardians as stipulated by law. The obligation to report applies when the subject of suspected abuse is under the age of 18, regardless of whether the person is an employee, matriculated student, participant in youth camp or overnight guest. SDCL § 26-8A-3

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault, and Stalking If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (office: Slagle Hall room 205 or by calling (605) 658-3665) by calling, writing, or coming into the office to report in person. You may also use the online reporting form at: https://cm.maxient.com/reportingform.php?UnivofSouthDakota&layout_id=3 Any reports of all domestic violence, dating violence, sexual assault, and stalking made no matter how they are received will automatically be referred to the Title IX Coordinator for review. The Title IX Coordinator is not a confidential reporting entity and is required to report criminal incidents to University Police.

Procedures the University will follow when a crime of Domestic Violence, Dating Violence, Sexual Assault, or Stalking is reported.

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges; as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services on- and/or off-campus; as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and employees should contact the Title IX Coordinator (office: Slagle Hall room 205; phone: (605) 658-365) by calling, writing, or coming into the office to report in person. The Title IX Coordinator will collaborate and coordinate with the Director of Human Resources for employee cases. If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University below are the procedures that will follow.

Incident Being Reported	**Procedures Institution Will Follow**
Sexual Assault	1. Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care. 2. Institution will assess immediate safety needs of victim. 3. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department. 4. Institution will provide victim with referrals to on- and off-campus mental health providers 5. Institution will assess need to implement interim or long-term protective measures, if appropriate. 6. Institution will provide the victim with a written explanation of the victim's rights and options. 7. Institution will provide a "No Contact" directive to accused party if deemed appropriate 8. Institution will inform victim on how to acquire a Protection Order if appropriate. 9. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding time frames for inquiry, investigation, and resolution. 10. Institution will inform the victim of the outcome of the investigation, whether the accused will be administratively charged, and what the outcome of the hearing is, if an

	investigation and formal resolution are requested by the victim. 11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation.

Incident Being Reported	Procedures Institution Will Follow
Dating Violence	1. Institution will assess immediate safety needs of victim. 2. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department. 3. Institution will provide victim with referrals to on- and off-campus mental health providers 4. Institution will assess need to implement interim or long-term protective measures, if appropriate. 5. Institution will provide the victim with a written explanation of the victim's rights and options. 6. Institution will inform victim on how to acquire a Protection Order if appropriate or evaluate if a no contact order is appropriate. 7. Institution will provide a copy of the policy applicable to the victim and inform the victim regarding time frames for inquiry, investigation, and resolution. 8. Institution will inform the victim of the outcome of the investigation, whether the accused will be administratively charged, and what the outcome of the hearing is, if an investigation and formal resolution are requested by the victim. 9. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation.

Incident Being Reported	Procedures Institution Will Follow
Domestic Violence	1. Institution will assess immediate safety needs of victim. 2. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department. 3. Institution will provide victim with referrals to on- and off-campus mental health providers 4. Institution will assess need to implement interim or long-term protective measures, if appropriate. 5. Institution will provide the victim with a written explanation of the victim's rights and options. 6. Institution will inform victim on how to acquire a Protection Order if appropriate or evaluate if a no contact order is appropriate. 7. Institution will provide a copy of the policy applicable to the victim and inform the victim regarding time frames for inquiry, investigation, and resolution. 8. Institution will inform the victim of the outcome of the investigation, whether the accused will be administratively charged, and what the outcome of the hearing is, if an investigation and formal resolution are requested by the victim. 9. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation.

Incident Being Reported	Procedures Institution Will Follow
Stalking	1. Institution will assess immediate safety needs of victim. 2. Institution will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department. 3. Institution will provide victim with referrals to on- and off-campus mental health providers 4. Institution will assess need to implement interim or long-term protective measures, if appropriate. 5. Institution will provide the victim with a written explanation of the victim's rights and options. 6. Institution will inform victim on how to acquire a Protection Order if appropriate or evaluate if a no contact order is appropriate. 7. Institution will provide a copy of the policy applicable to the victim and inform the victim regarding time frames for inquiry, investigation, and resolution. 8. Institution will inform the victim of the outcome of the investigation, whether the accused will be administratively charged, and what the outcome of the hearing is, if an investigation and formal resolution are requested by the victim. 9. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation.

