



SOUTH
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CAMPUS SECURITY & FIRE SAFETY REPORT 2024/2025

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South Dakota School of Mines & Technology (South Dakota Mines) is dedicated to ensuring the safety and security of our students, employees, and guests. Our Public Safety personnel actively monitor the campus and collaborate with the Rapid City Police Department to enforce state, federal, and local laws; to provide educational prevention programming; and, to inform and protect the campus community.

The Public Safety team includes three full-time state-certified law enforcement officers, one full-time safety officer, and student safety officers. The Public Safety phone line (605-394-6100) is available 24/7 for reporting any concerns. In case of an emergency, dial 911.

CAMPUS CRIME STATISTICS & CLERY ACT COMPLIANCE

ANNUAL CRIME REPORT

Statistics on campus crime are gathered annually from reports provided by the Rapid City Police Department, Public Safety, and the Community Standards Office as mandated by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act).

Each year, South Dakota Mines emails the Campus Security & Fire Safety Report to all members of the campus community. Additionally, the report is available for review on the Consumer Information website: <https://www.sdsmt.edu/about/policies-and-compliance/consumer-information.html>.

Printed copies may be requested at the Community Standards Office, Public Safety, Human Resources, Admissions, or the Dean of Students Office. Information can also be accessed through the U.S. Department of Education's website at <https://ope.ed.gov/campusafety>.

To review South Dakota Mines Crime Statistics for the 2023 calendar year, refer to Appendix B of this report.

TIMELY WARNINGS

Timely Warning notifications are distributed to campus as needed in alignment with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. A timely warning will be considered whenever the University receives information about a crime that requires timely notification (homicide, sex offenses, robbery, aggravated assault, burglary, vehicle theft, and arson) on or near campus. Other offenses may trigger a timely warning depending on the facts and situation.

The decision to issue timely warnings will be made on a case-by-case basis whenever the University receives a report, reviews facts, reviews requirements in the Clery Act, and evaluates if an ongoing threat to the community exists. The Community Standards Office is responsible for issuing these timely warnings. These notifications are primarily distributed via email and campus postings and may be distributed to the entire campus community or to the community where a threat exists.

The Community Standards Office (605-394-2348) or Public Safety (605-394-6100) should be contacted if students, staff, or faculty have information that may warrant a timely warning.



CRIME LOG

A crime log is kept and maintained by the South Dakota Mines Public Safety Office.

PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT

A jointly signed Memorandum of Understanding exists between South Dakota Mines and the Rapid City Police Department concerning information sharing.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

During an emergency on campus, the Emergency Management Team will be alerted. The Chain of Command Policy I-03 will be implemented in the event the President is unavailable. The Emergency Management Team will work with Public Safety and the Rapid City Police Department to confirm the situation. Upon confirmation of an emergency affecting campus, the Emergency Management Team will at once start a notice to the entire campus via the Campus Alert System, which is available for all students, faculty, and staff. This service allows South Dakota Mines to send emergency alerts to cell phones, landlines, or computers. If an emergency may affect the larger community, the Office of Marketing and Communications will notify the proper media outlets.

The South Dakota Mines Emergency Management Team will, without delay and considering the safety of the community, decide the content of the notification and initiate the notification system unless issuing the notification will in the professional judgment of the responsible authorities compromise efforts to aid the victim or to contain, respond to, or otherwise mitigate the emergency.

South Dakota Mines will test the emergency response and evacuation procedures annually at a minimum. Emergency and evacuation procedures will be publicized with a minimum of one test per year. These tests may be announced or unannounced. Documentation will be kept for each test including the description of the exercise, the date, time, and whether it was announced or unannounced. Emergency response and evacuation procedures are available at <http://emergency.sdsmt.edu>.

CAMPUS ALERT – EVERBRIDGE REGISTRATION INFORMATION

Below you will find instructions for registering for the Campus Alert System.

1. Registration e-mails are sent out periodically.
2. You are encouraged to participate by providing personal contact information but must at least leave your campus email information in the system.
3. To register or update info, go to:
<https://campusalert.sdbor.edu/?univ=sdsmt>.
4. Your login will be your Single Sign-on (SSO).
5. To download the mobile app use the above QR code or link [Everbridge App](#).





REPORTING CRIMINAL CONDUCT OR STUDENT CONDUCT CONCERNS

All emergencies should be reported to 911. The Public Safety phone line (605-394-6100) is monitored 24-hours a day and is available to report criminal concerns, safety issues, or suspect activity.

Student conduct concerns should be reported to the Community Standards Office (605-394-2348) or online through the Advocate Online Report: <https://www.sdsmt.edu/about/policies-and-compliance/community-standards.html>. Voluntary online reports can be submitted anonymously and privately. Online reports may be reported on a voluntary, confidential basis for inclusion in annual reporting though the limited information may limit the response of University officials.

DISCLOSURE OF REPORTS

Upon written request, the University will 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 who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of the victim is treated as the alleged victim for the request.

