**CAMPUS SAFETY AND SECURITY**

The South Dakota School of Mines & Technology is committed to the safety and security of our students and employees. Safety personnel regularly monitor the campus and work closely with the Rapid City Police Department in enforcing community, state, and federal laws, and providing education and prevention programs.

Emergency telephones are located on the campus quad and in campus buildings. In addition, the campus escort service may be utilized 24 hours a day by calling campus safety, 605-394-6100.

**SEX OFFENSES/SEXUAL ASSAULT POLICY**

Students who are alleged to have committed sex offenses (including rape, sodomy, forcible, and non-forcible sexual contact, indirect exposure, simple, and aggravated assault) against members of the SDSM&T community will be subject to disciplinary measures that apply to "Aggressive Conduct or Harassment," as defined in the Board of Regents Policies.

**PROCEDURES**

1. Procedures to follow if a sex offense occurs:
   - A student should contact the Rapid City Police.
     The police will describe the importance of saving evidence as may be necessary to the proof of criminal sexual assault.
   - If a student wishes additional support, or assistance in contacting the police, please contact the: Vice President for Student Affairs/Dean of Students (Ext. 2416), Hall Directors, or Director of Counseling (Ext. 1924).

2. Sanctions for sex offenses as described above will be determined on a case-by-case basis following an on-campus disciplinary procedure, which may include, but will not be limited to:
   - Expulsion.

3. On-campus disciplinary action in cases of alleged sexual assault will follow the aggressive conduct or harassment proceedings with the additional provision that the accuser and accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding and both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceedings brought alleging sexual assault.

4. Educational and Counseling Support:
   - A sexual assault training program will be given annually to all Residence Hall Wing Advisors. Campus educational programs will cover areas such as promotion of awareness of rape, acquaintance rape, and other sex offenses.
   - The SDSM&T Counseling Services are available for assistance, as are local support agencies such as Working Against Violence Incorporated.
   - The Vice President for Student Affairs and Dean of Students Office will assist the victim in changing academic and living arrangements if requested by the victim and if these changes are reasonably available.

**CRIME STATISTICS**

The following statistics are gathered from Crime Reports generated by the Rapid City Police Department, and campus agencies as required by the Uniform Crime Reporting Program. Additional information including non-campus buildings and public property is available at [http://www.rcgov.com/main_pages/registered_sex_offenders.htm](http://www.rcgov.com/main_pages/registered_sex_offenders.htm). The following is the number of occurrences on the SDSM&T campus from January 1 - December 31 of each year.

<table>
<thead>
<tr>
<th>Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
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<tbody>
<tr>
<td>Homicide</td>
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<tr>
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<td>6</td>
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<tr>
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</tr>
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<tr>
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<tr>
<td>Weapons Violations</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

A list of Registered Sex Offenders in Pennington County is accessible by contacting the Rapid City Police Department, and on-line at [http://www.rcgov.com/main_pages/registered_sex_offenders.htm](http://www.rcgov.com/main_pages/registered_sex_offenders.htm). Not all sex offenders who may be attending or employed at SDSM&T reside in Rapid City or Pennington 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 SDSM&T and that you want to review the listing for this institution. The law enforcement personnel will respond by directing you to the correct information.

**RESIDENCE HALL AND CAMPUS APARTMENT SAFETY**

Policies and procedures have been developed to help ensure the safety and security of all students residing in campus housing. Facilities are staffed with trained employees of the university. Each residence hall has a hall director and all living areas have a student hired to help maintain the safety and security of all residents and the facility. However, the facilities are only as safe as our residents make them. Students must work with staff to ensure room doors are locked when residents are sleeping or not in the rooms. Residence hall building entrance doors are to remain locked 24 hours a day. Students need to work with staff to make sure doors are not propped open. Students residing in the campus apartments are responsible for securing doors. Potentially dangerous situations need to be reported as soon as possible—non-escorted guests, leaking water, torn carpet, etc.