Facilitated Anonymous Reporting: through the USD Student Counseling Center counselors who are trained as sexual assault counselors, are confidential resources and do not report incidents. In their capacity and function, they do not make identifiable reports of incidents to the official on-campus resources unless the student specifically requests them to do so; however, the University encourages counselors to inform students that they can report incidents of crime to University Police, which can be done directly or anonymously (as described in "Anonymous and Confidential Reporting" elsewhere in this Annual Report).

Anonymous Online Reporting
Students and employees of the university may additionally file a report about sexual misconduct anonymously through the university's online reporting system (as described in "Anonymous and Confidential Reporting" elsewhere in this Annual Report), but note, while anonymous reports are accepted, the University's ability to address the misconduct reported in this manner is significantly limited. The amount of detail provided in these reports may enable the University to initiate an investigation into the circumstances surrounding the report. Such an investigation may jeopardize the anonymity of the reporting person or complainant.

Employee Assistance Program
University of South Dakota also provides an Employee Assistance Program (EAP) for use by employees. The EAP is available to provide full-time employees assistance with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. All full-time employees, regardless of performance, are eligible. The contact number of the EAP is listed in the "On- and Off-campus Resources" section of this Annual Report.

All information relating to an employee's EAP participation is strictly confidential. Only the EAP provider maintains EAP records. The EAP provider does not release specific information about an employee's use of EAP services unless the employee gives their advance written consent. The EAP does not report incidents to any official on-campus resources unless the employee specifically gives them permission to do so.

Assistance for Victims - Rights & Options
Regardless of whether a victim elects to pursue a criminal investigation or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.
Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.
- information about how the institution will protect the confidentiality of victims and other necessary parties.
- a statement that the institution will provide written notification to students and employees about victim services in the institution and in the community.
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures.
- An explanation of the procedures for institutional disciplinary action.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, No-Contact Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

University of South Dakota complies with South Dakota State law in recognizing orders of protection.
Any person who obtains an order of protection from the state of South Dakota or any reciprocal state should provide a copy to University Police and the Office of the Title IX Coordinator. A complainant may then meet with UPD to develop a Safety Action Plan, which is a plan for university police and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to escorts, special parking arrangements, changing classroom/work site location, or working with the office of student services on alternative class possibilities, allowing a student to complete assignments from home, allowing an employee to develop a flexible work schedule, etc.

In South Dakota a victim of domestic violence, dating violence, sexual assault, or stalking has the right to file a petition with the courts requesting protection through protection orders.

Accommodations and Protective Measures Available for Victims
Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, the University of South Dakota will provide written notification to involved students and employees about accommodations available to them, including academic, living, transportation, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, or transportation situations regardless of whether the victim chooses to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. Issuance of a interim/temporary no contact directive between the parties may also be appropriate.

To request changes to academic, living, transportation, and/or working situations, or protective measures, a victim should:

- Students: Contact the Title IX Coordinator and/or Director for Student Rights and Responsibilities for assistance.
- Employees/Faculty: Contact the Title IX Coordinator/Office of Human Resources and/or Provost Office (depending upon employment status).

If the victim wishes to receive assistance in requesting these accommodations, the victim should contact the Title IX Coordinator and/or University Police.

Confidentiality
Victims may request that directory information on file with the University be withheld by request. This request can be made to the Registrar's Office in person completing this online form on the Registrar's web page under general forms: FERPA_ConfRequest (usd.edu) . Employees can contact the Office of Human Resources to make a similar request regarding directory information at (605) 658-3758.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information (PII) about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime and Fire Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a timely warning is issued based on a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld; this could include the specific location where an incident is reported to have occurred when reporting the location could inadvertently identify the victim.

On- and Off-campus Services for Victims
Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, the University of South Dakota will provide written notification to involved students and employees about existing assistance with and/or information about obtaining resources and services, including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. If a sexual assault or rape should occur on campus, staff on- scene, including UPD, will offer the victim a wide variety of services.