SAFETY SERVICES, POLICIES, PROGRAMS, AND CRIME PREVENTION

South Dakota Mines makes campus safety and security awareness a priority and focuses on educating community members about policies, procedures, and crime prevention tips. All community members are provided with a "Public Safety Booklet" in addition to a comprehensive safety and emergency website located at <http://emergency.sdsmt.edu>.

The University deploys Closed Circuit Television (CCTV) across campus and in residential housing facilities as a critical component of its safety plan. Although cameras are not monitored at all times, the footage recorded can be utilized by Public Safety, the Community Standards Office, and law enforcement to aid in investigations.

New students receive safety education training through the orientation program, and the institution provides various safety and crime prevention programs throughout the year, including topics on sexual assault prevention, alcohol and drug use, and personal safety. New residential students must pass fire safety training before moving into their residence hall.

A Public Safety employee will escort community members from any campus building to another or from a car to any campus building. Request these services by contacting Public Safety (605-394-6100).

The Emergency and Risk Management Procedures and Plans Policy VII-05, the Reporting of Incidents, Accidents, or Unsafe Conditions Policy VII-07, the Closed Circuit TV Policy VII-09 all can be found online at <https://www.sdsmt.edu/about/policies-and-compliance/policy-manual.html>.



CAMPUS FACILITY SECURITY

NON-RESIDENTIAL BUILDING SAFETY & BUILDING ACCESS

Public Safety performs daily scheduled building lockups to secure non-residential buildings. Safety information including emergency instructions, AED locations, and fire safety details appears in all buildings. The campus conducts a night safety walk or comparable event annually to assess and improve campus safety. Facilities Services continually monitors the facilities and grounds to maintain a safe environment.

RESIDENCE LIFE SAFETY & BUILDING ACCESS

Residence Life creates policies and procedures to ensure the safety and security of all students living on campus. Trained University employees manage the facilities. Residence Life employees including professional staff and senior student staff leads each residence hall. Student staff Resident Advisors (RAs) oversee all living areas to maintain the safety and security of residents and the facility. RAs conduct nightly safety rounds, while a Residence Life employee or designee stays on-call 24-hours a day for emergencies.

All residence halls use electronic access control and stay locked 24-hours a day. Only assigned residents and individuals with legitimate approval enter the building. Residents must escort their guests, and those with minor overnight guests must register them with the Residence Life Office using the Minor Overnight Guest Request form at https://sdsmt-advocate.symplicity.com/collections/minor_overnight_guest. Guest policies appear at all residence hall entrances.

Report potentially dangerous situations to Residence Life staff or Public Safety immediately. For more details on safety procedures and policies, see the Residence Life Handbook at <http://reslife.sdsmt.edu>.

ALCOHOL AND DRUG POLICY

South Dakota Board of Regents (SDBOR) Policy Manual (Updated October 2023), 3.4.1, Student Code of Conduct prohibits the following:

2.7. USE AND MISUSE OF SUBSTANCES

- 2.7.1 The unauthorized manufacture, sale, possession, use, or consumption of alcohol, marijuana (including cannabis used or possessed for medical purposes), or controlled substances by students.
- 2.7.2 However, possession, use, or distribution of alcohol, marijuana, or controlled substances is permitted on premises controlled by the Board of Regents when:
 - 2.7.1.1. Needed in conjunction with approved research activities.
 - 2.7.1.2. Alcohol is possessed, used, or distributed in a lawful manner inside a designated residence hall facility occupied exclusively by upper-division and/or non-traditional Students who are at least twenty-one (21) years of age.
 - 2.7.1.3. Alcohol is possessed, used, or distributed in a lawful manner on premises controlled



by the Board of Regents that have been designated by the Institution's president as places where such possession, use, and distribution may be permitted, subject to such conditions as the Institution's president may also prescribe, provided that a notice of such designation and conditions have been filed previously with the executive director of the Board of Regents; or

- 2.7.1.4. The possession, use, or distribution of the controlled substance is prescribed by a licensed health care professional authorized to prescribe such substances. For purposes of this section, a prescription does not include a written certification for use of medical marijuana, pursuant to SDCL 3420G-1(23). Students who use medical marijuana pursuant to a validly issued written certification when not on property controlled by the Board may subsequently report to class or participate in activities as long as such use does not cause impairment or disrupt academic or campus activities.
- 2.7.1.5. Alcohol is possessed, used, or distributed in a manner that is expressly approved by a Board Policy.
- 2.7.3 The unauthorized possession of any drug paraphernalia.

