



North Dakota State University

Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Biennial Review: 2024

December 2024

North Dakota State University
Drug-Free Schools and Campuses Regulations [EDGAR Part 86]
Alcohol and Other Drug Prevention Certification

The undersigned certifies that it has adopted and implemented an alcohol and other drug prevention program for its students and employees that includes:

1. **The annual distribution to each employee, and to each student who is taking one or more classes of any kind for academic credit except for continuing education credit units, regardless of the length of the student's program of study, of:**
 - Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
 - A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol.
 - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
 - A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees and students.
 - A clear statement that the institution will impose disciplinary sanction on students and employees (consistent with state and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

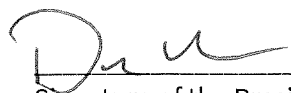
2. **A biennial review by the institution of its alcohol and other drug prevention comprehensive program to:**
 - Determine its effectiveness and implement changes to its comprehensive alcohol and other drug prevention program and policies if they are needed.
 - Ensure that its disciplinary sanctions are consistently enforced.

North Dakota State University

Name of college/university

David Cook

Typed name of President



Signature of the President

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I. Introduction / Overview

North Dakota State University (NDSU) is committed to an environment that supports the academic success and health and well-being of our faculty, staff and students and has a Drug-Free Campus Program that serves to provide the campus with activities and services designed to encourage a healthy and drug-free lifestyle.

In keeping with the requirements of the Drug-Free Schools and Campuses Regulations [EDGAR Part 86], NDSU has an Alcohol and Other Drug Policy that describes standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on NDSU property or as part of any University sponsored activities. The policy includes the following:

- i. A description of legal sanctions under federal, state, or local law for the unlawful possession use or distribution of illicit drugs and alcohol;
- ii. A clear statement of disciplinary sanctions NDSU will impose on students and employees for violations of the standards of conduct;
- iii. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- iv. A description of the drug and alcohol counseling and treatment resources available to students and employees.

As outlined in the “Complying with the Drug-Free Schools and Campuses Regulations” [EDGAR Part 86], the policy is distributed to all students and employees as part of our Drug-Free Campus Program.

This required biennial review has the following two objectives. First, to determine the effectiveness of, and to implement necessary changes to, the Drug-Free Campus Program. Secondly, to ensure that campuses enforce the disciplinary sanctions for violating standards of conduct consistently.

II. Biennial Review Process

The 2024 Biennial Review covers the period of 2022-2024. Specifically, the fall 2022 semester through the summer of 2024.

A. Biennial Review Preparer

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B. Location of Biennial Review

The most current Biennial Review for North Dakota State University will be posted on the NDSU Student Health Service Website within the Substance Use Education pages (https://www.ndsu.edu/studenthealthservice/healthpromotion/substance_use_education/resources/) A hard copy will be made available upon request to the Biennial Review Preparer listed above.

III. Annual Policy Notification Process

A. Content of Alcohol/Drug Abuse and Prevention Statement

North Dakota State University, hereinafter referred to as NDSU, complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the Drug Free Workplace Act of 1988, Public law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and 2 CFR § 182.215.

NDSU has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and the safety and welfare of all members of the university community. This policy statement has been established because NDSU:

- i. is committed to changing the culture that perpetuates the misuse and abuse of alcohol and other drugs;
- ii. is concerned with promoting the well-being of our campus and surrounding communities;
- iii. believes that the solution to alcohol and other drug misuse and abuse will require a community-wide approach

The NDSU Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees (Policy 155) can be found online: <https://www.ndsu.edu/fileadmin/policy/155.pdf> and in Appendix A.

B. Notification Process for Employees

Each faculty and staff member receive an email from the Director of Human Resources containing the NDSU's Alcohol and Other Drugs Policy. This email is sent out early fall semester and early spring semester (see Appendix B for Policy Email Notification to Employees). Furthermore, the policy is included in the [NDSU Annual Notice of Policies/Designated Medical Provider](#) annual requirement for all employees to review and DocuSign.

C. Notification Process for Students

Each student receives an email from the Dean of Students containing the NDSU's Alcohol and Other Drugs Policy. This email is sent out early fall semester and early spring semester (see Appendix C for Policy Email Notification to Students).

Students are informed of and required to abide by the Rights and Responsibilities of Community: A Code of Student Conduct ([Policy 601](#)- Appendix D) that outlines NDSU's behavioral expectations of students and student organizations, prohibited conduct, the process for handling potential violations, and the possible outcomes of the conduct process.

Additionally, student employees follow the same NDSU Annual Notice of Policies requirement as listed above for employees.

D. Email Communication

Email is an official communication method to both employees ([Policy 158.1](#) – Appendix E) and students ([Policy 609](#) – Appendix F) therefore, it is a reasonable assurance that each student, staff and faculty member receives the materials annually.

IV. Alcohol and Other Drug (AOD) Prevalence Rate, Incidence Rate, Needs Assessment, and Trend Data

A. American College Health Association – National College Health Assessment III (ACHA-NCHA III)

The American College Health Association – National College Health Assessment III (ACHA-NCHA III) is a nationally recognized survey that assists in collecting precise data about students' health habits, behaviors, and perceptions. It captures a wide variety of key health and wellness related topics including: substance use, sexual health, nutrition, exercise, mental health, personal safety, and preventive health practices. NDSU participated in Spring of 2021, Spring of 2024, and will continue implementing on a cyclical basis as part of the ongoing data collection plan for the NDUS. The 2024 data is being further analyzed and distributed to campus by the [Presidents Council for Well-being Data Exploration Work Group](#) and used to guide well-being campus efforts. (See Appendix G for ACHA-NCHA 2024 Executive Data Summary).

V. AOD Policy, Enforcement, and Compliance Inventory

A. Inventory of Policies

- a. Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees - [Policy 155](#) (Appendix A)

- b. Tobacco/Nicotine-Free Campus - [Policy 153](#) (Appendix H)

NDSU went from Smoke-Free to a Tobacco/Nicotine-Free Campus in September 2024. This policy change highlights that the use of tobacco/nicotine products is linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). NDSU is committed to promoting healthier educational, work and living environments and recognizes the serious health risks associated with the use of tobacco products, both to users and non-users alike, and believes that the use of Tobacco Products is detrimental to the health and safety of students, employees and visitors.

This tobacco/nicotine-free policy is established to:

- i. Reduce the high incidence of tobacco use in North Dakota.
- ii. Protect the health and safety of all students, employees, and the general public.
- iii. Establish a standard of healthy, tobacco/nicotine-free behavior.

- c. Rights and Responsibilities of Community: A Code of Student Conduct - [Policy 601](#) (Appendix D)

The Code of Student Conduct (Code) is derived from three core values that support an educational environment:

- i. Respect for the NDSU community (on and off campus),

- ii. Respect for the protection and rights of others, and
- iii. Respect for students in the conduct resolution process.

This Code strives to foster development of personal accountability and commitment to the mission and values of the NDSU community. The Code specifically addresses prohibited conduct such as Alcohol on NDSU Property, Off Campus Alcohol, Drugs Other Than Alcohol, Conduct While Under the Influence of Alcohol or Other Drugs, Alcohol at Student Organization Events, Advertising Related to Alcohol, and Smoking.

d. Code of Conduct - [Policy 151](#) (Appendix I)

This Code of Conduct establishes minimum standards for all NDSU employees. NDSU is committed to uphold the highest ethical and professional standards. All NDSU employees must, at all times, comply with all applicable laws, regulations, policies and procedures.

This policy specifically states, unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of NDSU, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or NDSU Policy 155 Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees are prohibited.

e. Drug and Alcohol Testing - [Policy 161.1](#) (Appendix J)

NDSU is committed to providing a safe working environment and to protect the health and safety of students, faculty and staff, visitors and University property. This policy provides a mechanism for identifying and intervening when individuals who could pose a threat to the safety of others and property. Required drug and alcohol screening of employees in designated positions is addressed in NDSU policy 161.1.

f. Faculty/Staff Assistance - [Policy 134](#) (Appendix K)

North Dakota State University recognizes that a wide range of personal problems may affect employees' work performance. Such problems typically relate to family, finances, marriage, legal matters, career decisions, personal concerns, and alcohol/drug abuse. This policy provides information and referral to the Employee Assistance Program.

g. NDSU Student-Athlete Handbook and Code of Conduct (Appendix L)

The Code of Conduct for student athletes includes the information, guidelines and resources needed for success and academic excellence. The Code includes drug testing/alcohol screening and educational guidelines.

h. NDSU Football Tailgating Policy (Appendix M)

Standards have been developed so that NDSU students, faculty, staff, alumni, and guests may enjoy their game day experience to the fullest. It is the expectation that all cooperate in observing each of standards, which are provided in the best interest of health and safety.

- i. [NDSU Fan Code of Conduct \(includes Alcohol Management Plan\)](#) (Appendix N)
NDSU updated the Fan Code of Conduct to include an Alcohol Management Plan in August 2022. NDSU Athletics promotes responsible drinking, positive fan behavior, and an enjoyable fan experience at all NDSU athletic events as referenced in the Fan Code of Conduct. The details of the NDSU alcohol management plan include:
 - i. If you drink, drink responsibly and pace your drinking. Watch out for your friends and always designate a driver. Drinking laws, including underage drinking, are strictly enforced.
 - ii. Be respectful of your fellow Bison who are working on event day. They are there to provide a safe, fun-filled experience for everyone in attendance.
 - iii. Help us maintain a fun, safe, and secure experience. If you see something dangerous or disruptive, say something to a staff member.

- j. [Parental Notification Policy](#)
Parents or guardians of students under 21 may be contacted by an NDSU staff member if a student is found responsible for alcohol and/or drug related violations. Notification may be made in the following instances:
 - i. If a University referral for assessments or evaluations for chemical dependency is assigned, and/or when conduct sanctions of Conduct Probation or greater are assigned.
 - ii. Based on situations that appear to endanger the health, safety, or life of other persons or the student.
 - iii. If an individual is involved in incidents that resulting in significant property damage.
 - iv. If a decision is made that it is in the best interest of the student to involve a parent or guardian to help address other significant life concerns related to illegal use of alcohol or other drugs.

- k. [Sexual and Gender-Based Harassment and Sexual Misconduct Policy – Policy 162](#) (Appendix O)
Amnesty for drug and alcohol use – NDSU strongly encourages all University community members to report instances of sexual harassment, gender-based harassment or sexual misconduct as soon as possible. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to report due to potential policy violations. To minimize hesitancy, an individual who reports sexual harassment, gender-based harassment or sexual misconduct, either as a complainant or as a witness, will not be subject to disciplinary action for any violation of NDSU’s Policy 155 against alcohol and other drugs in connection with the reported incident.

- l. [Interfraternity Constitution and Bylaws](#) (Appendix P)
Article V. IFC Code of Standards Section I. Alcohol, Section II. Drugs and Other Substances, and Section III. Responsible Action Expectations support NDSU Policy 155 and include specific information relevant to the IFC population.

B. Enforcement - On-Campus Authorities

- a. [University Police and Safety Office](#)
The University Police and Safety Office provides professional services and resources to help the campus be a safe and secure environment while being prepared to respond to

the emergency service needs of the community. To accomplish this, the department serves as the lead institutional unit responsible for safety and security, law enforcement, risk management and emergency preparedness and response.

b. Dean of Students Office

The Dean of Students office serves campus by addressing student concerns, connecting students to resources, and consulting with campus partners on a wide range of student issues.

C. Enforcement - Off-Campus Authorities

a. Local officials, departments, and established codes and ordinances support a healthy and safe Fargo, West Fargo, and Moorhead community.

- i. [Fargo Municipal Code](#)
- ii. [Moorhead City Code](#)
- iii. [West Fargo City Ordinances](#)
- iv. [North Dakota Century Code](#)

D. Enforcement - Other

a. NDSU student affairs staff, legal staff, and law enforcement staff have developed positive, collaborative relationships with community law enforcement agencies and judicial representatives. Representatives communicate regularly about shared concerns related to student behavior in the community, including a biennial meeting for campus officials and local law enforcement representatives. These relationships have led to mutual city and university support for city ordinances and state laws related to alcohol and other drugs.

E. NDSU Alcohol and Drug-related Reported Violations

Incidences related to alcohol and other drugs are reported on-campus and off-campus using the number of disciplinary cases handled yearly.

a. Residence Life AOD Violation Trends

Residence Life AOD Violations			
Academic Year	Alcohol	Other Drug	Total Disciplinary
2021-2022	439	89	682
2022-2023	272	19	1,190
2023-2024	286	19	983

b. Student Life AOD Violations

Student Life AOD Violations			
Academic Year	Alcohol	Other Drug	Total Disciplinary
2021-2022	144	1	157
2022-2023	36	2	129
2023-2024	74	13	307

The total number of violations reflect the date of incident during a given academic year for individuals enrolled at the time of the incident. The total violation number includes all

incidents reported to the department above, including alcohol, other drugs, and all other code violations. If an incident involved both an alcohol and a drug violation, the incident will be counted in both the alcohol and drug columns. The incident numbers are not always reflective of how many cases were heard, as information collected while a student has taken time away from the University is held until the student returns. The incident numbers do not reflect if a student was found responsible for a violation, only if the student was charged by the University.

c. NDSU Crime and Referral Statistics

Annual statistics are prepared by collecting crime and referral data from NDSU Police records, Residence Life and other Campus Security Authorities. All statistics are gathered, compiled and reported to the university community via the [2024-2025 Annual Security Report on Personal Safety and Security](#) document published by the University Police and Safety Office (Appendix Q).

The following include trend data for alcohol and drug related citations:

Offense (Reported by Hierarchy)	year	On-campus property	On-campus Housing facilities	Non-campus property	Public Property	Unfounded Crimes
Liquor Law Arrests	2023	30	14	0	2	0
	2022	47	6	0	3	0
	2021	24	12	0	12	0
Drug Law Arrests	2023	5	1	0	7	0
	2022	8	6	0	11	0
	2021	7	6	0	6	0
Liquor Law Violations Referred for Disciplinary Action	2023	83	82	0	0	0
	2022	101	101	0	0	0
	2021	173	172	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0
	2022	2	2	0	0	0
	2021	0	0	0	0	0

d. Number of requests for permission/authorization

- i. Presidential exceptions - 25
- ii. Fraternity and Sorority requests made by completing the Alcohol Risk Management Assessment – 36

VI. AOD Comprehensive Program/Intervention Inventory & Related Process and Outcomes/Data

A. Community Activities/Initiatives

- a. [North Dakota Higher Education Consortium for Substance Abuse Prevention \(NDHECSAP\)](#)
NDSU is a member institution of the North Dakota Higher Education Consortium for Substance Abuse Prevention (NDHECSAP). This consortium provides support to all member institutions to reduce substance use in North Dakota's college student population and reduce negative health and safety consequences related to substance use in that population.
- b. [Recovery Reinvented](#)
Recovery Reinvented is a movement to end the shame and stigma surrounding the disease of addiction in North Dakota.

B. Programs for Special Populations

- a. [Student Athletes](#)
Alcohol and tobacco/nicotine education is provided for athletes as a means to educate on harm reduction. It is a brief alcohol prevention and harm reduction presentation. It walks students through risks and norms associated with alcohol and how it may impact their athletic performance. It also gives the student information, strategies and skills to make low risk decisions about alcohol and tobacco/nicotine use.

C. Individual Based Programs/Interventions

- a. [Brief Alcohol and Screening and Intervention for College Students \(BASICS\)](#)
BASICS is a service available for students who want to explore their alcohol and other drug use. It is designed to assist students in examining their own behaviors in a judgment-free environment. BASICS may be required when a student violates NDSU policy in regards to alcohol and other drugs.
- b. [CHOICES](#)
CHOICES is a means to educate on harm reduction. It is a brief alcohol prevention and harm reduction program. It walks students through self-reflection and discussion about facts, risks and norms associated with alcohol. It also gives the student information, strategies and skills to make low risk decisions about alcohol.
- c. [eCHECKUP TO GO – Alcohol](#)
Electronic eCHECKUP TO GO is a brief on-line assessment and feedback tool designed to reduce drinking among college students. eCHECKUP is designed to motivate students to reduce their consumption using personalized information about their own drinking and risk factors.