STUDENT RESOURCES
The following departments provide CONFIDENTIAL services to enrolled USD students:

Student Counseling Center—Dakota/East Hall Phone: 605-658-3580
Email: SCC@usd.edu
Student Counseling Center | University of South Dakota (usd.edu)

Psychological Services Center Noteboom Hall 117
Phone: 605-658-3720
Email: psc@usd.edu
Psychological Services Center | University of South Dakota (usd.edu)

Counseling & School Psychological Services Center, Delzell Education Center, Room 210
Phone: 605-658-6638
Email: cspsc@usd.edu
Counseling & School Psychological Services Center | University of South Dakota (usd.edu)

Student Legal Aid Phone: 605-659-6688
Austin Felts, attorney at law Email: Terwilligerlaw@live.com

The following offices are NON-CONFIDENTIAL campus resources and can assist with interim measures (such as modifying class or work schedules, housing assignment, no contact orders, etc.) and resolution.

Title IX Office/Equal Opportunity Slagle Hall Room 205
Phone: 605-658-3665
Email: TitleIX@usd.edu

Dean of Students
Muenster University Center Room 218 Phone: 605-658-3555
Email: deanofstudents@usd.edu

EMPLOYEE RESOURCES
The following departments provide CONFIDENTIAL services to employees:

Psychological Services Center Noteboom Hall 117
Phone: 605-658-3720
Email: psc@usd.edu
Psychological Services Center | University of South Dakota (usd.edu)

Counseling & School Psychological Services Center, Delzell Education Center, Room 210
Phone: 605-658-6638
Email: cspsc@usd.edu
Counseling & School Psychological Services Center | University of South Dakota (usd.edu)

The following offices are NON-CONFIDENTIAL campus resources and can assist with interim measures (such as modifying class or work schedules, housing assignment, no contact orders, etc.) and resolution.

Title IX Office/Equal Opportunity Slagle Hall Room 205
Phone: 605-658-3665
Email: TitleIX@usd.edu

REPORTING OPTIONS FOR STUDENTS AND EMPLOYEES
The following offices are NON-CONFIDENTIAL campus resources and can assist with interim measures (such as modifying class or work schedules, housing assignment, no contact orders, etc.)

Title IX Office/Equal Opportunity
Slagle Hall Room 205
Phone: 605-658-3665
Email: TitleIX@usd.edu

Dean of Students
Muenster University Center Room 218
Phone: 605-658-3555
Email: deanofstudents@usd.edu

University Police Department
Davidson Building
Phone: 605-658-6199
Email: UniversityPolice@usd.edu

Anonymously Report a Crime using this link.

Vermillion Police Department
15 Washington Street
Phone: 605-677-7070
Email: info@vermillionpd.org

CONFIDENTIAL Off Campus Resources:

Sanford Vermillion-Hospital & Clinic
20 South Plum Street
Clinic Phone: 605-624-9111
Hospital Phone: 605-624-2611

South Dakota Domestic Violence Hotline: 800-430-SAFE (7233)
Email: dvsodirector@gwestoffice.net

Lewis & Clark Behavioral Health Services
28 Cherry Street, Vermillion SD
Phone: 605-624-9148

Waypost (formerly Rivercity Domestic Violence Center)
Yankton, SD
Phone: 605-665-1448

National Resources for Students and Employees
Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- Rape, Abuse, and Incest National Network
- National Domestic Violence Hotline
- Department of Justice
- Department of Education, Office of Civil Rights

Adjudication of Violations

The University disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. University and SD Board of Regent officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1) The complainant and the respondent will have timely notice for meetings/hearing at which the complainant and/or respondent may be present.
2) The complainant, the respondent, and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings.
3) The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent.
4) The complainant and the respondent will have the same opportunities to have others present during any institutional disciplinary proceeding.
5) The complainant and the respondent each have the opportunity to be supported by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding.
    a) The University will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or institutional disciplinary proceeding. Representation of an advisor must be equal. If the student cannot find an advisor, one will be provided by the University.
    b) An Advisor is someone who acts as an advisor to the Complainant or Respondent involved in an investigation or disciplinary proceeding under the University's policies.
    c) The Advisor is permitted to be a part of any meetings their student may have.
    d) The Advisor can be, but does not have to be, an attorney.
    e) University employees who provide confidential support services (counseling staff) or have an actual or perceived conflict of interest (the Title IX Coordinator, University Police, and the Dean of Students, for example) may not serve as Advisors.
    f) A student or employee should select as an advisor a person whose schedule allows attendance at the scheduled date and time for any meetings, because delays will not normally be allowed due to the scheduling conflicts of an advisor.
    g) Under the University's Title IX Policy, the Advisor will be responsible for opening statement, cross examination and closing statement. The parties will only speak if asked questions.
6) The complainant and the respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any disciplinary proceeding; and,

7) Where an appeal or grievance is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal or grievance is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final, as well as of the final result once the appeal is resolved.

