

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Housing & Meal Plan Requirements

NUMBER: 3.7.1

A. PURPOSE

To establish the expectations of student participation in institutional housing and meal plans as well as to set up a framework for conduct and safety requirements in the residence facilities.

B. DEFINITIONS

1. **Student:** All persons taking courses from the institution, both full-time and part-time, enrolled in undergraduate, graduate, professional or special topic courses, whether credit-bearing or not.

C. POLICY

1. Student Housing Requirement

1.1. Live On-Campus Requirement

Students who are enrolled at a university for a minimum of six (6) on-campus credits are required to live in on-campus housing during the first two (2) years following their high school graduation. Institutions may grant waiver exceptions to the housing requirement based on the waiver exceptions.

1.2. Waiver Exceptions

Waiver exceptions to the housing requirement will ordinarily be granted:

- To students who are married
- To students with dependent children who reside with them
- To students who reside full-time during the academic year at the primary residence of the parent(s) or legal guardian(s) within a designated radius determined by each institution
- To students living in Greek housing who have met campus housing release requirements
- To students who are non-degree seeking
- When residence hall occupancy exceeds manageable capacity

- To students who hold a currently valid written certification regarding the medical use of cannabis. For purposes of this section, a written certification is a document dated and signed by an authorized practitioner, stating that in the practitioner's professional opinion the patient (student) is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptom associated with the debilitating medical condition.
- At the discretion of the institution, after considering the individualized circumstances and determining that the circumstances merit a waiver

2. Meal Plan Requirement

2.1. Meal Plan Requirement

All students living in on-campus housing are required to have a meal plan. Institutions may grant waiver exceptions to dine elsewhere.

2.2. Waiver Exceptions

2.2.1. Waiver exceptions to the meal plan requirement may be granted at the discretion of the institution, after considering the individualized circumstances and determining that the circumstances merit a waiver.

3. Process for Requesting Waiver from the Housing Requirement, Meal Plan Requirement, or Both

Each institution shall create a process through which students can request a waiver from the housing requirement, meal plan requirement, or both.

4. Disclosure Requirements

4.1. Disclosure of Criminal History, Including Sex Offender Status

Each student, student's spouse, dependents or household members, who reside in a housing facility operated by the institution shall disclose on the application form the following:

- Whether he or she is required to register as a sex offender pursuant to law
- Whether he or she has a criminal history of a felony offense that includes a conviction, guilty plea, no contest plea, or suspended imposition of sentence that has not been discharged
 - For each felony offense, provide details identifying any jurisdiction, date of the offense, circumstances of the offense, the sentence or parole conditions and other facts or circumstance that he or she believes to be relevant
 - Disclosure is not required if the felony offense resulted in adjudication as a delinquent child or as a child in need of supervision

5. Criminal History Resulting in the Loss of Privilege to Live in Institutional Housing

The following typically result in the loss of an individual's privilege to live in institutional housing:

- 5.1. No person who is required by law to register as a sex offender may reside in any housing facility operated by the institution
- 5.2. When a person has been found to have committed a felony offense involving use or sale of illegal drugs or involvement in a crime of violence which did or could have resulted in injury to a person
- 5.3. When a person has been found to have committed a felony offense where the circumstances of the offense otherwise reasonably suggest that placement within a housing facility operated by the institution may place the individual into settings that are similar to those in which the original offense occurred

6. Denial of Institutional Housing

The director of housing of each institution may deny an applicant for institutional housing. The denial notice shall identify the process to request a review of the determination.

7. Review of Denial to Reside in Institutional Housing Facilities

Any person, other than a registered sex offender, who has been denied residence in a housing facility operated by the institution may request a review of the determination by the Senior Student Affairs Officer or their designee and shall be provided an opportunity to submit such writings as the person deems necessary and helpful to explain why the institution should permit the person to reside in one of its housing facilities.

8. Residence Hall Rooms and Apartments Private Places

The students' individual residence hall rooms and individual apartments constitute private places to which the general public does not have an unrestricted access right.

9. Institution Carries No Liability for Personal Effects

The institution shall not carry insurance covering loss or damage to those students' personal effects and does not assume responsibility for such loss or damage. As such, it is suggested that students purchase renter's insurance to cover their personal belongings.

10. Alternative Housing During Official Institutional Breaks

Housing office staff shall make reasonable efforts to assist students who are unable to leave the campus during official institutional vacations to locate housing alternatives.

11. Conduct Expectations

The institutions shall establish and publish institutional conduct or behavior regulations that ensure responsible and orderly campus life and promote the general welfare.

- 11.1. Alleged violations of these regulations shall be processed through the established institutional disciplinary procedures.

12. Residence Hall Security

Each institution shall develop and implement residence hall security policy statements that are designed to provide the reasonable security of residents and institutional property. Institutional security measures must include the following:

- 12.1. Signage that designates that residence halls are for the exclusive use of residents and their guests.
- 12.2. Designation of public and restricted areas and access regulations related thereto.
- 12.3. Planned educational programs aimed at education of residents regarding their security responsibilities.
- 12.4. One or more of the following security monitoring measures during all hours when access to public areas is unrestricted:
 - Locked entryways to restricted areas
 - Staff or mechanical monitoring of public entryways
 - A consistently applied and enforced escort policy
- 12.5. Signage or handbook statements that notify residents that if an individual intends to possess or carry a concealed pistol, stun gun, or mace/pepper spray as permitted by BOR Policy 1.4.5, that the individual:
 - 12.5.1. For possession of a concealed pistol, must have the applicable permit (an enhanced restricted, temporary enhanced restricted permit, or reciprocal permit), as required by South Dakota law,
 - 12.5.2. Is required to store the pistol, stun gun, or mace/pepper spray in a locked case or safe when said item is not being carried or in possession of the individual,
 - 12.5.3. that the institution will not provide cases or safes in the residences halls, and that it is the individual's responsibility to ensure the provision and use of adequate storage facilities, and
 - 12.5.4. that failure to do so could result in discipline up to and including removal from a residence hall or expulsion.
- 12.6. Other measures deemed necessary and appropriate by the President of each institution.

FORMS / APPENDICES:

None

SOURCE:

RR, 12:04, 1977; BOR June 1978, BOR September 1979; BOR April 1987; BOR March 1993; BOR December 1995; BOR May 2006; BOR December 2010; BOR August 2019; BOR June 2021; October 2023 (Clerical); SDCL 13-53-56 to 13-53-57 (SL 2025; ch 86, §4); BOR July 2025.