Alcohol eCHECKUP TO GO is currently being required of all first-year students at NDSU. North Dakota state-appropriated funding, through the ND Higher Education Consortium on Substance Abuse Prevention, is allotted to each participating institution to cover the costs of an eCHECKUP Alcohol subscription. All first-year students are notified of the requirement to complete eCHECKUP prior to the start of their first semester, and they are sent multiple reminders throughout the first several weeks of the semester. Correspondence to students regarding the requirement comes from Student Health Service Health Promotion.

d. [eCHECKUP TO GO – Nicotine](#)

The Nicotine eCHECKUP TO GO is a non-required self-assessment that provides students with accurate and personalized feedback about:

- i. Individual nicotine/tobacco use pattern
- ii. Risk patterns
- iii. Aspirations and goals
- iv. Helpful resources at and in the community

e. [eCHECKUP TO GO – Cannabis](#)

The Cannabis eCHECKUP TO GO is a non-required self-assessment that provides students with accurate and personalized feedback about:

- i. Individual cannabis use pattern
- ii. Risk patterns
- iii. Aspirations and goals
- iv. Helpful resources at and in the community

f. [eCHECKUP TO GO – Screeners](#)

eCHECKUP TO GO Screeners include:

- i. Thinking about my drinking habits
- ii. Tense and worried in general
- iii. Concerned about my cannabis use
- iv. Concerned about my eating habits
- v. Mood changes from very high to low
- vi. Feeling sad, empty or down
- vii. Concerned about my opioid usage
- viii. Troubled by past shocking painful events

g. [Student Health Service](#)

All student patients who utilize Student Health Service will undergo a number of regular screening questions addressing alcohol use, tobacco use, mental health, and sexual activity. Any indication of concern will prompt a larger conversation with the student and their nurse, provider or possibly be cause for referral.

h. [Counseling Center](#)

The Counseling Center works with students to reduce risky behavioral choices through one-on-one and group counseling, as well as through programs and workshops offered by Center staff members.

i. [Sexual Assault Prevention and Advocacy](#)

The Sexual Assault Prevention Advocate serves as a support and resource for students who may have experienced sexual assault, harassment, or intimate partner violence and connects that student to systems of support both on and off campus.

e. [Employee Assistance Program \(Faculty/Staff Assistance - \[Policy 134\]\(#\)\)](#) (Appendix K)

NDSU pays the premium to provide counseling services to employees and their household members through The Village EAP. This service may provide evaluation and/or treatment for alcohol or other drug related problems.

j. Resident Assistant Intentional Conversations

Resident Assistants are asked to intentionally connect with their residents three times each semester (about once every six weeks) to talk with them about specific topics related to their development at NDSU. It is during these conversations where challenges with academics, mental health concerns, substance use related concerns, etc. may be identified. RAs will suggest resources based on what the student shares and will refer to additional support as needed.

k. NDSU Care Team

The Care Team meets weekly, and is designed to address concerning student behaviors and coordinate student care. Focused on student safety and support, the team consists of professionals from across campus. The Care Team includes representation from offices such as: Residence Life, Counseling Center, Student Health Service, University Police and Safety Office, Student Success Programs, TRIO, Disability Services, and Student Case Management, Dean of Students Office.

The Care Team also partners and consults with other campus offices and local agencies as appropriate. Some students may be appropriate for Case Management Services. The Care Team referral form may also be used to refer a student for Student Case Management. Case Management is a method of providing services where a licensed social worker works with the student to assess their needs that may be presenting barriers to their success at NDSU. When appropriate, the case manager will work with the student to arrange, coordinate, monitor, evaluate, advocate, and connect students to services on and off campus.

l. Case Management

Case Management is a method of providing services where a licensed social worker works with the student to assess their needs that may be presenting barriers to their success at NDSU. When appropriate, the case manager will work with the student to arrange, coordinate, monitor, evaluate, advocate, and connect students to services on and off campus.

m. Referrals to off-campus Treatment Providers

Students who are needing further assistance are provided a number of resources for community programs and facilities. Referrals are made through Student Health Service, Counseling Center, and the Case Manager.

D. Group Based Programs/Interventions

a. Alcohol and other Drug Education delivered during Orientation

A collaborative presentation with Counseling Center, Wellness Center, University Police, and Student Health Service on campus well-being and related resources is provided for parents and guardians of first year students, which includes an overview of alcohol and other drug policies, safety and security information and eCHECKUP to go is discussed as a requirement.

b. Peer Education Programs

Peer Education is an approach to health promotion in which students are trained to promote health-enhancing knowledge and skills among their peers. These Peer

Educators serve as positive role models to their fellow students while providing opportunities and information to engage in healthy decision-making, behaviors, and personal and community connections. Student Health Service has two peer education groups:

- i. Campus Well-being Educators (CWEs) – This peer education group is dedicated to promoting healthy lifestyle choices for NDSU students through health and well-being programming and campus outreach with support of the President’s Council for Well-being.
 - ii. Violence Prevention Educators (VPEs) – This peer education group is focused on educating the campus community on awareness and prevention of power based personal violence with an emphasis on sexual violence, dating violence and stalking.
- c. [Campus Attractions](#)
Campus Attractions (CA) is dedicated to serving the NDSU community by providing educational, cultural, social and recreational programs and activities through a wide variety of resources. CA works hard to provide NDSU students with many unique and entertaining opportunities including but not limited to late night events, hypnotist, concerts, speakers, and free weekly movies. CA is a student-run programming board that is always trying to add exciting events to the NDSU campus.
- d. [We Take a Stand Training](#)
A 90-minute mandatory sexual violence prevention seminar for all incoming freshmen and transfer students which focuses on sexual violence, staking, bystander intervention, and personal safety. This training includes scenario-based discussion questions and includes conversation around alcohol and consent.
- e. [Student Health Service/Health Promotion Presentation Request Form](#)
The Student Health Service/Health Promotion staff and students/peer educators are available to provide presentations and education per request. Topics have included overall well-being, sleep, substance use education, sexual assault prevention, and more.

E. Universal or Entire Population Based Programs Programs/Interventions

- a. [Presidents Council for Well-being](#)
The President's Council for Well-being (PCW) was formed to support the academic mission of the university by taking a holistic approach to increasing and sustaining all aspects of well-being. The PCW brings together a multi-disciplinary group of NDSU faculty, staff, students and community partners to address a range of social and environmental factors that strengthen the health and well-being of our NDSU community.

The following Strategic Plan and Annual Reports outline established goals and actions items:

- i. [Strategic Plan](#) (Appendix R)
- ii. [2021-2022 Annual Report](#) (Appendix S)
- iii. [2022-2023 Annual Report](#) (Appendix T)
- iv. [2023-2024 Annual Report](#) (Appendix U)

- a. Social Norming and Awareness Education
 - i. President’s Council for Well-being (PCW) Well-being Awareness Campaign
The Council developed education and social norming messaging addressing all areas of well-being using ACHA-NCHA data and worked with a Marketing and Communication class to develop material and gain student feedback and insight.
 - ii. Student Health Service social media accounts (Facebook and Instagram) regularly incorporate substance use education and social norming.

- b. Substance Use Education website
The Substance Use Education website and programming strives to educate students and the campus community about the risks associated with alcohol use, communicate clear messages about the consequences of underage drinking and provide on-campus programs and activities. Website includes family information, frequently asked questions, and Resources.

- c. Think... programming
"Think..." is a series of educational sessions for the NDSU community "to reflect on or ponder" a variety of health and well-being topics. This program is designed by Student Health Service Health Promotion and supported by the Presidents Council for Well-being.

- d. Mental Health First Aid Training
Mental Health First Aid teaches you how to identify, understand and respond to signs of mental illness and substance use disorders. This training gives you the skills you need to reach out and provide initial support to someone who may be developing a mental health or substance use problem and help connect them to the appropriate care.

Mental Health First Aid Training Covers:
 - i. Common signs and symptoms of mental illness
 - ii. Common signs and symptoms of substance abuse
 - iii. How to interact with a person in crisis
 - iv. How to connect someone with help
 - v. Newly added: Expanded content on trauma, addiction and self-care

- e. Question, Persuade, Refer (QPR) Training
QPR is a proven method for preventing suicide, similar to CPR for medical emergencies. The training teaches skills on how to Question someone about suicide, Persuade them to seek help, and Refer them to appropriate resources. This training is provided by NDSU Extension and is available to the community.

F. Environmental/Socio-Ecological Based Programs

- a. The President’s Council for Well-being (PCW)
The PCW was formed to support the academic mission of the University by taking a holistic approach to increasing and sustaining all aspects of well-being. The President’s Council expands the scope of the work already being done on campus to further address factors that impact overall well-being. Designation as a “President’s Council” signals the strategic importance of creating a campus of well-being to the success of NDSU.

- b. [Alcohol-Free Social Options with Extended Hours](#)
Extended hours are available for students at the following facilities:
 - i. The NDSU Wallman Wellness Center’s fitness
 - ii. The Memorial Union
 - iii. The Memorial Union Rec & Outing Center
 - iv. NDSU Library
 - v. Campus Attractions: Organizes movies, films, picnics and games in different locations on the campus.
- c. [NDSU Wellness Center](#)
The Wellness Center promotes a culture of life-long wellness by developing innovative programs and services for the NDSU community.
- d. [Student Health Service, Health Promotion](#)
Health Promotion strives to promote and advocate for NDSU as a campus of health and well-being through education, awareness, and involvement opportunities. Health Promotion assists with collaborative presentations and conducts guest talks for the campus community and for a variety of student groups.
- e. [NDSU Volunteer Network](#)
The Volunteer Network (VN) helps students, faculty and staff find service opportunities in the Fargo-Moorhead and surrounding communities. Our student staff works closely with nonprofit agencies to identify individual and group service opportunities that not only meet the needs of the community, but match student interests and skills. The VN also coordinates special programs and events throughout the school year to address community needs, engage NDSU students in service, and educate about social justice issues. The VN recognizes and understands the civic and social challenges of our local and global communities.

VII. Alcohol and Other Drug Comprehensive Program Goals and Objectives for Biennium

- A. In the 2022 Biennial Review report, the following recommendations were made for the current review:
 - a. Focus on best practices around policies allowing alcohol sales on campus or at college sporting events. Examples include:
 - i. Communicate the policy consistently
 - ii. Increase “responsible drinking” messaging on game day and more consistently throughout campus
 - iii. Limit the number of drinks sold per transaction
 - iv. Increase focus on safe tailgating experiences
 - b. Change Policy 153 from smoke-free to a tobacco-free campus.
 - c. Prepare for education and communication around legalization of recreational cannabis.

- B. Achievement
- a. With the addition of alcohol sales in the Fargodome during NDSU Football games, the additions to the NDSU Tailgating Policy and the Alcohol Management Plan to the NDSU Fan Code of Conduct have supported the expectations around this change.
 - b. NDSU went from Smoke-Free to a Tobacco/Nicotine-Free Campus in September 2024. This policy change highlights that the use of tobacco/nicotine products is linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). NDSU is committed to promoting healthier educational, work and living environments and recognizes the serious health risks associated with the use of tobacco products, both to users and non-users alike, and believes that the use of Tobacco Products is detrimental to the health and safety of students, employees and visitors.

This tobacco/nicotine-free policy is established to:

- I. Reduce the high incidence of tobacco use in North Dakota.
- II. Protect the health and safety of all students, employees, and the general public.
- III. Establish a standard of healthy, tobacco/nicotine-free behavior.

VII. AOD Strengths and Weaknesses

Based on the review of the past two years, several areas were noted as strengths and other areas were noted for needing improvement:

- C. Strengths
- a. A committed Presidents Council for Well-being, comprised of committed faculty, staff, students, and community members who approach well-being (including substance use education) through a holistic lens.
 - b. Commitment to consistent data collection that is used to direct decision-making and programming efforts.
 - c. Consistent enforcement on and off-campus regarding alcohol, tobacco, and other drugs.
 - d. Strong connection and collaboration with campus partners, departments, and services to better serve our student related to health and well-being needs.
 - e. Collaboration and networking with the ND Higher Education Consortium for Substance Abuse Prevention (NDHECSAP).
 - f. Mental health and alcohol use screening tools are available through the eCHECKUP TO GO programs and through the NDSU Counseling Center.
 - g. All first-year and transfer students are required to complete the eCHECKUP TO GO program.
 - h. All first-year and transfer students are required to complete the We Take a Stand training.
 - i. NDSU adopted a Tobacco/Nicotine Free Campus Policy in September of 2024.
- D. Weakness

- a. Policies around alcohol sponsorship and alcohol sales within the Fargodome have changed to allow alcohol sales during athletic games beginning fall 2022.
 - b. Exceptions were added to Policy 155 for The Athletics Department regarding advertising and promotional materials of alcohol.
 - c. North Dakota has one of the highest rates of underage and binge drinking in the country. A cultural change is needed to address this statistic.
 - d. Increasing trends of nicotine use and the lack of perceived risk associated with product use.
- E. Recommendations for the next biennium
- a. Recommendation 1: Implement the ACHA-NCHA survey in 2026
 - b. Recommendation 3: Prepare for education and communication around legalization of recreational cannabis.
 - c. Recommendation 2: Increase educational and collaborative opportunities around substance use, specifically nicotine/tobacco.

X. Conclusion

NDSU will continue to support the academic mission of the university by taking a holistic approach to increasing and sustaining all aspects of well-being by highlighting students, faculty and staff as central to leading and informing actions regarding well-being while contributing to and supporting the Safety, Mental Health, Physical Health, Personal Development, Community, Policies, Environments, and Knowledge of the NDSU community.

Appendices

1. Appendix A: Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees (Policy 155)
2. Appendix B: Policy Email Notification to Employees
3. Appendix C: Policy Email Notification to Students
4. Appendix D: Rights and Responsibilities of Community: A Code of Student Conduct (Policy 601)
5. Appendix E: Email As An Official Communication Method For Employees (Policy 158.1)
6. Appendix F: Email As An Official Communication Method to Students (Policy 609)
7. Appendix G: ACHA-NCHA 2021 Executive Data Summary
8. Appendix H: Tobacco/Nicotine-Free Campus (Policy 153)
9. Appendix I: Code of Conduct (Policy 151)
10. Appendix J: Drug and Alcohol Testing (Policy 161.1)
11. Appendix K: Faculty/Staff Assistance (Policy 134)
12. Appendix L: NDSU Student-Athlete Handbook and Code of Conduct
13. Appendix M: NDSU Football Tailgating Policy
14. Appendix N: NDSU Fan Code of Conduct
15. Appendix O: Sexual and Gender-Based Harassment and Sexual Misconduct (Policy 162)
16. Appendix P: Interfraternity Constitution and Bylaws
17. Appendix Q: 2024-2025 Annual Security Report on Personal Safety and Security
18. Appendix R: Presidents Council for Well-being Strategic Plan
19. Appendix S: 2021-2022 Annual Report
20. Appendix T: 2022-2023 Annual Report
21. Appendix U: 2023-2024 Annual Report

22. Appendix V: EDGAR Part 86 Worksheet 2022
23. Appendix W: EDGAR Part 86 Worksheet 2023
24. Appendix X: EDGAR Part 86 Worksheet 2024

North Dakota State University

Policy Manual

SECTION 155

ALCOHOL AND OTHER DRUGS: UNLAWFUL AND UNAUTHORIZED USE BY STUDENTS AND EMPLOYEES

SOURCE: NDSU President
SBHE Policy Manual, Section 918

1. NDSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the [Drug Free Workplace Act of 1988](#), Public law 100-690 and the [Drug-Free Schools and Communities Act Amendments of 1989](#), Public Law 101-226, and [2 CFR § 182.215](#).

North Dakota State University has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and the safety and welfare of all members of the university community.

This policy statement has been established because NDSU:

- is committed to changing the culture that perpetuates the misuse and abuse of alcohol and other drugs;
- is concerned with promoting the well-being of our campus and surrounding communities;
- believes that the solution to alcohol and other drug misuse and abuse will require a community-wide approach.