If the Victim Does Not Wish to Pursue Resolution
All reported cases of sexual misconduct will be referred to the Title IX Coordinator for a preliminary assessment. In cases where the Victim does not wish to become a Complainant, the University has two (2) options:

The University may attempt to resolve the complaint in a manner consistent with the Victim's request. This may include holding the report for action at a later date.

The University may pursue a judicial hearing against the Respondent named in the investigation. Under these circumstances, the University would take into consideration the nature of the assault, the safety of the Victim and the campus community, as well as the previous disciplinary history and previous allegations of sexual misconduct.

Whether or not criminal charges are filed, the University or a person may file a complaint under the Title IX grievance procedures outlined in the following section, depending upon the status of the accused (student or employee).

Under the University's Title IX Policy, if the complainant does not wish to pursue a resolution, the university may dismiss a Formal Complainant or any allegations therein, if at any time during the investigation, the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the Formal Complaint or any allegations therein. The Title IX Coordinator may sign a Formal Complaint to initiate the Title IX Grievance process against a respondent if doing so is not unreasonable considering the known circumstances.

STUDENT AND EMPLOYEE DISCIPLINARY PROCEEDINGS UTILIZED IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

Organizational Behavior
Student groups are subject to the conduct expectations detailed throughout this policy. Any behavior, patterns of behavior, or information suggesting patterns of behavior that creates or contributes to the creation of hostile environment, retaliation, discrimination, or harassment will be investigated and could result in organizational and/or individual charges.

Any member of the University community may bring allegations against a student group/organization for violation of the Title IX Policy. The University will conduct a preliminary investigation into an incident. For cases involving a social fraternity or sorority, the case may be referred to the Director of Student Rights and Responsibilities and/or the Coordinator of Greek Life.

An investigation will be conducted to determine if the allegations have merit and have met the threshold (defined below) to move forward with charges. The Title IX Coordinator, Director of

Student Rights and Responsibilities or Assistant Director of Sorority and Fraternity Life may confer with the student group/organization's advisor(s), inter/national headquarters and/or other faculty and staff with a relationship to the student group/organization to solicit advice and recommendations regarding the case. Ultimately, the University is responsible for determining if the organization and/or individuals will be charged and the process for adjudication. All sections of this policy apply to groups and organizations.

Statement on Privacy
The University will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking (to the fullest extent of the law). Additionally, the University will take all reasonable steps to investigate and respond to the complaint consistent with any request for privacy or request not to pursue an investigation. However, its ability to do so may be limited based on the nature of the request by the Complainant. If the Victim requests anonymity or that the University not pursue an investigation, the University must balance this request in the context of its responsibility to provide a safe environment for all University community members. In cases where the University cannot respect the wishes of the Victim, the University will consult with the Victim and keep them informed about the university's course of action.

If the report of misconduct discloses an immediate threat to the University campus community, where timely notice must be given to protect the health or safety of the community.

The University will assess any barriers to proceeding, including retaliation, and in cases where informal or formal resolution will take place, the University will inform the Respondent that Title IX prohibits retaliation, and the university will take strong responsive action to protect the Complainant.

The University has designated individuals to evaluate requests for privacy once the University is aware of alleged sexual violence. That process is coordinated by the Title IX Coordinator.

General Requirements (SDBOR 1.4.1 Sect. 2)

In response to a formal complaint, an institution's grievance process must comply with the requirements of this section, to include the equal application of the same to both parties. Nothing contained herein should be read to restrict any right that would otherwise be protected by the First Amendment of the U.S. Constitution, deprive a person of due process protected by the Fifth and Fourteenth Amendments of the U.S. Constitution, or otherwise restrict any other rights guaranteed against government action by the U.S. Constitution.