2.10. CONDUCT BY ORGANIZATIONS

- 2.10.2 The privileges of official recognition by an institution may be extended to organizations, including those that maintain residences for their members, only if such organizations agree to adopt and to enforce policies that, at minimum:
 - 2.10.2.1 Prohibit the manufacture, possession, use, dispensing, or provisions of alcoholic beverages at organizational functions or in the organizational residence by persons under the age of 21 (or the legal age of use and possession in the applicable jurisdiction);
 - 2.10.2.2 Prohibit the manufacture, possession, use, or dispensing of marijuana (including cannabis used or possessed for medical purposes) or unauthorized controlled substances at organizational functions or in the organizational residence;
 - 2.10.2.3 Prohibit the expenditure of organizational funds on alcoholic beverages, marijuana (including cannabis used or possessed for medical purposes), or controlled substances;
 - 2.10.2.4 Prohibit the informal collection of monies from members, associates, or invitees to be spent on alcoholic beverages, marijuana (including cannabis used or possessed for medical purposes), or controlled substances;
 - 2.10.2.5 Prohibit the possession, use, or distribution of alcohol, marijuana (including cannabis used or possessed for medical purposes), or controlled substances on premises controlled by the Board of Regents, except as explicitly permitted by Section C.2.6.2 (sic) of this Student Code;
 - 2.10.2.6 Establish conduct policies and sanctions regarding violations by individual members no less stringent than those set forth under Board Policies, except that limited use of alcoholic beverages is permissible as set out above; and
 - 2.10.2.7 Require that a report be filed with the Senior Student Affairs Officer each semester identifying all actions taken pursuant to the student conduct policies required in this Student Code;



COMMITMENT TO PROVIDING A DRUG FREE ENVIRONMENT

South Dakota Mines and the South Dakota Board of Regents as defined in SDBOR 4.7.1 Drug Free Environment and SDBOR 3.4.1 Student Code of Conduct are committed to providing a drug free environment. In support of SDBOR policies, South Dakota Mines students and employees are expected to abide by all local, state, and federal alcohol and other controlled substance laws while on any property affiliated with South Dakota Mines and in connection with any institutionally sponsored activity (e.g., possession by consumption for students under 21 years of age will be enforced).

Per SDBOR 4.7.1, any employee violating this prohibition shall be subject to appropriate disciplinary action, which may include termination of employment.

Per SDBOR policies, 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.

Suspected presence or usage of marijuana or other controlled substances within South Dakota Mines managed housing will be adjudicated through the student conduct process including potential referral to local law enforcement.

Violations of SDBOR alcohol and drug policies will result in minimum sanctioning available online at <https://www.sdsmt.edu/about/policies-and-compliance/community-standards.html>.

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 and jail time. In addition, criminal proceedings and criminal sanctions interrupt normal educational or employment activities and may result in individuals being required to withdraw from the university or a termination of employment. A criminal record is permanent and available in background checks. The existence of a criminal record may affect future employment, scholarship opportunities, student financial aid, certification or licensure requirements, or 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 online education and group discussions and continues through wellness initiatives throughout the academic calendar.

Residence Life takes a proactive role in training Resident Advisors in responding to alcohol poisoning, illegal drug use, opioid overdose emergency treatment, 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 community meetings with residents and through digital messaging, wellness online apps, and publications. All new students complete an online alcohol education and sexual assault education module.

Counseling Services and Student Health Services provide screening, information, referrals, and counseling on substance abuse. Each academic year the campus sponsors Health and Wellness events that provide information on local resources and educational materials related to substance abuse. Additional information regarding alcohol education information through the campus Prevention Specialist can be found online here: <https://www.sdsmt.edu/experience/counseling/alcohol-education-information.html>.

The Alliance for Substance Abuse Prevention Collaboration partners with and provides substance abuse prevention on the South Dakota Mines campus. The collaboration offers a wide range of educational services including alcohol, tobacco and other drug-use surveys, social norming information, bystander intervention training, wellness activities, counseling and referral, and alcohol and drug prevention classes such as Choices and Understanding Addiction.

Greek organizations have written agreements with the University that include a uniform alcohol policy and disciplinary guidelines. Student Development staff members are regularly involved with statewide campus networks, initiatives, and training related to substance abuse prevention. The student conduct administrator makes every effort to encourage growth and learning of new information for those with substance abuse infractions.

MISSING STUDENT POLICY

If students are believed to be missing, Residence Life staff or Public Safety staff should be notified immediately.

Residence Life staff, or designee, will initially attempt to contact the student via e-mail or phone. If no contact is made, a professional staff member (Director or Hall Director) accompanied by a second staff member will check the student's room to see if they are in their room or if visible personal property might indicate if the student has taken an extended trip or other planned absence from the residence hall.



Upon confirming the student is not present and has not been seen, staff will notify the Dean of Students who will then follow South Dakota Board of Regents Policy 3.4.5: Notification of Law Enforcement and Appropriate Persons that a Student is Missing at <https://public.powerdms.com/SDRegents/tree/documents/1680645>.

The Dean of Students will refer the missing student information within 24-hours or less to the Rapid City Police Department (RCPD) upon confirmation. The emergency contact or parent, if applicable, will be notified within 24-hours or less that the student is confirmed to be missing.

Students residing on campus are given the opportunity to identify their emergency contacts within their housing applications. Residence Life, authorized campus officials, and RCPD will use this confidential information in the event a student is believed to be missing. If an un-emancipated student under the age of eighteen is missing, the University will notify the custodial parent or legal guardian.