The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to the health and welfare of the NDSU community. In addition, alcohol and other drug abuse consequences can limit career choices and achievement. NDSU has gathered data that demonstrates that high-risk drinking among students is significantly associated with violence, memory loss, driving under the influence (DUI), sexual assault, lessening of academic performance, estrangement of social relationships and property damage. Studies outside the university show that alcohol misuse can result in serious bodily injury, illness, or death. This policy applies to all NDSU students and employees, as well as visitors to campus.

2. The State Board of Higher Education prohibits the possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by the Board or its institutions. Exceptions may include the lawful possession of alcohol in family student residences, on-campus professional staff residences, fraternities and sororities (in certain circumstances), the President's residence, and other special exceptions as granted by the President or the President's designee. For the complete State Board of Higher Education policy see [SBHE Policy 918: Alcoholic Beverages](#).

The University prohibits the *unlawful or unauthorized* use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and products (hereafter referred to as "alcohol"), as well as any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations

(including all fraternities and sororities).

For NDSU employees, non-compliance with this policy could result in disciplinary action up to and including termination of employment (see section 5.2).

For NDSU students and student organizations, non-compliance with this policy could result in disciplinary action up to and including suspension, expulsion or loss of status as a registered student organization (see section 5.1).

3. The University recognizes that chemical dependency and chemical abuse are concerns that can impact both academic success and work performance and there are assistance programs available to help individuals experiencing problems. When appropriate, NDSU personnel may refer students to the [NDSU Counseling Center](#) (701-231-7671), or to agencies outside of NDSU for evaluations and/or treatment for alcohol- or other drug-related problems. NDSU personnel may also refer NDSU employees to agencies outside of NDSU for evaluation and/or treatment for alcohol or other drug related problems. As part of their benefit package, employees may access services through the [Employee Assistance Program](#). Employees may refer students in need of services to the Counseling Center at (701) 231-7671. Faculty, staff, and students can access information on available drug and alcohol prevention programs the university offers by going to the [Health Promotion](#) website.
 - 3.1 Organizations are required, by Federal Regulation ([2 CFR § 182.215](#)), to not only publish a drug-free workplace statement, but also establish a drug-free awareness program for employees. Part of the drug-free awareness program is to inform employees regarding the dangers of drug abuse in the workplace. Information on the health risks of [alcohol abuse](#) and [drug abuse](#) can be found at the U.S. National Library of Medicine and the National Institute for Health. Additional information can be found at the [Health Promotion](#) website.
4. These guidelines apply to students, employees, and campus organizations, which include, but are not limited to registered student organizations under the Congress of Student Organizations. For information concerning applications of this policy, please consult the Vice Provost for Student Affairs and Enrollment Management (for students) or the Director of Human Resources (for employees).
 - 4.1 Students and employees and their respective campus organizations may not use organizational or public funds (including general and special funds) for the purchase of alcohol or associated permits.
 - 4.2 Sale of alcohol by students, employees and their respective campus organizations is strictly forbidden. This is to include any action that can be remotely construed as alcohol sales such as charging admission to parties, passing the hat, selling empty cups, selling drink tickets, etc.
 - 4.3 Off-campus activity conducted by students and employees, and their respective campus organizations shall not encourage excessive and/or rapid consumption of alcohol. The use of alcohol at any such events is expected to be lawful and low risk. Acceptable low-risk use of alcohol may vary due to certain individual considerations. For further information about low-risk alcohol consumption, see the [Health Promotion](#) website.
 - 4.4 Registered student organizations planning off campus events at which alcohol may be available must complete the Alcohol Risk Management Assessment form found in [myNDSU](#). When planning an off-campus work related event where alcohol will be present, employees with questions about low-risk guidelines should contact the [Director of Human Resources](#).

- 4.5 University sponsored events that are held at locations off campus, and at which alcohol may be present, are required to adhere to this policy. In addition, if alcohol will be served at the event, the sponsor(s) of the event should ensure compliance with N.D.C.C. [§ 5-02-06\(4\)](#) regarding individuals under twenty-one years of age at events where alcohol is served. Sponsors need to be aware of both potential civil and criminal liability for knowingly serving alcohol to minors or obviously intoxicated persons (N.D.C.C. [§ 5-01-06.1](#), [§ 5-01-09](#)). Oversight of the distribution and consumption of alcohol is required at such events in order to manage risk. If the event is to be held on public grounds, e.g., Fargo parks, the sponsor(s) of the event is/are required to obtain the appropriate permit for the event per [N.D.C.C. § 5-02-01.1\(2\)](#). See, for example, the [Park District of the City of Fargo Alcoholic Beverage Policy](#).
- 4.6 Alcohol shall not be used as awards or prizes in connection with events or activities sponsored by students, employees and their respective campus organizations, on or off-campus.
- 4.7 The public display of advertising or promotion of the use of alcohol in University buildings or any other public campus area including all University owned housing areas is prohibited. This includes banners, lighted beer/liquor signs, and large inflatable advertising, etc. (Entities that lease commercial or research property from the university may be excluded. However, the University may, in these leases, include provisions that will assist in its effort to promote legal and safe use of alcohol and to change the culture that perpetuates alcohol and other drug misuse and abuse.)
- 4.8 Alcohol promotional activities including advertising shall not be associated with otherwise existing campus events, programs, or campus organizational functions on or off-campus. This includes advertisements and promotional materials, including but not limited to, such items as: cups, t-shirts, beverage can coolers, and any other items carrying alcohol/beer advertising. The Athletics Department may engage in alcohol promotional activities, provided it does not: (i) encourage any form of misuse of alcohol; (ii) portray drinking as a solution to personal or academic problems; (iii) indicate that alcohol is helpful for social or academic success; or (iv) objectify any sex/gender.
- 4.9 Advertising of alcohol shall not appear in University controlled or affiliated publications (including University affiliated web sites)*. The Athletics Department may engage in alcohol promotional activities, provided it does not (i) encourage any form of misuse of alcohol; (ii) portray drinking as a solution to personal or academic problems; (iii) indicate that alcohol is helpful for social or academic success; or (iv) objectify any sex/gender.

Advertising of establishments that sell alcohol may appear and must adhere to the following guidelines.

- a) Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse nor shall it promote alcohol specials such as two for one, happy hour drink specials, or any ads that encourage rapid and extensive consumption of alcohol.
- b) Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as necessary to social, sexual or academic success.

- c) Advertising of establishments that sell alcohol shall not associate consumption of alcohol with the performance of tasks that require skilled reactions such as the operation of motor vehicles or athletic performance.
- d) Advertising of establishments that sell alcohol shall include a statement of low-risk such as "know when to say when" or "please use our products legally and in a responsible manner".

*Student Media (Bison Information Network, the Spectrum, Thunder Radio)

NDSU student media (as governed by the Board of Student Media) is not subject to the advertising portion of this university policy due to first amendment provisions of the US Constitution and [State Board of Higher Education Policy 507](#). Student media organizations are accountable to the Board of Student Media for standards of conduct. Because of the belief that advertising perpetuates the culture of high-risk and underage drinking, the established boards of NDSU Student Media may, if they choose to accept revenue for advertising alcohol, decide to adopt guidelines compatible with this policy. Student Media organizations shall comply with all federal laws relating to advertising of alcohol or other drugs.

4.10 Unless otherwise authorized by the President of the University, the use of alcohol during all events held on the NDSU campus is strictly forbidden (including concerts, theatrical performances, athletics events, workshops, etc.)

4.11 Though alcohol consumption is legal for individuals over 21 years of age, and the most commonly used drug by young adults, the focus of this policy is not limited to alcohol. The misuse of illicit and/or otherwise legal prescription drugs poses a significant threat to student well-being and undermines the student-focused goals of the University. The use of marijuana, including recreational and medicinal uses, is strictly prohibited under Federal law. As such, any use of marijuana on campus property or at University sponsored or hosted events is strictly prohibited.

5. When students, student organizations, or employees violate University alcohol policy they will be subject to campus resolution. Campus resolution of such acts may proceed before, during, or after any pending civil or criminal proceedings are concluded. Since the campus actions are educational and/or managerial in nature, and not criminal proceedings, such simultaneous actions do not constitute double jeopardy and differing judgments may result.

5.1 Sanctions-Students and Student Organizations: Individual students and student organizations (including fraternities, sororities, residence hall associations and registered student organizations) who are found in violation of the University policy on alcohol and/or other drugs are subject to one or more of the following sanctions, dependent upon the severity of the violation and the existence or absence of prior alcohol or other drug violations: (For a more complete description of these sanctions and terms and conditions see [Code of Student Conduct](#).)

5.1.1 When a student has been found responsible for violating University policies, one or more of the following sanctions may be imposed:

- a. Written warning.
- b. Conduct probation
- c. Supervised conduct probation.
- d. Conduct suspension.
- e. Conduct expulsion.

5.1.2 With each sanction, conditions may be assigned. In addition, notification may be given to other University officials as necessary. Conditions include, but are not limited to:

- a. Alcohol or other drug programming, evaluation, and/or testing
- b. Written assignments.
- c. Participation in a specific activity or project.
- d. Restricted access.
- e. Loss of privileges.
- f. No contact orders.
- g. Restitution.

NOTE: These sanctions and terms and conditions need not necessarily be applied in any numerical sequence. Any sanction may be chosen from this list for any violation, dependent upon its severity, and the behavioral history of the involved student(s) or student organization.

Individual student behavioral actions and or student organization behavioral actions will be adjudicated as assigned by the Vice Provost for Student Affairs and Enrollment Management or designee.

Responsible Action Expectations:

All students are encouraged to promote the well-being of themselves, fellow students and others. If a person needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, it is critical that students take responsible action by calling an ambulance or other appropriate emergency response personnel (ambulance, police, etc.) to gain that assistance. Students/student organizations who fail to respond appropriately may be subject to serious university sanctions and may potentially be subject to additional civil and/or criminal liability.

Students/student organizations who take such responsible action, or for whom action is taken, will not be subject to the Student Conduct process for alleged policy violations related to alcohol or drug use, nor will the incident become part of the student's conduct record. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with University personnel and/or complete an educational program. This protection may not apply if other conduct violations occurred within the same incident. See [Code of Student Conduct](#).

Parental Notification:

Parents or guardians of students under 21 may be contacted by an NDSU administrator following alcohol and/or other drug related incidents. See [Student Affairs and Enrollment Management](#) website for the full policy and rationale.

Financial Aid Eligibility:

A federal or state drug conviction can disqualify a student from receiving federal financial aid funds. The conviction must have occurred during a period of enrollment for which the student was receiving Title IV aid (i.e., Federal Pell Grant, Federal Perkins Loan, Federal Direct Loan, etc.). Depending on whether the conviction was for sale or possession and if the student has previous offenses, the period of ineligibility can range from one year to an indefinite period. The student regains

eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program as defined in the [Higher Education Opportunity Act of 2008, § 485\(a\)\(7\)\(c\) and \(a\)\(9\)](#).

5.2 Notice and Sanctions - Employees

Individual employees who are found in violation of the University policy on alcohol and other drugs by their supervisors will be reported to the Director of Human Resources for consultation prior to action. For potential actions see 5.2.1 and 5.2.2.

Any employee arrested under circumstances involving an alleged violation of a criminal drug or alcohol-related statute while in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify his or her immediate supervisor within five days of the arrest. An arrest and/or failure to report an arrest, depending on the circumstances may be grounds for actions or sanctions. The status of the criminal proceeding is a factor the supervisor may take into consideration. It is important that faculty and staff supervisors seek advice from the appropriate, designated University contact. Staff supervisors should contact the Director of Human Resources, and Faculty supervisors should contact the Office of the Provost, before taking action in arrest situations.

Any employee convicted of violating any federal, state, or local criminal drug or alcohol-related statute in his or her workplace, whether on or off campus; in a University vehicle; or as part of any activity the University initiates or takes part in must notify the Director of Human Resources no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal, state or local court. North Dakota State University is required by law to inform the federal contracting officer within 10 days of receiving notice of a conviction of violating a criminal drug statute from an employee or otherwise receiving notice of such conviction.

If an employee is convicted of violating any criminal drug or alcohol-related statute while in the workplace, as described above, University actions may include:

- 5.2.1 Requiring the employee to participate in a drug assistance or rehabilitation program approved by the University;
- 5.2.2 Disciplinary action for a violation of university alcohol or drug policy up to and including termination of employment. Disciplinary action may include one or more of the following:
 - a. Warning/reprimand;
 - b. Ineligibility to receive the next available annual salary increase;
 - c. Suspension without pay for up to 5 days;
 - d. Termination of employment; or
 - e. Any combination of the above sanctions.

NOTE: These sanctions need not necessarily be applied in any sequence. Any sanction may be chosen from this list for any offense, dependent upon its severity. Referral for prosecution may also be a result of any criminal violations.

Work attendance while under the influence:

Unlawful consumption of alcohol or use of illegal drugs, being at work while under the

influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of the NDUS are prohibited. See [Policy 151 Code of Conduct](#) (for employees).

Local, State and Federal Laws:

In compliance with the [Drug-Free Schools and Communities Act Amendments of 1989](#) a summary of local, state and federal laws related to alcohol and other drugs can be found at the [Health Promotion](#) website.

HISTORY:

New	March 18, 1989
Amended	December 1992
Amended	October 1999
Amended	April 2003
Amended	October 2003
Amended	January 2004
(renumbered) Amended	April 2010
Amended	March 25, 2011
Housekeeping	August 18, 2011
Housekeeping	May 22, 2012
Housekeeping	June 12, 2013
Housekeeping	August 27, 2013
Housekeeping	September 2015
Amended	December 2, 2016
Housekeeping	August 25, 2017
Amended	August 23, 2018
Housekeeping	August 28, 2018
Housekeeping	December 14, 2020
Amended	February 13, 2023
Housekeeping	September 15, 2023

NDSU Faculty and Staff,

North Dakota State University has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and to the safety and well-being of all members of the university community.

To maintain this environment, NDSU complies with and supports the North Dakota State Board of Education policy governing alcohol use on campus, the [Drug Free Workplace Act of 1988](#), Public law 100-690 and the [Drug-Free Schools and Communities Act Amendments of 1989](#), Public Law 101-226, and [2 CFR § 182.215](#).

The University prohibits the *unlawful or unauthorized* use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and products (hereafter referred to as “alcohol”), as well as any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off- campus, which are sponsored by students, employees and their respective campus organizations

The full text of [NDSU policy 155](#) “Alcohol and Other Drugs: Unlawful and unauthorized use by students and employees” can be found by clicking on the link.

The [Employee Assistance Program](#) is available for faculty and staff. You can schedule an appointment with The Village EAP by calling 1-800-627-8220 or visit their website for resources at <http://villageeap.com/> using the username **VillageEAP** to access the resources on this site.

Regards,

NDSU Students,

North Dakota State University has a genuine caring concern for the community in which it lives and for its people. For this reason, the university is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and to the safety and well-being of all members of the university community.

To maintain this environment, NDSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the [Drug Free Workplace Act of 1988](#), Public law 100-690 and the [Drug-Free Schools and Communities Act Amendments of 1989](#), Public Law 101-226, and [2 CFR § 182.215](#).

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The full text of [NDSU Policy 155](#) “Alcohol and Other Drugs: Unlawful and unauthorized use by students and employees” can be found by clicking on the link.

There are many resources on campus if you have concerns with alcohol and drug use. The NDSU Counseling Center (231-7671) and Student Health Service (231-7331) offer support, education and options to explore your use through free and anonymous on-line screening tools, such as NDSU [eCHECKUP TO GO](#) and [AlcoholScreening.org](#). Based on your results, you may want to schedule an appointment at the NDSU Counseling Center to discuss your findings.

Thank you for your attention to this important well-being topic.

Regards,

North Dakota State University

Policy Manual

SECTION 601

RIGHTS AND RESPONSIBILITIES OF COMMUNITY: A CODE OF STUDENT CONDUCT

SOURCE: NDSU President

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1. Introduction

1.1 General NDSU Values

All North Dakota State University (NDSU) students have an opportunity to maximize their education when every member of the NDSU community observes and helps maintain a code of personal conduct. The Code of Student Conduct (Code) is derived from three core values that support an educational environment:

- Respect for the NDSU community (on and off campus),
- Respect for the protection and rights of others, and
- Respect for students in the conduct resolution process.