- Institutions must treat complainants and respondents equitable by providing remedies to a complainant where a determination of responsibility of sexual harassment has been made against the respondent in accordance with the process set forth herein.
- Remedies implemented by an institution must be designed to restore or preserve equal access to the education program or activity. Such remedies may include supportive measures; however, remedies need not be non- disciplinary or non-punitive and need not avoid burdening the respondent.

- Institutions must require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

- Institutions must require the Title IX Coordinator(s), investigator(s), decision-maker(s), or any person(s) designated by an institution to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

- Institutions must ensure the Title IX Coordinator(s), investigator(s), decision- maker(s), and any person(s) who facilitate an informal resolution process receive training on the definition of sexual harassment; the scope of the education activity or program; how to conduct an investigation and grievance process including hearings, appeals and informal resolution processes, as applicable; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

- Institutions must ensure the decision-maker(s) receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

- Institutions must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

- Any materials used to train Title IX Coordinators, investigators, decision- makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

- Institutions must include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. Determinations on responsibility will be made using the preponderance of the evidence standard. The preponderance of the evidence indicating responsibility is shown if, in considering all the evidence it is more likely than not that the respondent is responsible for the alleged conduct.

- Institutions may grant temporary delays or extensions of any deadline set forth in this policy which occur prior to the hearing, for good cause such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity (excluding cooperative agreements); or the need for language assistance or accommodation of disabilities. If any such temporary delays or extensions are granted the institution must notify the parties in writing of the reason for any such short-term delay or extension.

Following a determination of responsibility by the institution, 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, 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.

- Revoking Admission and/or Degree – the institution may revoke admission to, or a degree awarded from, the institution for violation of institutional standards for

obtaining admission or the degree, or for other serious violations committed by the respondent prior to graduation.

INVESTIGATION OF REPORTS OF SEXUAL MISCONDUCT NOT COVERED UNDER TITLE IX GRIEVANCE PROCESS

The Employee Handbook or Student Code of Conduct process will be used in cases where a student engaged in sexual misconduct that does not fall within the sexual harassment definition under Title IX or the jurisdiction of Title IX. For allegations where a faculty member or employee engaged in sexual misconduct that does not fall within the sexual harassment definition under Title IX or the jurisdiction of Title IX, the grievance process will be handled by Human Resources and the supervisor of the employee in question. The conduct will be reviewed based on the Faculty, Employee or Department handbook.

Supportive Measures - Institutional Response (SDBOR 1.4.1 Sect. 2)

An institution with actual knowledge of sexual harassment in connection with an education program or activity must respond promptly in a manner that is not clearly unreasonable in light of the known circumstances. An institution must treat complainants and respondents equitably by offering supportive measures, with or without the filing of a formal complaint, and when a formal complaint is filed, by following the grievance process outlined below prior to the imposition of any disciplinary sanctions or other actions that are not supportive measures.

Supportive measures shall be offered at no cost and should be designed to restore or preserve equal access to the institution's education program or activity without unreasonably burdening the other party, which may include measures designed to protect the safety of all parties or the institution's educational environment or deter sexual harassment.

- Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

- The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

- Institutions must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the supportive measure.

- Nothing contained in this policy shall be construed to preclude an institution from removing a respondent from the institution's education program or activity on an emergency basis, provided that the institution undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Informal Resolution (SDBOR 1.4.1 Sect 7)
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, provided that the institution:

- Provides to the parties written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

- Obtains the parties' voluntary, written consent to the informal resolution process; and

- Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

An institution may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section.

An institution may not require parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed.

Title IX Policy/Procedure - Receipt of Formal Complaint (SDBOR 1.4.1 Sect 3)

An institution must investigate the allegations in a formal complaint. A formal complaint may be filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the institution investigate the allegations of sexual harassment. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. Within 5 working days of receiving a formal complaint, the institution must provide written notice to the parties who are known. The written notice shall include:

- A statement of the maximum disciplinary sanction(s) that may be imposed on respondent following a determination of responsibility by the institution.
- A statement informing the parties of any applicable provision in policy that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- If, in the course of the investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant (as prescribed above) the institution must provide notice of the additional allegations to the parties whose identities are known.
- Where the allegations of sexual harassment arise out of the same facts or circumstances, an institution may con\solidate formal complaints as to allegations against more than one respondent, or by more than one complainant against one or more respondents.
- Within 10 working days of receiving a formal complaint, the institution 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 the institution's education program or activity. The institutional shall dismiss the formal complaint if the factual allegations, if taken as true, either:
    - Fail to constitute sexual harassment; or
    - Did not occur in the institution's education program or activity.