**DRUG FREE ENVIRONMENT POLICY**

SDSM&T and the South Dakota Board of Regents (4:27 Drug Free Environment) are committed to providing a drug free workplace. With the exception of policy 4:27.E.11, policy strictly prohibits the manufacture, distribution, dispensing sale, possession, procurement, contributing to a minor, and consumption or use of alcohol, marijuana or controlled substances by students and employees on any property controlled by SDSM&T and in connection with any institutionally sponsored activity. SDSM&T students and employees are expected to abide by all state liquor laws while on any property controlled by SDSM&T and in connection with any institutionally sponsored activity (e.g. possession by consumption for students under 21 years of age will be enforced). Furthermore, SDSM&T prohibits the possession of empty bottles, cans, wine boxes, or other containers that originally contained alcoholic beverages and being in the presence of alcohol or other drugs on campus proper or in the dormitories or in the campus apartment complex areas.

BOR alcohol and other drug policy violations are cumulative throughout a student's enrollment at South Dakota Board of Regents institutions. (Violations stay on the student's discipline record and are transferable.)

SDSM&T alcohol and other drug policy violations are not cumulative between academic years.

This policy does not replace nor restrict the student discipline code as established by the South Dakota Board of Regents (3.4.28.B.16).

**PROCEDURE**

Any employee violating this prohibition shall be subject to appropriate disciplinary action, which may include termination of employment.

Students found in violation of the School of Mines policy for alcohol and other drugs may or may not also be in violation of BOR policy concerning alcohol and other drugs (BOR Policy 3.4.28.B.16). Interpretation is at the discretion of the student conduct administrator and the Student Judicial Committee on a case by case basis. In the event a student is found responsible for a second violation of the School of Mines Policy 4:4.4.3 within the same academic year, it will be considered a violation of BOR Policy (3.4.28.B.16) automatically.

Recognized student organizations are expected to report underage drinking at their sponsored events or on their property to the student conduct administrator for remedial action with individual students. Failure to report via the campus student conduct process may result in action being taken against the student organization.

At a minimum, students who violate the SDSM&T alcohol or other drug policy will be sanctioned as follows:

1. 1st violation—a $50 fine, completion of the Choices interactive journal; if under 21, parental notification will include a letter of sanction being sent to the student's parent/legal guardian.

2. 2nd violation—a $100 fine, completion of a brief alcohol assessment and any recommended consequences as determined by alcohol assessment, one-year disciplinary probation; if under 21, parental notification.

3. 3rd violation—suspension for at least a semester; in circumstances, student may be enrolled but must complete an approved treatment program if under 21, parental notification.

The foregoing sanctions, together with such actions as may be imposed pursuant to local regulations for initial infractions, are minimum sanctions. The reference to them does not preclude the institution from imposing more severe sanctions at any level, including expulsion, where the facts and circumstances of the infraction warrant such action.

Where an infraction of Regental alcohol, marijuana, or controlled substances policies appears also to constitute a felony offense under South Dakota Board of Regents institutions. (Violations stay on the student's discipline record and are transferable.)

SDSM&T alcohol and other drug policy violations are not cumulative between academic years.

This policy does not replace nor restrict the student discipline code as established by the South Dakota Board of Regents (3.4.28.B.16).

**SDSM&T Counseling Services**

Recognized student organizations are expected to report underage drinking at their sponsored events or on their property to the student conduct administrator for remedial action with individual students. Failure to report via the campus student conduct process may result in action being taken against the student organization.

At a minimum, students who violate the SDSM&T alcohol or other drug policy will be sanctioned as follows:

1. 1st violation—a $50 fine, completion of the Choices interactive journal; if under 21, parental notification will include a letter of sanction being sent to the student's parent/legal guardian.

2. 2nd violation—a $100 fine, completion of a brief alcohol assessment and any recommended consequences as determined by alcohol assessment, one-year disciplinary probation; if under 21, parental notification.

3. 3rd violation—suspension for at least a semester; in circumstances, student may be enrolled but must complete an approved treatment program if under 21, parental notification.

The foregoing sanctions, together with such actions as may be imposed pursuant to local regulations for initial infractions, are minimum sanctions. The reference to them does not preclude the institution from imposing more severe sanctions at any level, including expulsion, where the facts and circumstances of the infraction warrant such action.