This Code is designed to foster development of personal accountability and commitment to the [mission and values](#) of the NDSU community.

Respect for the NDSU Community

Every NDSU student has a responsibility to respect NDSU property and all community members. It is expected that all individuals will conduct themselves in a manner that promotes the welfare of themselves, others, and the educational mission of the University. Respect for community involves awareness of how personal decisions may affect others, both positively and negatively. Respect for community also includes appreciating the value and importance of knowledge, identities, and lived experiences each member contributes to NDSU.

Respect for the Protection and Rights of Others

Respect for the protection and rights of others is necessary to provide a positive and enriching educational environment. Conduct that inhibits the educational focus of others is unacceptable, whether it occurs on campus, off University premises, or in virtual spaces.

Respect for Students in the Conduct Resolution Process

This Code identifies student rights and responsibilities, and outlines due process. NDSU will work with all impacted students in an equitable manner to promote education and growth.

Inclusion Statement

NDSU stands firmly against discrimination of every kind. Belonging is a fundamental human need and is essential in any learning environment, therefore every admitted student belongs at NDSU. Students are responsible for their words and actions, as well as the impact of them. Acts of bias and hate, by their nature, detract from students' sense of belonging and the achievement of NDSU's core values. NDSU will address any actions or incidents that violate this Code or NDSU's Core Values through disciplinary and/or educational means.

1.2 General Complaint Procedures

Students may report general concerns, issues, and complaints utilizing the [Concern and Complaint Form](#). The complaint procedure is designed to provide for orderly collection of information and to address students' complaints in a timely manner by appropriate University personnel.

Students may also arrange a meeting with a staff member in the Dean of Students Office, Old Main 100. A staff member will listen to the student's experience and explain options for support and resolution. All information shared will remain private among impacted parties, and students are protected from retaliation by this Code (3.40). Depending on the content of the report, however, some reports may be posted on the [Bias Incident Reports](#) site. Such reports will be reviewed on a case by case basis and will not contain personally identifiable information or information that is easily traceable to individual students.

Complaints regarding student conduct covered in this Code will be resolved according to procedures described in this document (Sections 5 & 6).

1.3 Authority

The Vice Provost for Student Affairs and Enrollment Management (the "Vice Provost"), as delegated by the President, has responsibility for supervision of the process of handling the University's response to student violations of University rules and regulations, including the imposition of sanctions. All student non-academic conduct that violates University rules, regulations, and values, and conduct occurring off-campus that affects the University community is considered the responsibility of the Vice Provost.

This authority includes the overall supervision of any administrative committees and boards charged with hearing complaints against students or student organizations for violation of those rules and regulations. Student organizations and University employees are required to inform the Vice Provost or designee whenever action is deemed necessary against a student

or student organization.

The Code contains statements of University policies relevant to student life. Development and enforcement of these standards of conduct are an educational endeavor designed to foster students' personal, social, and ethical development. This document forms the basis for student conduct expectations as a member of the NDSU community. The enforcement of these standards serves to promote the protection of the rights, responsibilities, and health and safety of all members of the NDSU community.

Conduct described in this Code is illustrative rather than exhaustive. The term "including" should be interpreted to mean "including, but not limited to." All ambiguities, inconsistencies, or clarifications of the Code will be resolved by the Vice Provost or designee. Faculty, staff, and students are encouraged to request clarification if a clause or rule is unclear. Final authority for interpretation of this Code lies with the Vice Provost.

Administrators identified in this document may designate one or more individuals to act on their behalf.

Questions should be referred to the Dean of Students Office, Old Main 100.

1.4 Individuals Covered Under this Code

A "student" is defined as anyone who has been admitted to the University, and/or is enrolled in courses. The term "student" may also include individuals permitted by special status to utilize NDSU services. Students may be held accountable under this Code for violations committed any time after they were admitted. Students are accountable for their guests' conduct and may be sanctioned as if they had committed the violations themselves. Student organizations are held to the same conduct standards as individual students. The University will use its discretion to determine if such action is necessary and/or appropriate.

The University may address acts of prohibited conduct committed outside of University property when NDSU becomes aware of alleged Code violations through law enforcement or other third party reports. This includes online and/or electronic behaviors.

Students have varying relationships within and outside of the University. As such, a student may be held accountable for prohibited conduct through multiple processes. Examples of other areas of accountability may include:

- Student athletes under the Student Athlete Code of Conduct
- Student leaders within student organizations
- Employer actions with student employees
- Academic actions under academic programs' professional standards
- Criminal charges or civil suits

The University's procedures are educational and not criminal in nature, so separate proceedings do not constitute double jeopardy. The University may proceed under this Code before, during, or after the other NDSU administrative processes or legal proceedings. NDSU does not typically wait for a court judgment prior to proceeding with University process. Findings under this Code may differ from judgments in criminal courts. Court judgments are not determinative of University findings.

2. Community Expectations

2.1 General Student Responsibilities

All students are expected to observe the University standards published in the [University Policy Manual](#). Policy 601 outlines responsibilities that pertain specifically to students. However, students must follow all other University policies, procedures, contracts, or license agreements published elsewhere.

2.2 Responsible Action Expectations

All students are encouraged to promote the well-being of themselves, fellow students, and others. If a person needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, it is critical that students take responsible action by calling an ambulance or other appropriate emergency response personnel (police, fire, etc.) to gain that assistance. Students/student organizations who fail to respond appropriately may be subject to serious University sanctions and may potentially be subject to additional civil and/or criminal liability.

Responsible action includes:

1. **CALL** for help: In medical emergencies, immediate action should be taken by calling 9-1-1 either off or on campus. In non-emergency situations, students can also contact NDSU Police (701-231-8998) or notify Residence Life staff.
2. **STAY** with the individual until help arrives and notice has been given that assistance is no longer needed.
3. **COOPERATE** with responding staff or emergency personnel, including all requests for information and assistance.

Students/student organizations who take such responsible action, or for whom such action is taken, will not be subject to the student conduct process for alleged policy violations related to alcohol or drug use or minor policy violations, nor will the incident become part of the student's conduct record. However, all students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with University personnel and/or complete an educational program. This protection may not apply if other egregious conduct violations occurred within the same incident.

2.3 Student Conduct Communication

Student conduct communication will be sent to the student's email address as provided by the North Dakota University System. This address is considered the official form of communication for all purposes and students are expected to regularly monitor this account. (See [NDSU Policy 609, E-mail as an Official Communication Method to Students](#)).

3. Prohibited Conduct

3.1 Violations of Law

Violation of local, state, or federal law is prohibited by this Code. The University reserves the right to address conduct occurring on or off campus that may be construed as potential or alleged violations of law.

3.2 Passive Participation in Prohibited Acts

Passive participation is defined as being present while a conduct violation(s) is occurring, encouraging a violation(s) to occur, or failing to report a potential violation(s). Students are expected to make decisions that align with the Code. Those decisions include:

- Leaving the situation immediately (if not responsible for the space in which the violation is occurring);
- Personally intervening to immediately stop the violation(s), if one can do so safely; and/or
- Reporting the alleged violation(s) to University staff or law enforcement.

3.3 Attempts to Commit Prohibited Acts

Attempting to commit prohibited acts is a violation of this Code and may be addressed as if the prohibited act had been committed.

3.4 Alcohol on NDSU Property

Regardless of a student's age, the manufacture, sale, transfer, purchase, transportation, possession, use or consumption of alcohol is prohibited. Additionally, possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored or supervised events is also prohibited.

3.5 Off Campus Alcohol

Illegal use or possession of alcohol off campus is prohibited, including use or possession by a minor, driving or operating vehicles/equipment under the influence of alcohol, and public consumption.

3.6 Drugs Other Than Alcohol

The manufacture, sale, transfer, purchase, transportation, possession, use or consumption of illegal drugs or any other controlled substance, including marijuana, is prohibited. The

possession of drug paraphernalia is also prohibited.

Due to federal law, this prohibition applies to the use and possession of medical marijuana on campus.

3.7 Conduct While Under the Influence of Alcohol or Other Drugs

Being under the influence of alcohol or other drugs is prohibited when the student causes a disturbance or endangers, or may endanger, the safety of others, property, or themselves.

3.8 Alcohol at Student Organization Events

Sale of alcoholic beverages by students and student organizations is prohibited. This includes any action that can be remotely construed as an alcohol sale, including charging admission to parties, selling empty cups, and selling drink tickets. Alcohol, if available, must be sold and served by licensed third party vendors.

Common sources or a bulk quantity of alcohol, such as cases or kegs, are not permitted at any student organization sponsored event, or in fraternity/sorority housing.

No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games, and discounts or special pricing of alcoholic beverages. Use of alcohol at events is expected to be lawful and responsible.

Alcoholic beverages may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards donated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."

Student organization or public funds may not be used for the purchase of alcoholic beverages or gift cards to alcohol establishments.

Recognized NDSU student organizations planning off campus events at a venue where alcohol may be present must complete and submit an [Alcohol Risk Management Form \(ARMA\)](#) and a guest list to the Student Activities Office, Memorial Union 120. Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold and served by a licensed third party vendor.

3.9 Advertising Related to Alcohol

Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs, or campus organizational functions on or off campus, and is prohibited. This includes novelty items, giveaways, and apparel associated with the event. Advertising of establishments that sell alcohol must adhere to the following guidelines:

- Shall not include brand names, logos, prices, visual images, or verbal phrases that refer

- to consumption of alcoholic beverages;
- Shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials, or any ads that encourage rapid and extensive consumption of alcohol;
 - Shall not portray drinking as a solution to personal or academic problems or necessary for social, sexual, or academic success;
 - Shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance; and
 - Shall include a statement of low-risk such as “know when to say when” or “please use our products legally and in a responsible manner.”

For additional policy details, consult [NDSU Policy 155, Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#).

3.10 Smoking

Smoking, including vaping, is prohibited on NDSU grounds and in University buildings, residence halls, apartments, and enclosed structures. See [NDSU Policy 153, Smoke-Free Facilities](#).

3.11 Animals

With the exception of animals authorized by NDSU or those defined as service animals under the Americans with Disabilities Act (ADA), privately owned animals are prohibited inside campus buildings. Animals in outdoor areas must be on a leash, must be under control of the owners or their designees at all times, and should not be left unattended. Owners are responsible for any health or safety issues that may arise due to the presence of these animals on University properties and at NDSU sponsored or supervised events. See [NDSU Policy 100.2, Use of Service and Assistance Animals](#).

3.12 Intellectual Property Infringement

Infringement of any intellectual property is prohibited. When reproducing or distributing information, students are responsible for observation of copyrights and other intellectual property rights of others by observing institutional and North Dakota University System (NDUS) policies and all state and federal laws. See [NDSU Policy 190, Employee Responsibility and Activities: Intellectual Property](#).

3.13 Use of NDSU’s Name or Trademark

Use of NDSU’s name or trademark without prior authorization is prohibited. See [NDSU Policy 700.1, Use of University Name](#).

3.14 Sale of Class Lecture Notes/Materials

Transferring class lecture notes or instructor provided materials for commercial purposes, unless approved by the course instructor, is prohibited. Note: This policy does not prevent

note taking provided as part of an ADA accommodation.

3.15 Misuse of Proprietary Information

Unauthorized use or misuse of proprietary information, in any form, is prohibited.

“Proprietary” means property in which the University or its employees and/or students have a legal interest or responsibility to maintain confidentiality. See [NDSU Policy 343, Confidential Proprietary Information](#).

3.16 Computer Related Conduct

Failure to follow University acceptable use of electronic communication devices is prohibited. See [NDSU Policy 158, Acceptable Use of Electronic Communications Devices](#).

3.17 Deception/Falsification/Misrepresentation

Lying, withholding information, or providing false information is prohibited. This includes:

- Providing false identification;
- Falsely representing an entity and/or committing or using the resources of an entity without proper authorization;
- Intentionally or recklessly making false accusations of prohibited conduct against another individual; and/or
- Altering, destroying, or falsifying evidence.

3.18 Financial Aid Misuse

Misuse of financial aid through fraud or abuse is prohibited.

3.19 Disruption or Obstruction of University Business

Disruption or obstruction of University business, facilities, and grounds, such that the function or service is materially or substantially disrupted or obstructed, is prohibited.

University business includes: teaching, research, administration, public service functions, meetings of University committees or boards, or any other authorized University activity or organization on or off University premises. See [NDSU Policy 154: Freedom of Speech, Expression, and Assembly](#).

3.20 Failure to Comply

Failure to comply with the instructions or directions of any University and/or emergency personnel in the performance of their duties is prohibited. Such acts may include intentionally or recklessly obstructing or delaying any University proceedings, resisting or fleeing a police officer, or failing to comply with assigned University directives or conduct sanctions.

3.21 Identification

Students are expected to carry University identification at all times. Failure to produce a University identification card upon request by any University personnel in the performance of

their duties is prohibited.

3.22 Bribery

Offering, giving, receiving, or soliciting anything of value to persuade an individual to act in another's favor, is prohibited.

3.23 Arson

Unlawful or intentional damage or attempt to damage any real or personal property by fire or incendiary device is prohibited.

3.24 Burglary

Unlawful entry into a building or another structure with the intent to commit a felony or theft is prohibited.

3.25 Robbery

Taking anything of value under confrontational circumstances from the control, custody, or care of another by force or threat of force and/or violence or by putting another in fear of immediate harm is prohibited.

3.26 Motor Vehicle Theft

Theft of a motor vehicle is prohibited.

3.27 Theft of Property

Theft or removal of property belonging to another individual, the University, or any other entity is prohibited.

3.28 Theft of Services

Using University services to which one is not entitled is prohibited. This includes using campus laundry services intended only for campus residents, and the unauthorized use of University parking, dining, and/or printing services.

3.29 Possession of Stolen Property

Possession of goods that a reasonable individual would realize were stolen is prohibited. This includes receiving, retaining, concealing, or disposing of property knowing that it was stolen.

3.30 Vandalism and Other Damage

The intentional or reckless destruction, defacement, or damage of property belonging to another individual, the University, or any other entity is prohibited. This includes writing on or tearing down bulletin boards, spray painting or unauthorized chalking of buildings or sidewalks, and affixing materials to, or otherwise damaging property.

3.31 Trespassing

Entering and/or remaining in or on property to which a student does not have a legitimate right or purpose to enter or remain is prohibited. Such property may include vehicles, apartments, houses, yards, construction sites, and/or other buildings or portions of buildings, such as roofs. Properties need not be specifically posted with No Trespass signs.

3.32 Unauthorized Sales, Solicitations, and Distribution of Materials

Unauthorized sales, solicitations, and/or distribution of leaflets, signs, or posters in residence halls, University apartments, or in any other campus buildings or property are prohibited unless authorization has been granted by an appropriate administrator. See [NDSU Policy 700, Services and Facilities Usage](#) and [NDSU Policy 154, Freedom of Speech, Expression, and Assembly](#).

3.33 Traffic Safety and Parking Regulations

Failure to follow University traffic safety and parking regulations is prohibited. See [NDSU Parking Regulations](#).

3.34 Unauthorized Entry/Use of Facilities

Unauthorized entry/use of facilities is prohibited. Examples of unauthorized entry and use include:

- Entering or using any University facility or portion thereof that has been reserved, restricted in use, or placed off limits;
- Entering or using any University facility after closing hours;
- Entering or using spaces to which students are not permitted, such as those limited by virtue of enrollment, employment, class schedule, and/or gender in facilities restricted by gender;
- Entering or using building roofs, fire escapes, steam tunnels, elevator shafts, equipment storage, mechanical rooms, and construction sites;
- Entering a residential facility without being escorted by a resident or failure to escort non-residents; and/or
- Duplicating, manufacturing, possessing, loaning, or using any key/access device for use on University facilities, locks, or other property on University premises without proper authorization.

3.35 Intimidation

Intimidation or threats to an individual's or group's safety, safety of property, academic efforts, employment, or participation in University sponsored activities are prohibited. Threats are defined as statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group.