SEX OFFENDER REGISTRY

A list of Registered Sex Offenders in Pennington County, South Dakota, is accessible by contacting the Rapid City Police Department at 605-394-4134 or online at <https://sor.sd.gov/>.

SEXUAL MISCONDUCT & SEXUAL ASSAULT EDUCATIONAL PROGRAMS AND EFFORTS

South Dakota Mines is dedicated to promoting a safe environment for students, faculty, and staff. All community members can play a role in combating sexual assault and sexual misconduct by holding perpetrators accountable, supporting the rights and choices of those who have been assaulted, and making full use of campus resources to educate themselves on this serious, yet preventable problem. The University educates campus community members throughout the year on Title IX, the Violence Against Women Act, dating violence, domestic violence, stalking, and sexual assault through a variety of means, including:

- New Student Orientation programming;
- Online education for all students, faculty, and staff;
- Educational programming and training with targeted student populations;
- Educational programming throughout the academic year;
- Training for Residence Life Senior Staff and Resident Advisors; and
- Poster Campaigns.

SEXUAL MISCONDUCT & SEXUAL ASSAULT POLICIES AND PROCEDURES

SDBOR policy prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Students who are alleged to have committed these acts of sexual misconduct against members of the South Dakota Mines community will be subject to the SDBOR policies. SDBOR Policies 1.4.1, 1.4.2, 1.4.3, 1.4.4, 1.4.5, and 3.4.1 can be found online at: <https://www.sdsmt.edu/about/policies-and-compliance/title-ix/index.html>.

Any student, employee, or other person participating in institutional activities or using institutional facilities who engages in conduct that would constitute dating violence, domestic violence, sexual assault or stalking, in circumstances that implicate the person's fitness to study, work, participate in the functions or use the



facilities at the institution may be expelled, terminated, denied further participation in institutional programs or use of institutional facilities, or otherwise disciplined, upon notice and opportunity to be heard.

DEFINITIONS

South Dakota Board of Regents Policies 1.4.1, 1.4.2, and 3.4.1 define dating violence, domestic violence, sexual assault, stalking, and consent. These definitions align with South Dakota criminal law.

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.

1. 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.
2. For the purposes of this definition,
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.

Domestic violence means a felony or misdemeanor crime of violence committed:

1. By a current or former spouse or intimate partner of the victim.
2. By a person with whom the victim shares a child in common.
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner.
4. 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
5. 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.

For purposes of this section violent crimes are determined under the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program, which classifies four offenses involving involve force or threat of force as violent crimes: murder and nonnegligent manslaughter, rape, robbery, and aggravated assault, as set forth in 34 C.F.R. part 668 Appendix A to Subpart D of Part 668—Crime Definitions in Accordance With the Federal Bureau of Investigation's Uniform Crime Reporting Program:

1. Murder and Nonnegligent Manslaughter means the willful (nonnegligent) killing of one human being by another.
2. 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.



3. Robbery means the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence or by putting the victim in fear.
4. Aggravated Assault means an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

1. Rape has the same meaning as given above in § 3(B)(2)(b).
2. Fondling means 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.
3. 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: Marriages between parents and children, ancestors and descendants of every degree, and between brothers and sisters of the half as well as the whole blood, and between uncles and nieces, or aunts and nephews, and between cousins of the half as well as of the whole blood, are null and void from the beginning, whether the relationship is legitimate or illegitimate. The relationships provided for in this section include such relationships that arise through adoption.
4. Statutory Rape means sexual intercourse with a person who is under the statutory age of sixteen.

Stalking means:

1. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - a. Fear for the person's safety or the safety of others; or
 - b. Suffer substantial emotional distress.
2. For the purposes of this definition:
 - a. 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.
 - 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.

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:

1. if the victim is less than thirteen years of age; or
2. through the use of force, coercion, or threats of immediate and great bodily harm against the victim or other persons within the victim's presence, accompanied by apparent power of execution; or
3. if the victim is incapable, because of physical or mental incapacity, of giving consent to such act; or
4. if the victim is incapable of giving consent because of any intoxicating, narcotic, or anesthetic agent or hypnosis; or
5. if the victim is thirteen years of age, but less than sixteen years of age, and the perpetrator is at least three years older than the victim.

REDUCING THE RISK OF SEXUAL ASSAULT

You have the right to your own values, attitudes and beliefs about sexual behavior and relationships in general. Therefore, you have the right to determine the type of interactions and activities you feel comfortable with and to end those activities at any time.

- You are not obligated to perform sexual acts as payment or as a favor.
- You have the right to deny alcohol at any time. Alcohol impairs your judgment and lowers your ability to say NO!
- You have the right to say no at any time, for any reason, and to let the offending party know that his/her actions are unwelcome.
- Going to parties with people you trust may help you to avoid dangerous situations and is a great way to ensure that there will be others close by when needed.
- Having your own transportation gives you a degree of power to leave a challenging and potentially high-risk situation. If you travel to a party with a friend, depart together—stay safe.
- If you must walk alone, call for a walking escort with Public Safety (605-394-6100).
- Act as a positive bystander when you are out – help your friends, intervene in possibly dangerous situations, and get assistance from those around you.