Where an infraction of Regental alcohol, marijuana, or controlled substances policies appears also to constitute a felony offense under South Dakota or federal law, the university may refer the matter to law enforcement authorities. Where the facts suggest a felony offense, such referral shall be mandatory. Referral of a matter to law enforcement authorities shall not require suspension of campus disciplinary proceedings nor delay imposition of discipline.
IV. EXCEPTIONS
No possession, use, or distribution of alcohol, marijuana, or controlled substances is permitted on
premises controlled by the South Dakota Board of Regents except:
• when needed in conjunction with approved research activities;
• when alcohol is possessed, used, or distributed in a lawful manner inside a dwelling occupied by an
employee who, as a condition of employment, is required to maintain a residence on premises controlled by the Board of Regents;
• when alcohol is possessed, used, or distributed in a lawful manner on premises controlled by the Board of Regents which have been designated by the institutional president as places where such possession, use, and distribution may be permitted, subject to such conditions as the institutional president may also prescribe, provided that any notice of such designation and conditions have been filed previously with the executive director;
• when the possession, use, or distribution of the controlled substance is incidental treatment by a licensed health care professional authorized to prescribe such substances.

ALCOHOL AND SUBSTANCE ABUSE CONSEQUENCES
LEGAL RISKS
The unlawful use of alcohol, marijuana, or controlled substances exposes students and employees to criminal prosecution by local, state, or federal authorities. Immediate penalties may range from fines, to loss of driving privileges, to jail time. In addition, criminal proceedings and criminal sanctions interrupt normal educational or employment activities and may force individuals to withdraw from the university and to terminate employment. A criminal record is permanent and available in background checks. Existence of a criminal record may affect future employment, scholarship opportunities, certification or licensure requirements and opportunities to serve the community.

HEALTH RISKS
The recreational use of alcohol, marijuana, or controlled substances may cause or contribute to physical impairment or psychological dependency. Using or abusing substances can cause loss of memory, chronic fatigue, loss of appetite, frequent absence from classes or work and other effects that prevent achievement of educational, social, or employment goals. Moreover, individuals who abuse alcohol or drugs in early adulthood may also establish patterns of behavior that later disrupt their careers and limit their ability to maintain normal family life.

DRUG AND ALCOHOL EDUCATION AND PREVENTION SERVICES
The university is committed to decreasing high risk and illegal drug and alcohol use by our students through wellness education and university policies. Education begins for new students during summer and fall orientation programs that familiarize students with campus policies and abuse issues through group discussions and slots.

Residence Life takes a proactive role in training Resident Assistants in responding to alcohol poisoning and illegal drug use, identifying problems students are experiencing, referring students, peer counseling, legal issues, and confrontation skills. They provide information about campus rules and discipline procedures related to alcohol and drug use during wing meetings with residents, through bulletin boards and publications.

Counseling Services and Student Health Services provide screening, information, referral and counseling on substance abuse. Each February the campus sponsors a health and wellness fair which provides information on local resources and educational materials related to substance abuse.

The Campuses Community Prevention Coalition (CCPC) was established in 2005 and The Tobacco Prevention program in 2006. Both programs offer a wide range of educational services including alcohol, tobacco and other drug surveys, social norms information, bystander training, wellness activities, counseling and referral, alcohol and drug prevention classes such as Choices and Prime For Life.

Greek organizations have written agreements with the university which include a uniform alcohol policy and discipline guidelines.

Student Affairs staff are regularly in contact with statewide campus networks, initiatives, and training related to substance abuse prevention.

The Campus Judicial Officer makes every effort to encourage growth and learning of new information for those with substance abuse infractions.

SOUTH DAKOTA STATE LAWS PERTAINING TO ALCOHOLIC BEVERAGES

DRINKING AGE: Twenty-one years of age.

FURNISHING OF BEVERAGE TO CHILD AS MISDEMEANOR - MINIMUM AGES:

It is a Class 2 misdemeanor to give for use as a beverage any alcoholic beverage to any person under the age of twenty-one years, unless it is done in the immediate presence of a parent or guardian or spouse over twenty-one years of age or by prescription or direction of a duly licensed practitioner or nurse of the healing art for medicinal purposes.

PURCHASE, POSSESSION OR CONSUMPTION OF BEVERAGE BY MINOR AS MISDEMEANOR - MISREPRESENTATION OF AGE: It is a Class 2 misdemeanor for any person under the age of twenty-one years to purchase, attempt to purchase, or possess or consume alcoholic beverages except when consumed in a religious ceremony and given to said person by an authorized person, or to misrepresent his age with the use of any document for the purpose of purchasing or attempting to purchase alcoholic beverages from any licensee licensed under this title.