Intimidation is defined as a type of threat where a speaker directs a threat to a person or group with the intent of placing them in fear of bodily harm or death. This includes

statements or actions towards members of a protected class ([NDSU Policy 100, Equal Opportunity and Non-Discrimination Policy](#)) that are customarily viewed as hostile and intimidating. Unless otherwise deemed to be Protected Conduct (as defined in [NDSU Policy 154, Freedom of Speech, Expression, and Assembly](#)), such behavior is subject to student disciplinary action when the behavior meets the definition of “student-on-student discriminatory harassment” or “student-on-student harassment.”

3.36 Unwanted Physical Contact

Unwanted physical contact by a student upon another is prohibited.

3.37 Physical Assault

Physical assault by a student on another is prohibited. Examples include striking, slapping, hitting, punching, shoving, kicking, restraining, or other use of inappropriate or unwelcome physical force which, may endanger the health or safety of another, regardless if obvious or aggravated bodily injury is sustained.

3.38 Instigation/Provocation

The use of abusive epithets that are inherently likely to provoke immediate violent reaction or substantial disruption to the University is prohibited. Unless otherwise deemed to be Protected Conduct (as defined in [NDSU Policy 154, Freedom of Speech, Expression, and Assembly](#)), such behavior is subject to student disciplinary action when the behavior meets the definition of “student-on-student discriminatory harassment” or “student-on-student harassment.”

3.39 Community Disturbances

Conduct that intentionally or recklessly creates a risk of public inconvenience, annoyance, or alarm without proper authority is prohibited. Examples include participating in or hosting noisy or loud parties/gatherings or other public disturbances on or off campus, making unreasonable noise, fighting, engaging in violent behavior, obstructing vehicular or pedestrian traffic, disturbing a lawful assembly, and streaking.

3.40 Discrimination, Harassment, and Retaliation

NDSU is fully committed to providing a safe and non-discriminatory learning, living, and working environment for all members of its university community. For complete information regarding discrimination, harassment, and retaliation please see [NDSU Policy 100, Equal Opportunity and Non-Discrimination Policy](#), [NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures](#) and [NDSU Policy 162, Sexual and Gender-Based Harassment and Sexual Misconduct Policy](#).

Students are encouraged to report incidents or information related to discrimination, harassment, and retaliation as soon as possible. Any NDSU employee who becomes aware of a potential violation of NDSU Policy 100 involving students shall report the information (see

[Report Form](#)) either to the Title IX Coordinator/Equal Opportunity and Title IX Compliance Office or to the Dean of Students Office.

Title IX Coordinator/Equal Opportunity and Title IX Compliance Office
Old Main 201
Phone: 701-231-7708

Dean of Students Office
Old Main 100
Phone: 701-231-7701

3.41 Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Compliance

NDSU strives to create a campus community free from sexual harassment of any kind. For complete information regarding sexual misconduct and Title IX compliance, please see [NDSU Policy 162, Sexual and Gender-Based Harassment and Sexual Misconduct Policy](#).

Students are encouraged to report incidents or information related to sexual and gender-based harassment, sexual misconduct, and Title IX as soon as possible. Any NDSU employee who becomes aware of potential violation of NDSU Policy 162 shall report the information (see [Report Form](#)) to the Title IX Coordinator/Equal Opportunity and Title IX Compliance Office or to the Dean of Students Office.

Title IX Coordinator/Equal Opportunity and Title IX Compliance Office
Old Main 201
Phone: 701-231-7708

Dean of Students Office
Old Main 100
Phone: 701-231-7701

3.42 Other Acts of Harassment

Any unwelcome action or any series of unwelcome actions that unreasonably interfere with an individual's academic efforts, employment, safety, or participation in University sponsored activities is prohibited. Unless otherwise deemed to be Protected Conduct (as defined in [NDSU Policy 154, Freedom of Speech, Expression, and Assembly](#)), such behavior is subject to student disciplinary action when the behavior meets the definition of "student-on-student discriminatory harassment" or "student-on-student harassment."

3.43 Stalking

Stalking is prohibited. Stalking is a course of unwelcome conduct directed at a specific person that would cause a reasonable person to fear for their own safety or others or would cause that person to suffer substantial emotional distress. See [NDSU Policy 162, Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy](#).

3.44 Lewd or Obscene Conduct

Lewd or obscene behavior that infringes upon community standards with respect to sexuality is prohibited. Lewd behavior includes sexual acts and/or exposing oneself in public spaces or in nonconsensual circumstances.

3.45 Endangerment of Individuals

Endangerment of individuals is prohibited. Examples include:

- Willful failure to comply with orders issued by any emergency personnel during any real or perceived emergency condition;
- Willful failure to follow safety standards;
- Blocking or restricting reasonable access to doors, stairwells, emergency exits, and/or emergency equipment;
- Tampering with any fire protection sign or device or any other emergency equipment, elevator controls, elevator shaft access, and/or other elevator equipment; and
- Creating a risk of bodily harm or creating the impression of risk of bodily harm to others; causing a reasonable individual to feel fear for the safety of self or others or to suffer emotional distress.

3.46 Hazing

Hazing, regardless of location, intent, or consent of participants, is prohibited. Hazing is defined as any action or situation that implicitly or explicitly is required for student admission or affiliation with an organization or group. Such activities and situations include paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule, or other activities prohibited by law or University policy.

It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members, or others associated with the organization from any hazing activity or practice conducted, condoned, or encouraged by the current members of the organization, alumni, or other associates.

3.47 Sporting Activity Restrictions

Sporting activities, without proper authorization inside any University facility, is prohibited. Examples include the use of skateboards, scooters, skates, hover boards, bicycles, water guns, water balloons, projectile launchers, drones, and throwing of flying discs and balls.. For guidance, contact the Director of [University Police and Safety Office](#).

3.48 Firearms/Explosives/Weapons

Unauthorized and/or illegal possession, display or use of firearms, explosives, or other weapons is prohibited.

- Firearms include airsoft guns, BB guns, dart guns, handguns, paint ball guns, pellet guns, rifles, shotguns, and stun guns or similar devices designed to deliver an electric shock.
- Explosives include bombs, fireworks, and other incendiary devices. Incendiary devices are defined as any flammable substance enclosed in a readily breakable container that can be equipped with an igniter of any type.
- Other weapons include martial arts implements, dangerous fuels and chemicals, and daggers, knives, sabers, swords, and bows and arrows. Any object may be considered a weapon when used to inflict or threaten infliction of bodily injury or property damage.

This policy shall not prohibit students or student organizations from possessing, storing, or using weapons at approved locations for the purpose of meeting requirements of educational programs and/or a student group recognized by the University. For authorization, contact the Director of the [University Police and Safety Office](#).

The [University Police and Safety Office](#) provides limited, temporary storage space for on-campus residents to store ammunition and sporting arms, such as those used for hunting and other shooting sports. Sporting arms should be checked in immediately upon arrival to NDSU and checked-out immediately prior to leaving the campus. An officer must be present for check-in/check-out. The [University Police and Safety Office](#) is open and available for check-in/check-out on a 24/7 basis.

4. Student Organizations/Activities

4.1 Responsibilities of Student Organizations and Affiliated University Groups

A student organization or an affiliated University group shall be deemed responsible for acts of prohibited conduct committed by individuals when such acts meet one or more of the following criteria:

- Are mandated, sponsored, approved, or encouraged by the group or organization, whether explicitly or implicitly;
- Take place in the context of a tradition, custom, or past practice of the group or organization; or
- Are reasonably foreseeable as a result of an activity carried on by the student organization or affiliated University group.

Students residing in properties owned by organizations or affiliated University groups will be held responsible for their conduct, conduct of their guests, and controlling access to their premises.

4.2 Student Organizations and Affiliated University Group Compliance with University Policy

Student organizations and affiliated University groups must comply with University policies, procedures, and regulations. Prohibited conduct includes misappropriation of funds, misuse of property, improper registration or misrepresentation of an organization or group, or abuse of student election regulations.

4.3 Conduct Resolution and Enforcement Procedures

For information concerning the Code resolution procedure(s) to be utilized, refer to Part 5. Procedures and Part 6. Hearing Procedures for Potential Suspension or Expulsion Cases.

When a student organization or an affiliated University group is noticed with prohibited conduct, the presiding officer or students affiliated with the group shall be required to participate as representatives of the group in proceedings conducted under this Code.

In some cases, organizational officers or student members may also be noticed with individual violations related to the original incident involving the organization, in separate proceedings.

Because conduct records of student organizations are not protected by the Family Educational Rights and Privacy Act (FERPA), any individual is entitled to learn the results of conduct actions taken against student organizations as long as those disclosures do not compromise the privacy of any individual student's education record. In such situations, individual student names will be removed per federal protections.

4.4 Recognition

Recognition of student organizations is granted by the Congress of Student Organizations Commission and registered in the Student Activities Office in Memorial Union. Although student organizations are independent units which exist at NDSU and are not considered agents of the University, they are expected to uphold and comply with institutional and North Dakota University System (NDUS) policies and local, state, and federal laws.

Students and student organizations are free to examine and express opinions publicly and privately. They are free to support causes by orderly means that do not disrupt regular and essential operations of the University. At the same time, it should be made clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves. See [NDSU Policy 154, Freedom of Speech, Expression, and Assembly](#).

4.5 Membership

Membership in student organizations and affiliated University groups is limited to current students, faculty, and staff of NDSU, as well as eligible Tri-College University students. For more information regarding Tri-College eligibility and exemptions, see [NDSU Congress of Student Organization Official Guidelines 6.1.4](#).

4.6 Registration Requirements

The following information must be electronically filed with the Student Activities Office:

- Organization registration form,
- Completed roster of all required leadership positions, including:
 - President,
 - Vice-President,
 - Treasurer,
 - Advisor; and
- Copy of the current constitution that fulfills the following requirements:
 - Anti-hazing statement;
 - Anti-discrimination statement; and
 - Has been ratified within the last three (3) years.

In addition, organizations must fulfill all responsibilities as detailed in the [NDSU Congress of Student Organization Official Guidelines](#).

Students holding elected or appointed leadership positions must meet the following academic and good conduct eligibility standards:

- Must have attained and must maintain during the term of participation a minimal cumulative grade point average of 2.5 and may not be on academic probation.
- Must be an enrolled NDSU student.
- Must be in good conduct standing with the University.

Additional information regarding eligibility for participation in co-curricular activities can be found on the Student Affairs and Enrollment Management [website](#).

4.7 National/International Affiliated Organizations

National/international affiliated organizations must uphold the policies and procedures of their national/international organizations in addition to University policies and procedures. University policies will supersede in the case of conflicting policies.

4.8 On and Off Campus Activities/Events

All on and off campus activities/events must follow all guidelines and procedures set by the Student Activities Office. For further information, contact the Student Activities Office, 120 Memorial Union or ndsusao@ndsusao.edu.

4.9 Fraternities and Sororities Membership

Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College students; membership is limited to students enrolled at NDSU.

Residents of Greek Chapter Houses

Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the Student Activities Office and chapter leadership.

Summer Rules

Fraternity and sorority presidents are to furnish names of the summer house managers to the Coordinator of Fraternity and Sorority Life, Student Activities Office. Chapter leadership is required to inform summer residents of University and fraternity/sorority life policies.

Alcohol and Other Drugs

- Fraternity Houses – No alcoholic beverages are permitted in common areas of chapter property at any time. Student members who are 21 years of age may consume alcohol that is less than 15% ABV in the privacy of their rooms/suites with no more than three others who are also 21 years of age or older. If multiple individuals live in one room/suite, all must be 21 years of age or older for alcohol to be present and/or consumed. Illegal drugs are not permitted on chapter or campus property at any time.
- Sorority Houses – National Panhellenic Conference policy requires alcohol free facilities for all house chapters. Illegal drugs are not permitted on chapter or campus property at any time.

Code Violations

As is the case with all University student organizations, fraternities and sororities will be held responsible for any conflicts with University policies occurring in chapter residences or at functions or social events sponsored by chapters.

5. Procedures

Resolution of Alleged Code Violations

The Code resolution process generally includes the following steps:

- Receipt of an incident report;
- Creation of a conduct file;
- Investigation of incident, if necessary;
- Implementation of interim or remedial measures, if necessary;
- Notice of alleged violations;
- Prehearing conference;
- Administrative hearing;
- Notice of decision;
- Right of appeal; and
- Notice of appeal decision.

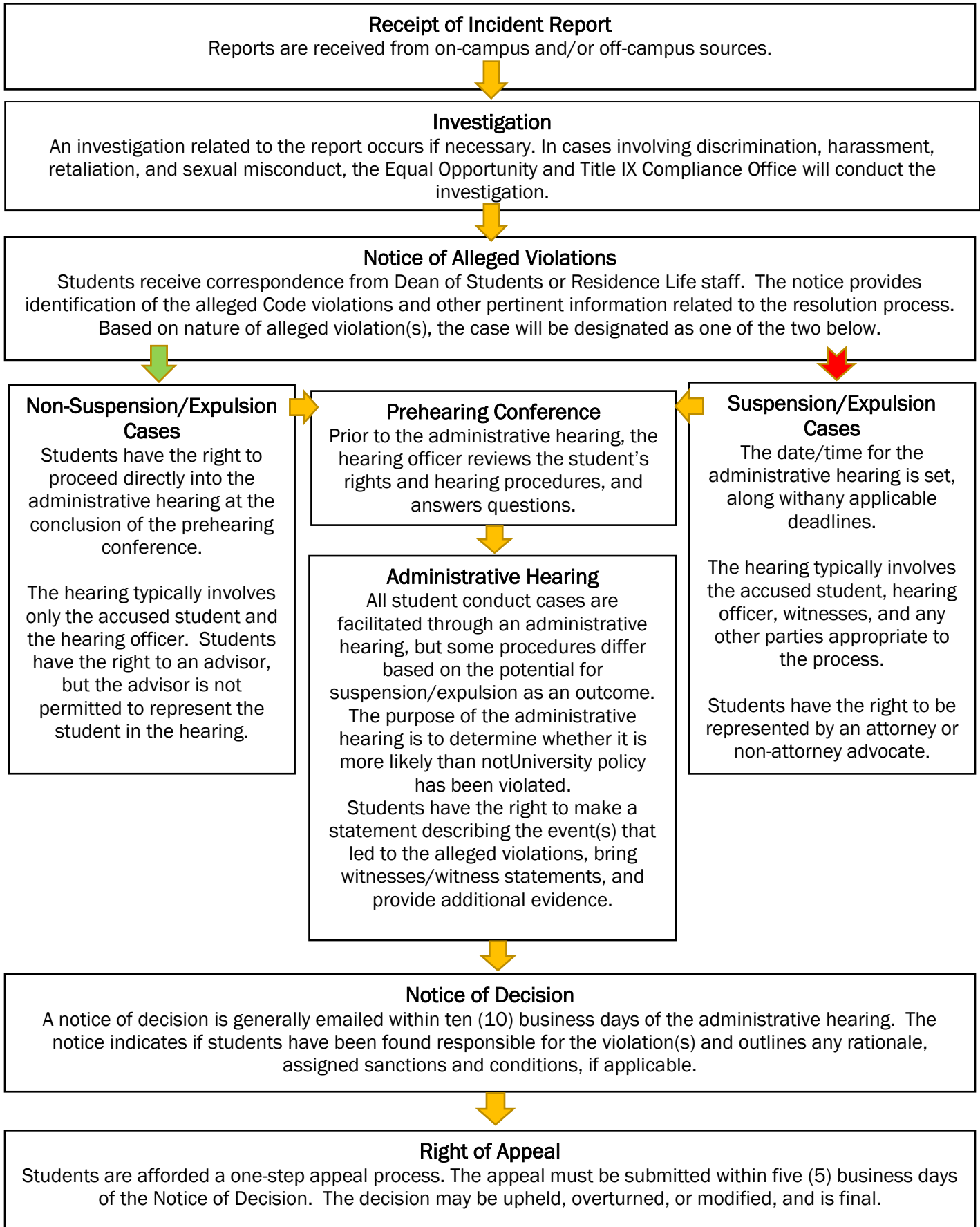
This process is designed to:

- Provide for the education of students;
- Promote the health, safety, and well-being of University community members;
- Provide for fair inquiries concerning alleged violations of University policies;
- Determine whether or not any individual student has violated a University policy;
- Allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
- Determine a resolution; and
- Assist the student in reflecting upon and growing from their personal experiences.