WHAT TO DO IF YOU HAVE BEEN ASSAULTED

1. If you are in immediate danger, get to a safe place.



2. Call Public Safety (605-394-6100) or dial 911. Contact a safe person such as a friend. Campus Counseling Services and other community agencies are available to aid you.
3. If this is immediately following a sexual assault, please do not shower or “clean up.” While this is a natural impulse, medical examiners and forensics experts can use evidence from an assault to prosecute perpetrators. If you do “clean up,” there may still be information and evidence that can be collected.
4. All victims of sexual assaults are assisted by trained medical staff through Regional Health Systems and Working Against Violence, Inc. (WAVI) staff are available to help victims through their trauma.
5. You may wish to write down details of your assault. Be as thorough and descriptive as possible. If you can, make clothing and other items available to law enforcement.
6. Do not blame yourself. Sexual Assault is never the victim’s fault. Talk to others to get help. Friends, counseling services, and community agencies can help you.

REPORTING AND SUPPORT

Victims of any type of sexual harassment including sexual assault, stalking, dating violence or domestic violence have a variety of reporting mechanisms and support structures available to them in accordance with SDBOR Policies 1.4.1, 1.4.2, and 3.4.1. All sexual misconduct reports will be investigated by staff who receive annual training on sexual misconduct and SDBOR investigation policies and procedures.

- Sexual Misconduct should be reported to the Title IX Coordinator, Director of Community Standards, or the Dean of Students. Victims may also report sexual misconduct to any faculty, staff, or student staff. Staff will then report the misconduct to the Title IX Coordinator. All misconduct that is reported to these individuals will be investigated; the University will work with the victim to ensure their safety and educate them about support services available.
- Sexual Misconduct may also be reported through Advocate Reporting, online at <https://www.sdsmt.edu/about/policies-and-compliance/community-standards.html>. These reports may be given anonymously.
- Confidential support is available through the South Dakota Mines Counseling Services Office. More information is available at <https://www.sdsmt.edu/student-life/health-and-safety/counseling/index.html>.
- Confidential support is also available through the affiliated campus ministry programs at South Dakota Mines. A complete list of campus ministry programs can be found online: <https://www.sdsmt.edu/student-life/support-and-services/campus-ministries.html>.
- Sexual Misconduct may also be reported to the Rapid City Police Department. University staff will assist community members in making these reports, if they so choose, and encourage all victims of sexual misconduct to file reports with the local police.
- All reporting parties will receive a written explanation of rights and options.



INSTITUTIONAL RESPONSE

Sexual harassment investigations will be conducted according to the South Dakota Board of Regents Policy 1.4.1. Specifically, the University will follow the below institutional response procedures:

Actual knowledge of sexual harassment in connection with an education program or activity requires a prompt response in a manner that is not clearly unreasonable in light of the known circumstances. South Dakota Mines will 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 in Board of Regents Policy 1.4.1 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 will 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.

The Title IX Coordinator will advise the complainant of any counseling or support groups that are available for persons who feel that they have been subjected to discriminatory conduct and any supportive measures to avoid contact with the alleged perpetrator pending the results of the investigation and any related proceedings. The complainant will also be informed of the right to file other applicable administrative or criminal complaints and will not be dissuaded from doing so.

RECEIPT OF A FORMAL COMPLAINT

South Dakota Mines 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.



Within five (5) working days of receiving a formal complaint, the Title IX Coordinator will provide written notice to the parties who are known. Within ten (10) working days of receiving a formal complaint, South Dakota Mines will 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 institution 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.

South Dakota Mines may dismiss the formal complaint or any allegations 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, 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. Within five (5) working days of dismissing a formal complaint or any allegations, the institution shall send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

INVESTIGATION OF A FORMAL COMPLAINT

South Dakota Mines shall provide equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Prior to completion of the investigative report, the institution will send to each party and the party's advisor, if any, the evidence subject to inspection and review, and the parties must have at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report.

South Dakota Mines will 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. An investigative report that fairly summarizes relevant evidence will be provided and, at least ten (10) working days prior to a hearing (if a hearing is required) 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

South Dakota Mines shall provide for a live hearing conducted before a hearing examiner using the contested case proceedings set forth in SDCL Chapter 1-26. Notice shall be provided to both parties at least fifteen (15) days in advance of a live hearing. If a party does not have an advisor present at the live hearing, South Dakota Mines will 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.



PETITION FOR ADMINISTRATIVE REVIEW

The complainant and respondent may petition for administrative review of the institution’s proposed determination regarding responsibility, and an institution’s dismissal of a formal complaint or any allegations 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. 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.