- An institution may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX 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 institution; or specific circumstances prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

- Within 5 working days of dismissing a formal complaint or any allegations therein, the institution shall send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

- Nothing contained in this policy shall preclude an institution from placing a non- student employee respondent on administrative leave, in accordance with applicable BOR Policy, during the pendency of a grievance process hereunder.

Investigation of a Formal Complaint (SDBOR 1.4.1 Sect. 4)

- 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 parties provided.
- Institutions shall provide equal opportunity to the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

- Institutions may not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

- Institutions 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.

- Institutions 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.

- An institution 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 institution 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.

- Institutions 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.

Hearings (SDBOR 1.4.1 Sect 5)

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.
Institutions shall provide notice to both parties at least 15 days in advance of the live hearing, which notice shall include:

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

Petition for Administrative Review (SDBOR 1.4.1 Sect 6)
The complainant and respondent may petition for administrative review of an institution's proposed determination regarding responsibility, and an institution'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 the institution's decision is deemed received. Petitions for administrative review under this section are limited those made on the following bases:

- A procedural irregularity that affected the outcome of the matter.
- 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
- The Title IX 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 forth above will be rejected.

Within five (5) working days of receiving a petition for administrative review, the Executive Director, or their designee, shall provide written notice of the petition to the other party. That party will have five (5) 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:

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

After receipt of the non-petitioning party's written statement or after the expiration of the time provided therefore, the Executive Director will issue a decision on the matter. The Executive Director's review of the petition will be limited to determining whether: (i) any material decisions lack substantial support in the record, and (ii) any procedural errors materially impacting the integrity of the decision. The Executive Director will not substitute their judgement for that of the institution unless it forms a definite and firm conviction that a mistake has been committed. The Executive Director may affirm the determination of the institution, modify the determination of the institution, in whole or in-part, or return the matter to the institution for reconsideration, additional investigation and/or a new hearing.

The Executive Director will provide their written decision simultaneously to both parties. The decision of the Executive Director 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.

Record Retention

All resolution proceedings, whether informal or formal, are conducted in compliance with the requirements of FERPA and University policy. No information shall be released from such proceedings except as required or permitted by law and/or University policy.

Other than expulsion, disciplinary sanctions shall not be made part of the student's permanent academic record but shall become part of the student's disciplinary record. Disciplinary records are maintenance in the Title IX Office, Dean of Students office or Human Resources.

Disciplinary records of students involved in a pending university disciplinary proceeding, criminal matter, or civil matter related to a Clery Act specific crime (Rape, Fondling, Statutory Rape, Incest, Stalking, Domestic Violence or Dating Violence) requiring retention of the record may be retained for seven years from the date of the initial report to the University.

Information and disciplinary records are generally not released to third Parties without the student's permission.

There are two main areas of exception:

- A student is alleged to have committed acts that would, if proven, constitute the following offenses or attempts to commit the following offenses including Arson, Assault Offenses, Burglary, Criminal Homicide- manslaughter by negligence, Criminal homicide- murder and non-negligent manslaughter, Destruction/Damage/Vandalism of property, Kidnapping/abduction, Robbery, or Forcible Sex Offenses; and,
- Information and/or records may be produced in response to a subpoena, warrant, or court order.

In situations involving both a Respondent(s) and a student Complainant who is the victim or target of another student's conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the records of the Respondent and Complainant students.

Affirmative findings of responsibility in matters resolved through formal conduct resolution are part of a student's conduct record. Such records shall be used in reviewing any further conduct or in developing sanctions and shall remain a part of a student's conduct record until graduation.

Students seeking transfer to other schools or participation in off-campus study programs may also be requested or required to release their disciplinary records. Graduate schools, medical schools, law schools and some governmental agencies may also request disclosure of student disciplinary records.