A detailed description of these steps is provided on the following page. Cases related to discrimination, harassment, retaliation, and sexual misconduct may require some modification of the resolution process, as approved by the NDSU Title IX Coordinator. For additional information, see [NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures](#).

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Resolution of Code of Student Conduct Violations Flowchart



5.1 Reporting and Investigating Complaints

When provided information by law enforcement agencies, the University reserves the right to initiate action under this Code when alleged violations of the Code are believed to have occurred. Reports and investigations are used to determine whether a student is responsible for alleged violations of the Code of Student Conduct.

5.2 Reporting Alleged Code Violations

Alleged Code violations should be reported as soon as possible following the discovery of alleged prohibited conduct. Reports may be initiated by law enforcement, any member of the NDSU community, or other interested parties. An alleged violation should be reported to one of the following:

Dean of Students Office
Old Main 100
701-231-7701
ndsusrr@ndsus.edu

Department of Residence Life
West Bison Court
701-231-7557
ndsuresidence.life@ndsus.edu

Equal Opportunity and Title IX Compliance
Old Main 201
701-231-7708
ndsueoaa@ndsus.edu

For cases of discrimination, harassment, retaliation, and sexual misconduct, an individual may file a [Complaint Report Form](#).

5.3 Student Advisor Options

Students have the right to have one (1) individual present who may act in an advisory capacity. Hearing advisors may not serve as witnesses. If a student would like an advisor but needs assistance in identifying an appropriate individual, the Dean of Students Office will identify a trained staff or faculty member to work with the student.

If a student chooses to have an attorney present as their hearing advisor, NDSU may request legal representation be present as well. In cases that do not involve potential for suspension or expulsion, the role of an attorney shall be to advise their client, not to participate in the hearing. Any advisor, attorney, or non-attorney advocate who does not respect this provision may be cautioned by the hearing officer and, if they persist, may be asked to leave and the hearing will proceed.

In cases that could result in suspension or expulsion, attorneys or non-attorney advocates may fully participate, which means they may make opening and closing statements, examine and cross-examine witnesses present during the hearing, and provide the student with support, guidance, and advice throughout the process.

In Title IX cases, all applicable regulations will be followed as outlined in [NDSU Policy 156.1, Title IX Complaint Procedures](#).

5.4 Investigation

Investigations are initiated in response to complaints or concerns reported to the University. Student(s) will receive notice from the office conducting an investigation. The purpose of the investigation is to gather the facts, details, and circumstances associated with a complaint or concern. The investigation may include interviewing witnesses, reviewing documents to be considered, or completing other steps that will assist determining whether action under the Code is warranted.

All cases of discrimination, harassment, retaliation, and sexual misconduct involving a potential policy violation by a student shall be investigated by the Equal Opportunity and Title IX Compliance Office utilizing the appropriate policy. Designated, trained University personnel are authorized to investigate alleged violations of the Code. Any individual believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. Written findings of the investigation along with a recommendation for dismissal of the complaint or a recommendation of pursuing action under the Code will be produced by the investigator(s) and provided to the Dean of Students Office. If the report indicates reasonable cause to believe that a violation occurred, the Vice Provost's designee may proceed with a Notice of Alleged Violations. The Preliminary Investigative Report as set forth in [NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures](#) shall constitute the Investigation Determination for purposes of Section 5.7 below. All information/evidence needs to be provided during the investigative phase in order to be considered for determining if a case will be dismissed or whether action will be pursued and in determining findings under the Code.

5.5 Interim or Remedial Measures

In the interest of safety and security, upon receipt of notice, specific interim or remedial measures appropriate to the circumstances may be implemented prior to a completed investigation or conduct hearing. Examples include No Contact Orders, housing/workplace changes, loss of privileges, and/or restricted access to campus.

5.6 Right to Entry

University policy on the privacy of student rooms stipulates that entry and search of University residences by University officials will be permitted only in one or more of the following

instances:

- The student consents to the search;
- University officials fear an imminent danger to health, safety, life, or property;
- The Vice Provost or designee provides a written administrative authorization specifying reasons for the search, objects of information sought, and area to be searched; or
- University officials fear imminent destruction of evidence relevant to a suspected violation of University policies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Security staff to collect and preserve evidence of possible violations of local, state, or federal laws ([NDSU Policy 158, Acceptable Use of Electronic Communications Devices](#)). If additional questions remain, contact the [Information Technology Security Officer \(ITSO\)](#).

The University will not intervene between students and searches authorized under law by any law enforcement agencies. The University requires that University officials notify the Vice Provost and/or designee of searches when they become aware of searches by law enforcement.

The right to inspect residence hall rooms and university apartments without notice is reserved by the University for purposes of maintenance, cleaning, fire, personal safety, and administering provisions of the license agreements. The University will provide reasonable notice, when possible. Such entry by the University shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the residence hall or University apartment license agreements. Items that pose an imminent danger to health, safety, life, or property may be taken into temporary custody by residence life staff, University police, or other emergency personnel.

5.7 Notice of Alleged Violations

A written notice will be sent via official University email, to the responding student to arrange a prehearing conference.

The notice will include:

- Nature of the alleged violation;
- Date, time, and place of the alleged violation;
- Source of the information;
- Maximum sanction applicable if found in violation of the Code of Student Conduct;
- The student's right to be represented by an attorney or non-attorney advocate, at the student's expense, if suspension or expulsion are identified as potential sanctions; and
- Notice that a decision may be made in the student's absence based on the information available.

The student must be given notice in writing of a summary of the alleged violations and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The University will provide the student written notification of the hearing at least three business days prior to the hearing date. Students may request a shorter notice period.

5.8 Prehearing Conference

During the prehearing conference, the hearing officer will discuss the:

- Student's rights and responsibilities,
- Nature of the complaint and how the Code may have been violated, and
- Process for resolution of alleged violations.

The student may request to proceed with an immediate hearing, except in cases that may result in suspension or expulsion.

5.9 Administrative Hearings

The Code resolution process will be facilitated through an administrative hearing to determine whether or not there has been a violation of University policy. Although all cases are heard administratively, some procedures differ between cases that are or are not eligible for suspension/expulsion. The University reserves the right to determine procedures and appropriate individuals to include in the process. The responding student has the right to make a written and/or oral statement describing the event(s) that lead to the alleged violations, bring witnesses or witness statements, and present evidence.

In cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, both reporting and responding students have equal procedural rights.

University administrators will process conduct cases related to fraternities, sororities, and student organizations. Individual organizational boards will only address violations of organizational standards, not violations of this Code.

The hearing officer is the individual appointed by the University to process an alleged violation of University policy. The hearing officer shall typically be a University employee; however, the University may, at its discretion, retain a non-employee to serve as a hearing officer at the University's expense.

Non-Suspension/Expulsion Conduct Hearings

A non-suspension/expulsion conduct hearing is an administrative hearing that generally involves only the responding student and the hearing officer.

Following the hearing, all applicable parties will receive a written notice of decision within ten (10) business days.

Suspension/Expulsion Conduct Hearings

A suspension/expulsion conduct hearing is an administrative hearing that involves the responding student, hearing officer, and any other individual(s) appropriate to the process. The hearing will be recorded and retained as part of the student's conduct file. The reporting (if applicable) and responding parties may access the recording, including for the preparation of an appeal. Requests for access should be directed to the Dean of Students Office. Following the hearing, all applicable parties will receive a written notice of decision within (10) business days.

5.10 Default Proceedings and Unresolved Alleged Code Violations

When a student/organization fails to appear for a hearing appointment without advance notice, or leaves the University with unresolved alleged violations, the hearing officer may make a decision in the student/organization's absence, providing the student/organization was issued adequate written notice of the date, time, and place of the scheduled hearing.

In certain cases, a registration hold may be placed on the student's records and the case will be archived until such time the student requests reactivation or a resolution of the pending matter.

5.11 Student Organizations in Default

In the event a student organization becomes inactive rather than appearing for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations Commission. In addition, officers of the organization at the time of the incident may face conduct proceedings individually (see Section 3.20, Failure to Comply) and may also be noticed with one or more of the original alleged violations of the Code arising from the alleged misconduct by the organization.

If the organization requests reactivation at a later date, the Vice Provost or designee will assign a hearing officer to meet with the student organization leadership to determine responsibility for the alleged violations, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any remedial measures.

5.12 Conflicts of Interest

Any hearing officer who has a conflicting interest in a particular case may not conduct the hearing. Any party has the right to challenge the appointment of a hearing officer. Challenges must be submitted in writing to the Vice Provost or designee at least three (3) business days prior to the hearing. If a party fails to raise an actual or reasonably perceived conflict by objecting three business days in advance, any objection is deemed to be waived. A hearing officer may not be disqualified solely based on his or her position in the University community.

5.13 Standard of Proof

The standard of proof is “preponderance of the evidence.” This means the weight of the evidence indicates it is more likely than not a violation occurred. A student is found to have violated this Code when:

- The student admits to the violation, or
- Preponderance of the evidence indicates the student is in violation of the Code.

5.14 Witnesses/Witness Statements

Prior to the hearing, names of witnesses being called to the hearing must be submitted to the hearing officer or Dean of Students Office by a deadline set during the prehearing conference. All parties will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. All questions will be addressed through the hearing officer; however, the hearing officer may allow for direct questioning of non-party witnesses. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies.

Character witnesses are not permitted. The hearing officer will exclude any information from the hearing documentation that appears to be a character statement rather than facts or evidence related to the case.

5.15 Evidence

In cases that involve an investigation, all evidence is to be provided during the investigation. All parties will be given reasonable opportunity to present any written or oral information, documentation, or other evidence that is relevant in determining responsibility.

The hearing is an educational process; therefore, formal rules of evidence do not apply. For this reason, hearsay evidence may be permitted. Hearsay evidence refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of evidence is left to the discretion of the hearing officer.

5.16 Self Incrimination

Parties shall not be compelled to incriminate themselves by being obligated to testify that they engaged in conduct constituting a violation of this Code and/or local, state, or federal law.

5.17 Closed Hearings

All hearings are generally closed except to those who are part of the proceedings. The Vice Provost or designee may permit a limited number of NDSU personnel to be present as

observers for the purpose of training. Other exceptions may also be made as deemed appropriate by the Vice Provost or designee.

5.18 Appeals

Students sanctioned for violations of this Code or relevant University policies may appeal. Reporting (if applicable) and responding students are limited to one appeal and that decision is final, as indicated in Section 8 of this Code.

6. Hearing Procedures for Suspension or Expulsion Cases

6.1 Introduction

With all parties present, the hearing officer will call the meeting to order and ask all parties participating in the hearing to introduce themselves and identify their role in the proceedings. The hearing officer will describe the general outline of the hearing and read the following honesty statement:

Honesty Statement

The University expects that all information presented in this hearing will be true and correct to the best of each participant's knowledge. If students willfully provide false information, they will be in violation of NDSU's Code of Student Conduct. As a result, they may also be subject to additional disciplinary action. Dishonest behavior by any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

If a student is represented by an attorney or non-attorney advocate, that representative has the ability to fully participate in the hearing as indicated in Section 5.3 of this Code.

The hearing officer will dismiss witnesses until they are called to speak.

6.2 Case Presentation and Response

The hearing officer or designee will provide a brief summary of the case. The responding and/or reporting parties will be permitted to respond to the alleged violations and present information that is relevant in determining whether the student violated one or more sections of the Code. The hearing officer is responsible for determining relevancy of provided information.

6.3 Questioning of Witnesses and Parties

All parties will be allowed to present witnesses who may be asked questions by any of the parties. All questions will be directed to the hearing officer who will determine relevancy to the hearing. The hearing officer will seek clarification if necessary and request a response. As appropriate, the hearing officer may allow direct questioning of witnesses and parties, with the right to rescind the permission at any time.

6.4 Closing Statements

The reporting and/or responding parties (and investigator, if applicable) will have an opportunity to make a closing statement.

6.5 Notice of Decision

The hearing officer will provide written notice of decision to the responding student (and reporting party if applicable). The written notice will include the findings, rationale, sanctions and conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within ten (10) business days following the hearing. The Vice Provost may grant time extensions, if necessary.

7. Sanctions and Conditions

A sanction is a consequence placed upon a student for violations of the Code. Sanctions define the student's conduct relationship with the University. Conditions are assigned actions that may repair damage, encourage reflection and learning, and/or assist the student in meeting the University's expectations.

If a student is found responsible for one or more alleged Code violations, a sanction may be imposed. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history.

Sanctions of suspension are noted in the student's transcript throughout the duration of the suspension period, while sanctions of expulsion remain permanently.

With each sanction, conditions may also be assigned. In addition, notification may be given to other University officials as necessary. Examples of conditions are listed in Section 7.2 of this Code.

In assigning a sanction and/or conditions, the hearing officer will consider factors, including:

- Facts of the case;
- Type and severity of the offense;
- Impact on the reporting party (if applicable), the educational community, and its members;
- Previous incidents of prohibited conduct; and
- The ability and/or willingness of the responding student to accept responsibility.

Any Code violation that is identified as motivated by bias or resulting in a negative impact on a protected class may result in enhanced sanctions and/or conditions above those typically assigned for the same violations when not motivated by bias. See [NDSU Policy 100, Equal Opportunity and Non-Discrimination Policy](#).

Repeated violations of this Code are relevant in determining a student's continued membership in the University community. Progressively more severe sanctions, including suspension or expulsion

from the University, may be assigned, depending on the nature and/or persistence of the violation(s).

Legal guardians of students under 21 may be contacted by an NDSU administrator following alcohol and/or other drug related incidents.

7.1 Sanctions

Warning

A warning is written notification that a Code violation has occurred.

Conduct Probation

Conduct probation is written notification that a student is not in good conduct standing for a specified period of time. The specific conditions of the probation will be determined on a case-by-case basis.

Supervised Conduct Probation

Supervised conduct probation is written notification that a student is not in good conduct standing for a specified period of time and requires meetings with a designated NDSU employee to monitor progress in behavioral, academic, social, vocational, and other areas of the student's life. The student may be assigned educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth.

Conduct Suspension

Conduct suspension is written notification that the status as an enrolled student or registered student organization has been terminated. This suspension is for a specified period of time not to exceed two (2) academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the Vice Provost may specify a longer period of suspension.

- The student may not re-enroll at NDSU during the period of conduct suspension.
- The student's eligibility for any refund of tuition/fees will be subject to the University's normal withdrawal policy.
- The notice of conduct suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain information regarding reactivation from Registration and Records or online through [One Stop](#). A meeting with a member of the Dean of Students staff may be required prior to acceptance of the student's application for readmission.
- The student's transcript will carry a notation "may not register for nonacademic reasons <effective date range>" without further explanation. Upon completion of the suspension, the notation will be removed by the University.
- The student must vacate Residence Life facilities within the time frame established in the written notice of the conduct suspension.
- In addition to being ineligible for enrollment, a student is also ineligible for employment

with NDSU.

- The student is restricted from the NDSU campus during the specified period of suspension. The student will also be required to obtain prior written permission from the Vice Provost or designee, before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the University.
- Conduct suspension is a permanent conduct record, which means it may be retained indefinitely at the discretion of the Vice Provost, but not less than seven (7) years.
- Student organizations may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and conditions.

Conduct Expulsion

Expulsion is written notification that a student is permanently ineligible to return to the University. The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a permanent record.

Conduct expulsion is a permanent conduct record, which means it will be retained indefinitely at the discretion of the Vice Provost, but not less than seven (7) years.

A student who has been expelled is restricted from the NDSU campus indefinitely. Written requests for exceptions to this restriction may be directed to the Vice Provost or designee; however, approval is generally only granted for the purpose of conducting official University business. Requests for readmission will not be approved.

7.2 Conditions

Written Assignments

Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.