INFORMAL RESOLUTION

At any point prior to reaching a determination regarding responsibility, South Dakota Mines may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the institution: provides written notice to both parties, obtains the parties’ voluntary consent, and does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

DISCIPLINARY POLICIES AND PROCEDURES

As defined in SDBOR Policy 1.4.1: 2.2.11, following a determination of responsibility by the University, disciplinary sanctions may be imposed on the Respondent. More than one sanction may be imposed for any single finding of responsibility. Imposition of a sanction may be delayed or suspended on such conditions as the University may prescribe. Disciplinary sanctions may include warnings, probation, loss of privileges, restitution, education/personal development sanctions, residence suspension, residence expulsion, suspension, expulsion, adverse employment action(s), withholding degree(s), and revoking admission and/or degree.

WEAPONS POLICY

Unauthorized possession of firearms and other items defined as dangerous weapons as referred to in BOR Policy 1.4.5 Section C.1 and BOR Policy 3.4.1 Section 2.3.6 on institutional premises is strictly prohibited. No person shall possess or carry a weapon while on university property, except as authorized in this policy.

DEFINITIONS:

Dangerous Weapons: As defined by SDCL 22-1-2(10), "Dangerous weapon" or "deadly weapon," any firearm, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm.

Firearm: As defined by SDCL 22-1-2(16), "Firearm," any weapon from which a projectile or projectiles may be discharged by gunpowder. As used in this subdivision, the word "gunpowder" includes any propellant that upon oxidization emits heat and light and is commonly used in firearms cartridges.



Weapons (BOR Policy 3.4.1): Firearms, stun guns, tasers, BB guns, switchblade knives, fixed blade knives with a length of five (5) inches or greater, or any item designed or used to injure or harm another person, fireworks, explosives, or dangerous chemicals on Institutional Premises or at Institutional events, except as explicitly permitted by Board Policy or Institutional Policy.

PERMISSIBLE USE, TRANSPORT, AND STORAGE:

The following are permissible when used in accordance with the relevant university, BOR, city, state, and federal policies and laws:

- Any starting gun while in use at an athletic event;
- Any firearm or air gun at a firing range, a gun show, or supervised school or session for training in the use of firearms;
- Any weapon under control of any certified law enforcement officer; Any weapon under the control of military personnel while in use during the performance of their duties; or the ceremonial presence of any unloaded weapon at a color guard ceremony.
- Any weapon under the control of authorized personnel while held in a storage facility operated by South Dakota Mines or while being transported to or from such a storage facility. Any weapon under the control of the owner while stored inside a locked personal motor vehicle
- Chemicals used for academic or research purposes purchased in accordance of university policies.
- Any fixed blade kitchen knives used in the preparation of food in a kitchen and secured/stored when not in use.
- Any knife or device created under the supervision of a recognized student group or for academic or research purposes.
- Any personal self-defense sprays using the active ingredient Oleoresin Capsicum (OC or pepper spray) under the control of the owner while carried for personal defense purposes.

USE OF SOUTH DAKOTA MINES WEAPONS STORAGE FACILITIES:

Weapons must be stored in a locked vehicle or surrendered to Public Safety for secure storage upon entering campus. If the weapon is surrendered to Public Safety, the individual will then be required to sign and abide by the Weapons Storage Agreement provided to them by Public Safety. When removed from storage, the weapon must be locked in the individual's vehicle and must never be taken to residence hall rooms or campus buildings. Public Safety may inform the community of planned activities involving weapons.

REQUESTING PERMISSION FOR EXCEPTIONS FOR USE, TRANSPORT, AND STORAGE:

If it is necessary to bring a weapon not listed in this policy on campus, approval from Public Safety or their designee must be obtained prior. If approved, the supervisor or designee must monitor the activities from start to finish. Public Safety or their designee will provide the information and plan for storage/use to the Senior Student Development Official and Senior Facilities, Risk & Services Official for informational purposes only.



REPORTING AND ADDRESSING ALLEGED VIOLATIONS:

Any person who becomes aware of an alleged violation of this policy must immediately notify Public Safety, Residence Life, Human Resources, or their supervisor. Employees who are bound legally not to release such information are excluded from the notification policy.

Violation of this policy will be addressed in accordance with BOR Policies 3.4.1, 1.4.5, 1.4.7, and 1.4.8 dependent upon the violator. Consequences may include immediate termination of employment, expulsion, or removal from campus.

SMOKE, VAPOR, AND TOBACCO-FREE CAMPUS POLICY

In order to protect and promote the health and comfort of college students, employees and visitors, smoking, vaping, and tobacco use of any kind is prohibited on the entire interior of the campus including campus buildings, residence halls, grounds and parking lots. Smoking, vaping, and tobacco use is allowed in personal vehicles in designated parking lots on the perimeter of campus. No sale or give away of smoking, vaping, or tobacco products is allowed on campus. Smoking, vaping, and tobacco use is also prohibited in and around all facilities managed by the university.

More information is available online through the South Dakota Mines Smoke, Vapor, and Tobacco-Free Campus Policy IV-08 at <https://www.sdsmt.edu/about/policies-and-compliance/policy-manual.html>.

CAMPUS FIRE REPORTING

Students residing in residence halls and apartments are provided with comprehensive information that will enable them to prevent, escape, report or handle any fire emergency within the residence halls or apartments.