SOUTH DAKOTA STATE LAWS PERTAINING TO POSSESSION OR DISTRIBUTION OF MARIJUANA

Possession of two ounces of marijuana or less. SDCL 22-42-6. Class 1 Misdemeanor: one year imprisonment in a county jail or $1,000 fine or both. SDCL 22-6-1 (2)

Possession of more than two ounces but less than one-half ounce of marijuana. SDCL 22-42-6. Class 6 Felony: two years imprisonment in the state penitentiary or a fine of $2,000 or both. SDCL 22-6-1 (8)

Possession of one half pound but less than one pound of marijuana. SDCL 22-42-6. Class 5 Felony: five years imprisonment in the state penitentiary. In addition, a fine of $5,000 may be imposed. SDCL 22-6-1 (7)

Possession of one to ten pounds of marijuana. SDCL 22-42-6. Class 4 Felony: ten years imprisonment in the state penitentiary. In addition, a fine of $10,000 may be imposed. SDCL 22-6-1 (6)

Possession of ten pounds or more of marijuana. SDCL 22-42-6. Class 3 Felony: fifteen years imprisonment in the state penitentiary. In addition, a fine of $15,000 may be imposed. SDCL 22-6-1 (5)

Distribution of less than one-half ounce of marijuana without consideration of the presence of another person. SDCL 22-42-7. Class 1 Misdemeanor: one year imprisonment in a county jail or $1,000 fine, or both. SDCL 22-6-2 (1)

Distribution of one ounce or less of marijuana. SDCL 22-42-7. Class 6 Felony: two years imprisonment in the state penitentiary or a fine of $2,000 or both. SDCL 22-6-1 (8)

Distribution of more than one ounce, but less than one-half pound of marijuana. SDCL 22-42-7. Class 5 Felony: five years imprisonment in the state penitentiary. In addition, a fine of $5,000 may be imposed. SDCL 22-6-1 (7)

Distribution of one half pound but less than one pound of marijuana. SDCL 22-42-7. Class 4 Felony: ten years imprisonment in the state penitentiary. In addition, a fine of $10,000 may be imposed. SDCL 22-6-1 (6)

Distribution of one pound or more of marijuana. SDCL 22-42-7. Class 3 Felony: fifteen years imprisonment in the state penitentiary. In addition, a fine of $15,000 may be imposed. SDCL 22-6-1 (5)

Distribution of any amount of marijuana to a minor. SDCL 22-42-7. Class 3 Felony: ten years imprisonment in the state penitentiary. In addition, a fine of $10,000 may be imposed.

SOUTH DAKOTA STATE LAWS PERTAINING TO MARIJUANA DISTRIBUTION

Distribution of less than one-half ounce of marijuana without consideration of the presence of another person. SDCL 22-42-7. Class 1 Misdemeanor: one year imprisonment in a county jail or $1,000 fine, or both. SDCL 22-6-2 (1)

Distribution of one ounce or less of marijuana. SDCL 22-42-7. Class 6 Felony: two years imprisonment in the state penitentiary or a fine of $2,000 or both. SDCL 22-6-1 (8)

Distribution of more than one ounce, but less than one-half pound of marijuana. SDCL 22-42-7. Class 5 Felony: five years imprisonment in the state penitentiary. In addition, a fine of $5,000 may be imposed. SDCL 22-6-1 (7)

Distribution of one half pound but less than one pound of marijuana. SDCL 22-42-7. Class 4 Felony: ten years imprisonment in the state penitentiary. In addition, a fine of $10,000 may be imposed. SDCL 22-6-1 (6)

Distribution of one pound or more of marijuana. SDCL 22-42-7. Class 3 Felony: fifteen years imprisonment in the state penitentiary. In addition, a fine of $15,000 may be imposed. SDCL 22-6-1 (5)

Distribution of any amount of marijuana to a minor. SDCL 22-42-7. Class 3 Felony: ten years imprisonment in the state penitentiary. In addition, a fine of $10,000 may be imposed.