Participation in a Specific Activity or Project

Students may be required to participate in a specific activity or project, such as public service, an educational class, meeting with a designated University official, and/or other assignment.

Loss of Privileges

Students may be denied various privileges associated with being a student at NDSU. Such privileges may include residing in, visiting, or accessing University property and facilities and/or participating in University events and/or student organizations.

No Contact Order

Students may be prohibited from direct or indirect physical, verbal, or electronic contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include any and all forms of communication, access to University owned or controlled locations, and specified minimum distances.

Restitution

A student may be required to repair, pay the cost for repair, or pay for cost of replacement of any University or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer, taking into consideration the fair market value or cost to repair the damaged item(s).

Alcohol/Drug Evaluation and/or Testing

The University reserves the right to require alcohol/drug evaluation and/or testing as a condition of enrollment or continued enrollment when:

- A student's conduct endangers or may endanger the safety of themselves, others, or property, and/or
- A pattern of misconduct has been demonstrated by a student.

8. Appeal Procedures

Students sanctioned for violations of this Code may make one (1) appeal. Cases resulting in suspension or expulsion are appealed to the Vice Provost or designee. All other appeals are addressed to the Vice Provost or designee, or an administrator of Residence Life, depending upon who served as the hearing officer.

In all cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, the reporting party is also allowed to file an appeal within the same parameters identified in Section 8.2 of this Code. In these cases, an appeal could result in a different decision regarding the finding of responsible or not responsible and/or stronger, the same, or lesser sanctions than originally imposed. In cases that only involve a responding student, the appeal officer may not increase the sanctions/actions imposed by the hearing officer.

8.1 Deadline for Appeals

An appeal of any conduct process decision must be made in writing within five (5) business days following the date the sanction notice is provided to the student. In extraordinary circumstances, the Vice Provost or designee may grant time extensions or reductions.

8.2 Appeal Documentation

Appeals must be submitted to the appeal officer specified in the decision letter using the designated [appeal form](#). The appeal must be submitted by the student and must provide detailed explanation for one or more of the following bases of appeal:

- The severity of the sanction was not consistent with the severity of the offense,
- The determination of the hearing officer was not substantiated by the evidence, and/or
- The student's due process rights as outlined in this Code were violated, which materially or substantially impacted the decision. Those rights believed to be violated must be specified.

A copy of an appeal will be given to the other party (if applicable) who will have the opportunity to respond. Students will have no more than five (5) business days to submit a response to the other party's appeal; however, the response cannot include an appeal if the time period for appeal has already expired.

8.3 Emergency Provisions

If an appeal is filed, the sanctions do not go into effect until the completion of the appeal process. Some emergency provisions may be maintained throughout the appeal to protect an individual and/or property.

8.4 Review

The appeal officer will review all documentation related to the hearing, the written appeal documentation/response to appeal from the student and materials from the original hearing, including the recording. In reviewing the appropriateness of sanctions, the student's entire conduct history may be considered.

8.5 Appeal Advisory Board

The Vice Provost or designee reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the appeal officer may accept or reject. The decision of the appeal officer will generally be issued within ten (10) business days of receiving the recommendation from the advisory board and that decision will be final.

8.6 Appeal Decision

After reviewing appeal materials, the appeal officer may decide to do one of the following:

- Uphold the decision,
- Remand the case back to the original hearing officer,
- Adjust the sanction/condition, or
- Assign a new hearing officer to rehear the case

The decision on the appeal will generally be made within ten (10) business days of receipt of the appeal, but may take longer during University recesses or in the event of complex cases.

9. Special Circumstances and Conditions

9.1 Registration/Graduation Hold

If a student fails to respond to a request to meet to discuss an alleged violation of this Code, or fails to comply with sanctions and conditions assigned as a result of being found responsible for a violation of this Code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the University's withdrawal policy.

If a student withdraws from the University while disciplinary action is pending, the student's educational records may be placed on hold and the allegations must be resolved prior to the student's readmission.

9.2 Returning and/or New Students

If a student, during a period of non-enrollment, commits an act that violates this Code, a registration hold may be placed to prevent the student's registration until a hearing may be held on that matter. The student may be notified about the hold at the time the University is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, a hearing officer, in consultation with the Vice Provost or designee, may place a registration hold to deny a student the eligibility to register. Reasons may include the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the University community, and/or as otherwise provided by [NDSU Policy 607, Admission & Re-Enrollment Safety Risks; Background Checks](#).

9.3 Rehearing Requests for Cases Resulting in Suspension or Expulsion

Any student who is suspended or expelled has the right to request a reconsideration of the case based on new or contradictory evidence that was not available at the time of the original hearing, and/or evidence that the student was not afforded due process as outlined in this Code. A request for reconsideration of the case should be submitted to the Vice Provost. Information that may be considered may include police reports, transcripts of legal proceedings, and the outcome of any civil or criminal proceeding directly related to the appeal.

9.4 Temporary Emergency Suspension

A student may be temporarily suspended by the Vice Provost, pending a hearing, when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of an individual or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five (5) business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion

of the Vice Provost. If the suspension is upheld, the suspension remains subject to the rules outlined in Conduct Suspension (see Section 7.1 of this Code) and remains a matter of permanent conduct record.

9.5 Administrative Withdrawal

A student may be subject to administrative withdrawal if it is determined by compelling evidence that the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property.

Students wishing to return to the University may obtain information regarding reactivation from Registration and Records or online through [One Stop](#). A meeting with a member of the Dean of Students staff also will be required prior to acceptance of the student's application for readmission.

9.6 Negotiated Withdrawal

In rare circumstances, a student may be allowed to negotiate a mutually agreed upon withdrawal for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Students wishing to return to the University may obtain information regarding reactivation from Registration and Records or online through [One Stop](#). A meeting with a member of the Dean of Students staff will also be required prior to acceptance of the student's application for readmission.

A student requesting readmission will be required to meet with the Vice Provost or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to readmission.

9.7 Crimes of Violence

The term "crime of violence" means:

- An offense that has an element of use, attempted use, or threatened use of physical violence against an individual 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 an individual or property of another may be used in the course of committing the offense.

Examples include arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the use or threat of physical force, robbery, vandalism, and sexual offenses.

Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the Dean of Students office. If the

victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the Code violated, and assigned sanction(s). Individuals in receipt of this information may assume personal civil liability for releasing this information to others.

10. Conduct Records

10.1 Disclosure

All conduct records are confidential and may not be disclosed in whole or in part except as provided under law, including the Family Education Rights and Privacy Act (FERPA), the USA Patriot Act, and lawful court orders.

The conduct record is separate from the student's academic record, but is considered a part of the student's educational record. All conduct records will be retained in the Dean of Students Office or other offices as authorized by the Vice Provost.

As provided under FERPA, information concerning Code violations for alcohol and/or drugs may be shared with legal guardians. In addition, Code actions may also be shared with some academic departments and Athletics as necessary to fulfill their professional obligations.

10.2 Retention and Destruction

Retention of conduct records, regardless of the finding of responsibility, will be kept for seven (7) years from the date of the most previous conduct incident. Student conduct records may be retained indefinitely at the discretion of the Vice Provost or designee.

Suspension or Expulsion

In cases in which a student is found in violation and receives a sanction of suspension, conduct records may be retained indefinitely at the discretion of the Vice Provost or designee. In cases in which a student is found in violation and receives a sanction of expulsion, conduct records will be retained on a permanent basis.

Student Organization Records

Records of conduct violations involving student organizations will be retained for seven (7) years following the date of the incident. Student organization conduct records may be retained indefinitely at the discretion of the Vice Provost or designee.

HISTORY:

New	
Amended	September 27, 1999
Amended	May 31, 2011

Amended	August 23, 2014
Amended	September 18, 2015
Housekeeping	October 6, 2015
Housekeeping	June 23, 2017
Amended	August 22, 2017
Amended	November 25, 2019
Amended	August 14, 2020
Amended	December 14, 2020
Amended	August 18, 2021
Amended	November 3, 2021
Amended	July 13, 2023 (Interim)
Amended	January 4, 2024
Housekeeping	January 25, 2024

North Dakota State University

Policy Manual

SECTION 158.1

E-MAIL AS AN OFFICIAL COMMUNICATION METHOD FOR EMPLOYEES

SOURCE: NDSU President

1. POLICY STATEMENT

Electronic mail (e-mail) sent to and received from @ndsu.edu, like postal and campus mail, is an official means by which the University communicates with employees. NDSU exercises the right to send e-mail communication to employees and expects that e-mail communication is received and read by employees in a timely manner.

2. RATIONALE

Employees may have several addresses. Determining where to send official communication can be challenging, especially when there may be an emergency. Electronic communication is convenient, fast, cost-effective, environmentally advantageous and readily available. E-mail has been designated as an official communication medium by the University.

3. DEFINITIONS:

3.1 Employee(s)

See definition of employee as described in [NDSU Policy, Section 101, Personnel Definitions](#).

3.2 Official E-mail Address

An e-mail address assigned to an individual by the NDSU Information Technology Division (NDSU IT).

3.3 Official E-mail Communication

An e-mail message regarding official University business sent from an NDSU employee or departmental representative.

3.4 Employee Official Electronic Mailing List

A mailing list populated with official e-mail addresses of all employees for official communication. Employees are expected to read and act appropriately on all messages sent to this list.

3.5 Redirected E-mail

E-mail redirected or forwarded from an official e-mail address to an address not issued by NDSU IT (e.g., jane@gmail.com, john.smith@cs.ndsu.edu).

4. SCOPE

This policy applies to all NDSU employees.

5. EMPLOYEES USE & RESPONSIBILITIES

Security and Appropriate Usage: Employees are required to comply with all institutional and University System policies and procedures, especially North Dakota University System 1202.1 Acceptable Use of Information Technology Resources Policy and [NDSU Policy Section 158, Acceptable Use of Electronic Communications Devices](#), and relevant local, state, and federal law.

5.1 Account Monitoring

Employees are responsible for monitoring their e-mail for official campus communication, and have the responsibility to recognize that certain communication is time sensitive. Supervisors are responsible for notifying employees with limited access to e-mail of time-sensitive communications.

NDSU reserves the right to monitor an e-mail account for suspected inappropriate usage.

5.2 Special Accommodation

Employees with a disability who are unable to use e-mail as an official University communication may request an exemption to this policy in the form of an alternate format accommodation. To request accommodation refer to [NDSU Policy Section 168](#).

5.3 E-mail Problems

So as to not interfere with the receipt of official University communication, employees can report any technical problems in accessing or using their official e-mail addresses and accounts to the NDSU IT Help Desk. The Help Desk may be reached through e-mail, NDSU.helpdesk@ndsu.edu, and by calling 701-231-8685.

5.4 Additional Requirements

Additional requirements may be imposed by administration, colleges, divisions, and other entities within the University. Employees are responsible for accessing, reading, and responding to their e-mail in a timely manner.

6. UNIVERSITY USE OF E-MAIL

6.1 Campus Wide Announcements

The University works to minimize the number of messages sent to employees. Official messages sent to employees are to be sent through the official mailing lists. These lists are moderated by NDSU officials.

6.2 Mail Formatting

Contact information for the originating employee and department must be clearly denoted in the message signature. To maintain consistent branding standards across all forms of communication at NDSU, it is recommended that employees use one of the standard NDSU e-mail signature [options](#).

6.3 Attachments

In order to facilitate the timely operation of NDSU's e-mail system and to minimize the amount of storage required to deliver this service, it is recommended that attachments not be included in e-mail announcements sent to large groups such as the NDSU employee official e-mail lists.

6.4 Business Use of E-mail

Individuals' NDSU official e-mail addresses are to be used in accordance with the business of the University and for purposes directly related to their position and/or job functions. Official e-mail addresses may not be used for conducting personal business. Incidental personal use is allowed and is to be determined by the respective dean, provost, vice president, president, director, department chairperson, or department head. Personal use must follow all applicable NDSU policies and laws. Use of email to store or transmit social security numbers, dates of birth, credit card numbers, or any similarly sensitive pieces of information is explicitly disallowed for both business and incidental personal use.

6.5 E-mail Sent by Employees

In efforts to protect privacy and better ensure authenticity, University administration, colleges, divisions, and other entities within the University require that e-mails which request a response or are in direct relation to duties and job functions, be sent via official e-mail addresses.

7. E-MAIL SERVICE REQUIREMENTS

7.1 Initial E-Mail Assignment and Service Setup

E-mail accounts, which create electronic identities and assign e-mail addresses, are automatically set up for new employees by the NDSU Information Technology Division upon acceptance of employment to the University. E-mail addresses are free of charge and remain active as long as the person is employed by the University, or as approved by the respective dean, provost, vice president or president.

7.2 Activating E-mail

After initial e-mail account setup, employees must activate their e-mail addresses and accounts. Instructions are available on the [NDSU Help Desk Website](#).

7.3 Redirecting of NDSU E-mail

Official University electronic communication is sent to the @ndsu.edu address. Failure to receive official University messages when using a non-official e-mail address does not absolve employees from the responsibilities associated with official communication sent to their @ndsu.edu addresses.

Employees wishing to redirect e-mail sent to their official NDSU e-mail address must formally request and receive permission their department head/chair, from their respective dean, provost, vice president, or president as well as the Vice President for Information Technology or designee.

If the request is approved, the employee's dean, provost, vice president, president, or designee must request the change for the employee's e-mail redirect by contacting the NDSU Help Desk.

All email messages that are redirected to a non-official email account are still subject to the North Dakota Public Records law, [NDCC 44-04](#), regardless of the system this email resides in. Individuals must comply with any public record requests and any requests made by NDSU.

7.4 Privacy and Confidentiality

Communication via e-mail is subject to all of the same public information, privacy, and records retention laws as other forms of communication. While NDSU e-mail affords some measure of privacy, the redirecting of e-mail by employees to outside accounts and the sharing of messages with third parties may negate the privacy protection rights afforded to employees by the University.

7.5 University Spam Policy

In an effort to reduce the amount of spam the NDSU e-mail system must process, some messages considered to be spam or sent from known spammers are blocked. Use of additional spam fighting tools that delete official e-mail before it is read does not exempt individuals from the policy outlined in this document.

For more information on e-mail services, see www.ndsu.edu/helpdesk or www.ndsu.edu/its.

HISTORY:

New	February 7, 2012
Housekeeping	June 15, 2018
Amended	April 21, 2021

North Dakota State University

Policy Manual

SECTION 609

EMAIL AS AN OFFICIAL COMMUNICATION METHOD TO STUDENTS

SOURCE: NDSU President

1. **POLICY STATEMENT:** Electronic mail (Email), like postal and campus mail, is an official means by which the University may communicate with students. NDSU exercises the right to send email communication to students and expects that email communication is received and read by students in a timely manner.
2. **RATIONALE:** As email is readily available from any Internet connection it has been designated as an official communication medium by the University. Reliability, coupled with the convenience, speed, cost-effectiveness and environmental advantages of using electronic communication, make email an effective and efficient means by which to communicate with students enrolled at NDSU.
3. **DEFINITIONS:**
 - 3.1 **Official email address:**
An email address assigned to an individual by the NDSU Information Technology Division.
 - 3.2 **Official email communication:**
An email message regarding official University business sent from an NDSU faculty, staff, or departmental representative to a student or group of students.
 - 3.3 **Official student mailing list:**
A mailing list populated with official email addresses used by administration and University offices for official mass communication to the student body. Students are expected to read all messages, and act appropriately on, all messages sent to this list.
 - 3.4 **Redirected email:**
Email redirected from an official email address to an address not issued by NDSU Information Technology Division (e.g., jane@yahoo.com, john@english.ndsu.edu).
4. **SCOPE:** This policy applies to all admitted and enrolled students at North Dakota State University.
5. **STUDENT USE & RESPONSIBILITIES:**

Security: Students are required to comply with all institutional and University System policies and procedures, especially [North Dakota University System Policy 1202.1 Acceptable Use of Information Technology Resources](#) and [NDSU 158: Acceptable Use of Electronic Communications Devices](#), and relevant local, state, and federal law. It is a violation of policy to share usernames and passwords as potentially sensitive information may be transmitted via email.