University-initiated Range of Protective Measures
In addition to those protective measures previously described, the Title IX Coordinator or designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to:

- University order of No Contact
- Safety escort
- Academic, employment, living or transportation arrangements
- Leave of absence
- Reassignment to a different supervisor, shift or position
- Emotional support; and/or
- Emergency removal - to provide for the safety of any person or the broader campus community, or for any other lawful purpose, the University may remove a Respondent from a USD's education program or activity on an emergency basis. The University will undertake an individualized safety and risk analysis to determine whether an immediate threat to the physical health or safety of any community member or other individual arising from the allegation of sexual misconduct justifies the removal. The University will provide the

Respondent with notice and an opportunity to challenge the decision immediately following the decision.

These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined the Title IX Coordinator, Directors of HR or UPD/University Counsel.

Dean of Students may decide to permanently terminate the recognition of the organization. This could include actions taken by unauthorized/unrecognized members, or violations by individuals acting on behalf of the group while suspended from campus. The Dean of Students may consult with the Director of Student Rights and Responsibilities on the question of expulsion of the University organization, if the Dean of Students so chooses.

Organizational Suspension. Loss of all privileges, including University recognition, for a specified period of time. When a university organization fails to fulfill the University's expectations or violates the terms of previously imposed conduct probation, the Dean of Students may decide to terminate the recognition of or suspend the organization. The Dean of Students may consult with the Director Student Rights and Responsibilities on the question of suspension of a university organization, or the termination of the recognition of a university organization, if the Dean of Students so chooses.

Social Probation. A loss of privilege to host social events on campus, in fraternity chapter houses or off-campus for a specified period of time. Social probation may include all events or only social events with alcohol. Loss of selected rights and privileges for a specified period of time.

STUDENT SANCTIONS may include but are not limited to:

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, 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.

Revoking Admission and/or Degree – the institution may revoke admission to, or a degree awarded from, the institution for violation of institutional standards for obtaining admission or the degree, or for other serious violations committed by the respondent prior to graduation.

EMPLOYEE SANCTIONS may include but are not limited to:

Training – the employee will be required to complete online training to help the employee understand why their behavior was inappropriate. The training is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on members of the university community.

Verbal Warning - The verbal warning is the first official step in the university's progressive discipline process for employees. The purpose of the verbal warning is to remind the employee of their personal responsibility and to set guidelines for acceptable behavioral changes required to satisfactorily address the concern. This action is only appropriate in cases that are relatively minor.

Written Letter of Reprimand- A written letter of reprimand is used to identify and describe the continuing problem and to restate the essentials of desired performance or behavior and the employee's obligation to meet it.

Work Improvement Plan - A detailed plan is written that outlines the behavior that needs to change, strategy to employ in rectifying and dates for a probationary period with a review to determine if the outcomes have been met.

Suspension Without Pay - Occasionally, the employee may be suspended without pay while the university investigates the alleged violation of misconduct.

No Contact Directive - the university may impose a "no contact" directive in cases where an agreement cannot be reached or is not applicable. Generally, "no contact" is defined as having no direct or indirect contact at any time. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication; including, but not limited to, email, instant messaging, and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" directive may include additional restrictions and terms. Employees found responsible for violation of the no contact may face sanctions that result in immediate removal from campus, suspension, or expulsion.

Restrictions of Professional Development Funds or Limited Travel - On occasion, professional development funds may be restricted, or a travel ban for professional work may be instituted.

Termination of Employment- For the most egregious kind of conduct or after all measures of progressive discipline have been established, termination of employment may be appropriate.

NOTIFICATION OF VICTIMS OF CRIMES OF VIOLENCE

In accordance with the Higher Education Opportunity Act (HEOA), the University of South Dakota will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense the report on the results of any disciplinary proceeding conducted by the university against a student or employee who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

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 833-872-0201.

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. Hazing

USD is committed to promoting a safe, respectful campus environment. To that end, USD prohibits student organizations from engaging individually or collectively in hazing activities and has a formal process in place to address alleged incidents of hazing in compliance with the Stop Campus Hazing Act (2024). USD also maintains a comprehensive education and awareness program for students, staff and faculty on hazing awareness, hazing prevention and processes for reporting a concern related to hazing. More information and procedures are outlined in USD's anti-hazing policy.