Report a fire by dialing 911 followed by calling Public Safety (605-394-6100). To report a fire after the fact, contact Public Safety (605-394-6100) or Campus Environmental Health & Safety (605-394-6020).

FIRE DRILL TRAINING AND EVACUATION PROCEDURES

Fire drill exercises are conducted annually for all residence halls. Records are maintained on these exercises to include the following information: date and time, number of occupants evacuated, number of staff present, problems encountered, weather conditions, and time required to complete evacuation.

PROCEDURES FOR EVACUATION

1. When ordered to evacuate or when alarms are activated, always leave immediately.
2. Exit quickly and calmly using the nearest emergency escape routes and marked exits and proceed to Emergency Assembly Points (EAP). Do not use elevators.
3. Assist persons requiring evacuation assistance to get to designated areas. Be alert for trapped, injured, or other persons needing assistance.

Failure to evacuate the building during a fire drill or fire may result in disciplinary action. Fire officials or Residence Life staff will give the okay to return to the building. Under NO circumstances may a resident return to the building before permission is given.



FIRE SAFETY EDUCATION

All residence hall personnel receive annual training in fire safety and building evacuations. Resident Advisors are given the responsibility to coordinate the evacuation and to account for everyone under their charge at the designated Evacuation Assembly Point (EAP). All new residential students must complete an online fire safety course prior to moving into the residence halls.

RESIDENCE LIFE FIRE SAFETY POLICIES

All policies and procedures for residential students, including fire safety policies, are available through the Residence Life website, under the Residence Life Handbook at <http://reslife.sdsmt.edu>.

Specifically, Residence Life has the following fire safety policies in place:

3D Printers

Due to the hazards associated with it, SLA model 3D printers that use resin are not allowed. The use of 3D printers (FFF/FDM models) that use PLA filament or any other filament types are allowed if you follow manufacturer and safety instructions with proper room ventilation. With the number of additional locations that ABS filament can be used on campus, we do not allow its use either. If you have any questions about 3D printing, please direct them to Central Staff.

Hazardous Materials

Items that pose a serious risk to the safety of yourself and others are not allowed in the residence halls. These things include but are not limited to:

- space heaters;
- fireworks, other types of explosives, and any other incendiary devices (including candles with wicks);
- Ammunition;
- hazardous materials (things you can't fly on a plane with flammable chemicals, fertilizer, fuel, accelerants, spray paints, etc.);
- household cleaning chemicals in large quantities;
- real trees and wreaths (they become a fire hazard); and
- holiday lights are allowed IF they are labeled for indoor use, are UL-approved, and in good condition.

Fire Alarms

Do not tamper with any safety equipment. Don't place anything on or around this equipment. This includes, but is not limited to:

- smoke detectors;
- sprinkler heads;
- fire extinguishers;
- heat detectors;



- defibrillators; and
- hydrants.

You are expected to leave the building immediately during a fire alarm. Choosing to not do so may result in disciplinary action. Anything you do that causes false fire alarms or unsafe conditions may also result in disciplinary action.

DESCRIPTION OF FIRE-SAFETY SYSTEMS IN CAMPUS HOUSING

BUILDING	SMOKE ALARM & FIRE EXTINGUISHERS	FIRE ALARM EXTERNAL MONITORING	SPRINKLER	FIRE DRILLS
Connolly Hall	Yes	Yes	Yes	1
Palmerton Hall	Yes	Yes	Yes	1
Peterson Hall	Yes	Yes	Yes	1
Rocker Square I	Yes	Yes	Yes	1
Rocker Square II	Yes	Yes	Yes	1
Placer Hall	Yes	Yes	Yes	1

FIRE STATISTICS, FIRE LOG & FUTURE IMPROVEMENT PLANS

The 2023 Fire Statistics Annual Report can be found in Appendix A. The reporting is by calendar year and are for periods: Jan. 1, 2021 – Dec. 31, 2021; Jan. 1, 2022 – Dec. 31, 2022; Jan. 1, 2023 – Dec. 31, 2023. For purposes of this report, a fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

The Fire Log and additional information concerning fire incidents can be found at http://sdmines.sdsmt.edu/cgi-bin/global/fs_view_alarms_list.cgi. All residential buildings are fully sprinkled and buildings are monitored for fires. The University does not have future improvement plans at this time.



APPENDIX A

SOUTH DAKOTA MINES ANNUAL FIRE REPORT STATISTICS 2023

Appendix A provides a summary of fire incidents reported in South Dakota Mines residence halls from 2021 to 2023. The data includes the building name, year of occurrence, cause of the fire (if applicable), and details on the number of fires, injuries, deaths, and property damage.