Hazing: 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 other 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 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 consumer food, liquid, alcohol, drugs, or other substances;
    - causing, coercing, or otherwise inducting another person to perform sexual acts;
    - any activity that places another person in reasonable fear of bodily harm through the use of threating words or conduct;
    - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and o any activity that induces, causes, or requires another person to perform a duty.

Student Organization: "an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution".

Incidents of hazing may be reported to the USD Office of Student Rights and Responsibilities (SRR) via the Hazing Violation Reporting Form, located on the SRR website. Hazing incidents may also be reported to a USD Campus Security Authority in accordance with the Clery Act.

The university shall maintain a comprehensive education and awareness program for students, staff, and faculty on hazing awareness, hazing prevention, and how to report incidents of hazing, which shall include certain training. All training is grounded in best practices from national hazing prevention research and intended to stop hazing before hazing occurs. The schedule of provided training is reviewed annually to ensure effectiveness and relevance, with sessions offered during key

academic milestones to maximize impact and participation. The university's primary prevention strategies include:

1. Provide mandatory online hazing prevention training for incoming students and returning students annually.
2. Provide mandatory online hazing prevention training for Student Organization Advisors, Student Services Staff, Athletics Staff, and Fine Arts Staff with significant oversight of student performance groups as determined by the Dean of the College of Fine Arts.
3. Make hazing prevention training available to university faculty and staff and promote such training in a manner designed to reach such audiences.
4. The university may provide or require in-person hazing prevention workshops for Student Organizations, Student Organization Advisors or Officers, or employees likely to be able to prevent incidents of hazing.

Campus Hazing Transparency Report

In compliance with the Stop Campus Hazing Act, USD will maintain and report findings of hazing violations by any student organization, athletic team or living group within the Hazing Transparency Report.

The Transparency Report will include:

- The name of the student organization or group involved
- The date the incident was reported
- The date the investigation was initiated;
- A general description of the incident(s) and violation
- Whether the violation involved the abuse or illegal use of alcohol and/or drugs
- The outcomes of any disciplinary processes, including findings and sanctions

This report is updated biannually and is publicly accessible to inform students, families and the broader community in order to promote the awareness, accountability and prevention of hazing on campus. Please check back for this report, and reach out to the Office of Student Rights and Responsibilities with any questions.

On USD's public website, there is a statement notifying the public of the annual availability of their hazing statistics, including a link to the institution's annual security report, information about the institution's policies relating to hazing and applicable local, State, and Tribal laws on hazing, and the institution's Campus Hazing Transparency Report.

The USD Campus Hazing Transparency Report may be viewed online.

Reporting Hazing

If you are aware of hazing on campus, you are encouraged to complete the Hazing Violation Reporting Form. The Office of Student Rights and Responsibilities will attempt to safeguard the identity of the

reporting party from those involved in the case unless necessary to address the allegation at hand. This is to encourage witnesses of an incident to come forward without fear of retaliation.

VII. Fire Safety Report

Vermillion Fire Department

The Vermilion 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

Fire Log 2023-2025

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Beede Hall 702 E Cherry St	2	1	Unintentional/ Cooking	0	0	$0-$99
		2	Unintentional/ Cooking	0	0	$0-$99
Mickelson Hall 700 E Cherry St	1	1	Unintentional/ Cooking	0	0	$0-$99
Richardson Hall 802 N Plum St	0	0	N/A	N/A	N/A	N/A
Olson Hall 800 N Plum St	0	0	N/A	N/A	N/A	N/A
Burgess Hall 416 N Pine St	1	1	Unintentional/ Cooking	0	0	$0-$99
Norton Hall 400 N Pine St	0	0	N/A	N/A	N/A	N/A
Coyote Village 901 Rose St	4	1	Unintentional/ Open flames	0	0	$0-$99
		2	Unintentional/ Cooking	0	0	$0-$99
		3	Unintentional/ Cooking	0	0	$0-$99
		4	Unintentional/ Cooking	0	0	$0-$99
McFadden 808 N University St	0	0	N/A	N/A	N/A	N/A
Copies of the fire log may be obtained by contacting the University Police Department						

UNIVERSITY OF SOUTH DAKOTA POLICE DEPARTMENT

414 East Clark Street • Davidson Building, Room 101
Vermillion, SD 57069
Phone: 605-658-6199
Email: universitypolice@usd.edu

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.