BUILDING	YEAR	CAUSE	NUMBER OF FIRES	NUMBER OF INJURIES	NUMBER OF DEATHS	PROPERTY DAMAGE
Connolly Hall	2021	NA	0	0	0	\$0
Palmerton Hall	2021	NA	0	0	0	\$0
Peterson Hall	2021	NA	0	0	0	\$0
Rocker Square I	2021	NA	0	0	0	\$0
Rocker Square II	2021	NA	0	0	0	\$0
Placer Hall	2021	Cooking	1	0	0	\$0

BUILDING	YEAR	CAUSE	NUMBER OF FIRES	NUMBER OF INJURIES	NUMBER OF DEATHS	PROPERTY DAMAGE
Connolly Hall	2022	NA	0	0	0	\$0
Palmerton Hall	2022	Cooking	1	0	0	\$0
Peterson Hall	2022	NA	0	0	0	\$0
Rocker Square I	2022	NA	0	0	0	\$0
Rocker Square II	2022	NA	0	0	0	\$0
Placer Hall	2022	NA	0	0	0	\$0

BUILDING	YEAR	CAUSE	NUMBER OF FIRES	NUMBER OF INJURIES	NUMBER OF DEATHS	PROPERTY DAMAGE
Connolly Hall	2023	NA	0	0	0	\$0
Palmerton Hall	2023	NA	0	0	0	\$0
Peterson Hall	2023	NA	0	0	0	\$0
Rocker Square I	2023	NA	0	0	0	\$0
Rocker Square II	2023	NA	0	0	0	\$0
Placer Hall	2023	NA	0	0	0	\$0



APPENDIX B

SOUTH DAKOTA MINES ANNUAL CRIME REPORT STATISTICS 2023

The South Dakota School of Mines & Technology remains committed to ensuring the safety and security of our students and employees. The crime statistics provided in this appendix are collected from crime reports filed by the Rapid City Police Department, as well as campus agencies including Public Safety and Community Standards. These statistics are mandated by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and are reported on a calendar year basis for the periods of January 1, 2021 – December 31, 2021; January 1, 2022 – December 31, 2022; and January 1, 2023 – December 31, 2023.

All statistics are categorized according to the FBI Uniform Crime Reporting (UCR) system, with adjustments made to comply with the Hate Crimes Statistics Act and the 1992 reauthorization of the Higher Education Act. The data presented includes offenses that occurred on campus, in non-campus buildings or properties owned or controlled by the University, and on public property within the campus and immediately adjacent to the campus.

REPORTABLE OFFENSES:

- Murder & Non-Negligent Manslaughter
- Manslaughter by Negligence
- Sexual Offenses (Rape, Fondling, Incest, Statutory Rape)
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking

The University must also report statistics related to arrests and referrals for disciplinary action for:

- Liquor Law Violations
- Drug Violations
- Weapon Law Violations

Lastly, statistics for hate crimes involving the offenses, as well as larceny, simple assault, intimidation, and destruction of property, are provided. It is important to note that no unfounded crimes were reported during the 2021-2023 calendar years.



CRIMINAL OFFENSES REPORTED

A glossary of terms related to the follow categories and locations may be found through the Campus Safety and Security website at <https://surveys.ope.ed.gov/campussafety/#/glossary>.

CATEGORIES	ON CAMPUS			ON-CAMPUS STUDENT HOUSING FACILITIES INCLUDED IN ON CAMPUS			NON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	0	0	1	0	0	0	0	0	1	0	0	0
Fondling	0	0	0	0	0	0	1	1	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	1	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	3	0	0	2	0	0	1	0	0	0	0	0
Motor Vehicle Theft	1	0	0	1	0	0	1	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	1
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	1
Stalking	1	2	1	0	2	1	0	0	0	0	0	0

ARRESTS AND DISCIPLINE REFERRALS

A glossary of terms related to the follow categories and locations may be found through the Campus Safety and Security website at <https://surveys.ope.ed.gov/campussafety/#/glossary>.

CATEGORIES		ON CAMPUS			ON-CAMPUS STUDENT HOUSING FACILITIES INCLUDED IN ON CAMPUS			NON-CAMPUS PROPERTY			PUBLIC PROPERTY		
		2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Liquor Law Violations	Arrest	1	0	0	0	0	0	0	0	0	0	0	0
	Discipline Referral	15	30	33	15	28	33	0	2	0	0	0	0
Drug Law Violations	Arrest	1	1	0	0	0	0	0	0	0	0	1	0
	Discipline Referral	2	2	3	2	2	3	0	1	0	0	0	0
Weapon Law Violations	Arrest	0	0	0	0	0	0	0	0	0	0	0	0
	Discipline Referral	0	0	0	0	0	0	0	1	0	0	0	0



HATE CRIMES REPORTED

A glossary of terms related to the follow categories and locations may be found through the Campus Safety and Security website at <https://surveys.ope.ed.gov/campussafety/#/glossary>.

CATEGORIES	ON CAMPUS			ON-CAMPUS STUDENT HOUSING FACILITIES INCLUDED IN ON CAMPUS			NON-CAMPUS PROPERTY			PUBLIC PROPERTY		
	2021	2022	2023	2021	2022	2023	2021	2022	2023	2021	2022	2023
Murder & Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Theft	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	0	0	0	0	0	0	0	0
Destruction / Damage / Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0