- 5.1 **Account Monitoring:**
Students are responsible for frequently monitoring their email for official campus communication. Students have the responsibility to recognize that certain communication is time sensitive.

5.2 Special Accommodation:
Students with a disability who are unable to use email as an official University communication may request an exemption to this policy in the form of an alternate format accommodation. To request the accommodation, students should contact NDSU Disability Services. Students will be required to submit documentation from a licensed professional that states the disability and the functional limitations.

5.3 Email problems:
So as to not interfere with the receipt of official University communication, students must report any technical problems in accessing or using their official email addresses to the NDSU Information Technology Division (IT) Service Center. (www.ndsu.edu/it/help) or 701-231-8685)

6. UNIVERSITY USE OF EMAIL:

6.1 Campus Wide Announcements:
The University works to minimize the number of messages sent to the entire student body. Messages sent to the entire student body are sent through the official student mailing list. This list is moderated by NDSU officials, and is reserved for official University communication that impacts all or most students. Students may not unsubscribe from the official list. Other (non-official) notifications may be sent via the Student Announce list managed by Student Government.

6.2 Mail Formatting:
The message body of official campus communications shall be sent as plain text messages. Contact information for the originating department must be clearly denoted in the message signature.

6.3 Attachments:
In order to facilitate the timely operation of NDSU's email system and to minimize the amount of storage required to deliver this service, attachments may not be used in email announcements sent to large groups such as the entire student body or all students in a given college.

6.4 Instructional Use of Email:
Instructors may determine how email or other forms of electronic communication (i.e., Blackboard) shall be used to facilitate teaching and learning. Instructors may establish email lists to communicate with students (e.g., regarding class assignments) and may expect that students are accessing their email on a regular basis as specified in this policy.

6.5 Email Sent by Students:
In efforts to protect student privacy and better ensure student authenticity, University personnel may require that emails received from students, which request a response, be sent via their official email address.

7. EMAIL SERVICE REQUIREMENTS

7.1 Initial Email Assignment and Service Setup:
Email accounts, which create electronic identities and assign email addresses, are automatically setup for new and returning students by Information Technology Services upon admission or readmission to the University. Email addresses are free of charge and remain active as up to eighteen months after the student's last enrolled semester.

- 7.2 **Activating Email:**
After initial email account setup by Information Technology Services, students activate their email addresses and accounts. Instructions are available online [Account Hub \(ndsu.edu\)](https://www.ndsu.edu/accounthub)
- 7.3 **Redirecting of NDSU Email:**
Official University electronic communication is sent to students' official NDSU email address. Failure to receive official University messages when using a non-official email address does not absolve students from the responsibilities associated with official communication sent to their official NDSU email addresses.
- 7.4 **Privacy and Confidentiality:**
Communication via email is subject to all of the same public information, privacy, and records retention laws as other forms of communication. While NDSU email affords some measure of privacy, the redirecting of email by students to outside accounts and the sharing of messages with third parties can negate the privacy protection rights afforded by students to the University.
- 7.5 **University Spam Policy:**
In an effort to reduce the amount of spam the NDSU email system must process, some messages considered to be spam or sent from known spammers are blocked. Use of additional spam fighting tools that delete official email before it is read does not exempt individuals from the policy outlined in this document.

For more information on the email assignment process visit <https://www.ndsu.edu/it/help/>

HISTORY:

New	May 2007
Amended	September 28, 2011
Housekeeping	June 15, 2018
Housekeeping	August 30, 2024



NORTH DAKOTA STATE UNIVERSITY

Executive Summary

Spring 2024

American College Health Association

National College Health Assessment III

ACHA-NCHA III

The ACHA-NCHA III supports the health of the campus community by fulfilling the academic mission, supporting short- and long-term healthy behaviors, and gaining a current profile of health trends within the campus community.



AMERICAN COLLEGE HEALTH ASSOCIATION

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ACHA, the nation's principal advocate and leadership organization for college and university health, represents a diverse membership that provides and supports the delivery of health care and prevention and wellness services for the nation's 20 million college students. For more information about the association's programs and services, visit www.acha.org, and www.acha.org/NCHA.

Suggested citation for this document:

American College Health Association. American College Health Association-National College Health Assessment III: North Dakota State University Executive Summary Spring 2024. Silver Spring, MD: American College Health Association; 2024.

Introduction and Notes

The ACHA-National College Health Assessment (ACHA-NCHA) is a national research survey organized by the American College Health Association (ACHA) to assist college health service providers, health educators, counselors, and administrators in collecting data about their students' habits and behaviors on the most prevalent health topics. The ACHA-NCHA now provides the largest known comprehensive data set on the health of college students, providing the college health and higher education fields with a vast spectrum of information on student health.

ACHA initiated the original ACHA-NCHA in 2000 and the instrument was used nationwide through the Spring 2008 data collection period. A revised survey, the ACHA-NCHA-II, was in use from Fall 2008 - Spring 2019 data collection periods. The survey was redesigned again, and data collection with the ACHA-NCHA III began in Fall 2019.

Please note that it is not appropriate to compare trends between versions of the survey. Directly comparing data points between the Original ACHA-NCHA, the ACHA-NCHA II, and the ACHA-NCHA III can lead to an erroneous conclusion and is not recommended.

Notes about this report:

1. Missing values have been excluded from analysis and only valid percents are included in this document, unless otherwise noted.
2. **The ACHA-NCHA III is programmed differently than earlier versions of the survey.** Rather than asking the respondents to answer every question (and offering a "not applicable" option), display logic was used throughout the survey to determine whether, based on their response to an earlier question, the student saw a follow-up question. This makes the valid percents of certain questions impossible to apply to the entire sample, as the denominator used was limited to only the number of students that saw the question. When appropriate, results are also presented using the entire sample as the denominator to show the proportion of the overall sample that experienced a particular issue. These differences in presentation are carefully noted throughout the document and will often explain differences observed between this document and the full data report. Please look carefully at descriptions of the data presented in each table, as well as any footnotes included.
3. **About the use of sex and gender in this report:** Survey results are reported by sex based on the responses to questions 67A, 67B, and 67C. The responses to these questions are used to create a new variable called RSEX. RSEX is used for organizing results in the ACHA-NCHA report documents. Respondents are reported as cis men or cis women only when their responses to 67A, 67B, and 67C are consistent with one another. If gender identity is consistent with sex at birth AND "no" is selected for transgender, then respondents are designated as either cis men or cis women in RSEX. If respondents select "yes" for transgender OR their sex at birth is not consistent with their gender identity, then they are designated as transgender/gender non-conforming in RSEX. A respondent that selects "intersex" for sex at birth, "no" for transgender, and man or woman for gender identity are designated as cis men or cis women in RSEX. A respondent that selects "intersex" for sex at birth, "yes" for transgender, or selects a gender identity other than man or woman are designated as transgender/gender non-conforming in RSEX. A respondent that selects "another identity" on 67C is designated missing in RSEX. A respondent that skips any of the three questions is designated as missing in RSEX. Totals displayed in this report include missing responses. Please see the ACHA-NCHA III survey codebook for more information about how data on sex and gender are coded.
4. **Changes from NCHA III to NCHA IIIB:** - To be more inclusive of online learners, **N3Q2** (sense of community/belonging) wording was changed and a "does not apply" option was added to **N3Q21** (sense of safety on/near campus).
 - A follow-up question, **N3Q40B**, was added to learn if a pregnancy negatively impacted academic performance in the last 12 months.
 - **N3Q47A13-A18** were reworded to clarify that the respondent experienced bullying, cyberbullying, hazing, microaggression, sexual harassment, or discrimination, and was not the perpetrator.
 - **N3QM1-6** were added to the mental health section to measure history of medication and therapy use.
 - **N3Q54C** and **N3Q55B** (where student received medical and mental health care) were removed.
 - COVID-19 vaccine (**COVIDVAX**) questions changed to reflect endemic.
 - "Asexual" was added to **N3Q68** as a standalone response option (to date, it had been recoded from write-in responses).
 - Questions **N3Q73B** and **C** were added to the demographic section to learn more about dropout intention and risk.
 - **N3Q74** was revised to be clearer about visa and international student status.
 - **N3Q79** (health insurance question) is now "select all that apply" and an option for insurance coverage through "an embassy or sponsoring agency for international students" was added.
 - **N3Q86A-C** (Firearms) are now included in the standard survey (with the option to opt-out).

For additional information about the survey's development, design, and methodology, email Mary T Hoban, PhD, MCHES, (mhoban@acha.org), Christine Kukich, MS (ckukich@acha.org), or visit www.acha-ncha.org.

We need to draw your attention to an important change in your ACHA-NCHA Report documents. Beginning in Spring 2021, responses for transgender and gender-nonconforming students are readily available directly in the report documents. This represents an important change in the way we have been reporting ACHA-NCHA results. We've prepared the following information to better explain the specific changes, our reasoning for doing so, and tips for using these redesigned report documents.

I. What we've done to date

- The ACHA-NCHA has asked respondents about their gender identity for 12 years.
- Data on transgender and gender-nonconforming (TGNC) students was available in the data file, but not displayed explicitly in the report documents in an effort to protect the privacy of TGNC students, particularly those students in smaller campus environments and at schools that publicly shared their ACHA-NCHA report documents.
- We have been trying to find the right balance between protecting students' privacy and making the results accessible to campus surveyors who may not use the statistical software that would be required to extract this information directly from the data files. Until now, we've erred on the side of protecting student privacy.

II. Why change?

- The number of TGNC students in our samples has been increasing over the years. Between 2008 and 2015, the number of students identifying as TGNC was very small (less than 0.05%). We've learned over the years that gender identity is complex and fluid. To better capture this complexity, we began asking separate questions about sex at birth and gender identity in Fall 2015. Now TGNC students tend to represent 3-4% of the overall sample.
- With greater number of students identifying as TGNC on the ACHA-NCHA in recent years, we have a better opportunity to understand their needs and behaviors than we have in years past.
- A number of health disparities between TGNC students and their cisgender peers have been well documented^[1], and schools need readily available access to this data in order to better address the needs of TGNC students.

III. What's different about the way we are reporting?

- First – a note about how we have been reporting ACHA-NCHA results to date. RSEX is a variable we create based on the responses to the questions on sex at birth, whether or not a student identifies as transgender, and their gender identity. The RSEX variable had allowed us to sort respondents into 4 groups for reporting purposes: male, female, non-binary, and missing. (Details about this variable can be found in all report documents.)
- The value labels for RSEX have been revised to better represent gender identity rather than sex. A value of "1" has been changed from "Male" to "Cis Men^[2]." A "2" has been changed from "Female" to "Cis Women^[3]." The value "3" has been changed from "non-binary" to "Transgender and Gender-Nonconforming" (TGNC), as it's a more accurate and inclusive term. The value "4" on RSEX remains "missing/unknown" and is used for students who do not answer all three questions.
- The "missing/unknown" column in the Data Report document has been replaced with a "Trans/Gender-Nonconforming" column. Because space limitations in the report prevent us from displaying all 4 categories plus a total column in the same document, it's now the "missing/unknown" column that is not displayed. Now when the Total of any given row is higher than the sum of the cis men, cis women, and TGNC respondents, the difference can be attributed to "missing/unknown" respondents that selected the response option presented in that row
- A column for "Trans/Gender-Nonconforming" has been added the Executive Summary Report document.

IV. Important considerations with this new format

- Percentages in the Executive Summary may represent a very small number of TGNC students and can limit the generalizability of a particular finding. To assist with the interpretation of the percentages displayed in the Executive Summary, the total sample size for each group has been added to every page.
- We encourage ACHA-NCHA surveyors to carefully review their report documents, particularly among the student demographic variables, and consider students who may be inadvertently identified in the results based on a unique combination of the demographic characteristics before sharing the documents widely or publicly. This is especially true for very small schools, as well as schools that lack diversity in the student population.
- Think about the implication of working with and documenting very small samples – from the perspective of making meaningful interpretations, as well as the privacy of respondents. This is true of all demographic variables, and not limited to gender identity. You may consider a minimum cell size or another threshold by which you make decisions about making your Institutional Data Report publicly available. It is less of a concern in your Institutional Executive Summary as we only display the percentages with the overall sample size.

[1] Greathouse M, BrckaLorenz A, Hoban M, Huseman R, Rankin S, Stolzenberg EB. (2018). Queer-spectrum and trans-spectrum student experiences in American higher education: The analysis of national survey findings. New Brunswick, NJ: Tyler Clementi Center, Rutgers University.

[2] Cisgender refers to people whose gender identity matches their sex assigned at birth. Cis men is short for "cisgender men" and is a term used to describe persons who identify as men and were assigned male at birth.

[3] Cis women is short for "cisgender women" and is a term used to describe persons who identify as women and were assigned female at birth.

This Executive Summary highlights results of the ACHA-NCHA III Spring 2024 survey for North Dakota State University consisting of 644 respondents. The response rate was 5.7%.

Findings

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

A. General Health and Campus Climate

- 46.1 % of college students surveyed (56.2 % cis men, 43.2 % cis women, and 18.2 % transgender/gender non-conforming) described their health as *very good or excellent*.
- 86.1 % of college students surveyed (91.4 % cis men, 84.9 % cis women, and 69.7 % transgender/gender non-conforming) described their health as *good, very good or excellent*.

Proportion of college students who reported they *agree or strongly agree* that:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
I feel that I belong at my college/university	67.2	71.0	63.9	68.6
I feel that students' health and well-being is a priority of my college/university	55.5	56.9	44.4	55.2
I feel that the climate of my college/university encourages free and open discussion about students' health and well-being	62.4	63.9	54.3	62.4
We are a college/university where we look out for each other	52.2	53.8	30.6	51.6

B. Nutrition, BMI, Physical Activity, and Food Security

College students reported:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Drinking 0 sugar-sweetened beverages (per day), on average, in the last 7 days	31.1	26.7	27.8	28.3
Drinking 1 or more sugar-sweetened beverages (per day), on average, in the last 7 days	68.9	73.3	72.2	71.7
Drinking energy drinks or shots on 0 of the past 30 days	63.2	64.0	47.2	62.8
Drinking energy drinks or shots on 1-4 of the past 30 days	19.3	18.1	25.0	18.8
Drinking energy drinks or shots on 5 or more of the past 30 days	17.5	17.9	27.8	18.4
Eating 3 or more servings of fruits (per day), on average, in the last 7 days	15.8	14.4	11.4	14.8
Eating 3 or more servings of vegetables (per day), on average, in the last 7 days	24.9	23.8	11.4	23.5

Estimated Body Mass Index (BMI): This figure incorporates reported height and weight to form a general indicator of physical health. Categories defined by The World Health Organization (WHO) 2000, reprinted 2004. Obesity: Preventing and Managing the Global Epidemic. WHO Tech Report Series: 894.

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
BMI				
<18.5 Underweight	2.7	4.4	2.9	3.8
18.5-24.9 Healthy Weight	45.6	51.9	40.0	48.7
25-29.9 Overweight	31.4	23.8	25.7	26.8
30-34.9 Class I Obesity	14.6	9.7	17.1	11.9
35-39.9 Class II Obesity	4.4	6.1	11.4	5.7
≥40 Class III Obesity	1.3	4.1	2.9	3.0
Mean	26.08	26.02	27.44	26.12
Median	25.09	24.13	25.69	24.55
Std Dev	5.33	6.89	6.96	6.35

Students meeting the recommended guidelines for physical activity

Based on: US Dept of Health and Human Services. *Physical Activities Guidelines for Americans*, 2nd edition. Washington, DC: US Dept of Health and Human Services; 2018

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

Definitions:

- Recommendation for **aerobic activity**: 150 minutes or more of moderate-intensity physical activity per week or 75 minutes of vigorous-intensity physical activity or the equivalent combination
- Recommendation for **strength training**: 2 or more days a week of moderate or greater intensity activities that involve all major muscle groups
- **Active Adults** meet the recommendation for strength training **AND** aerobic activity
- **Highly Active Adults** meet the recommendation for strength training and **TWICE** the recommendation for aerobic activity (300 minutes or more of moderate-intensity physical activity per week or 150 minutes of vigorous-intensity physical activity or the equivalent combination)

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Guidelines met for aerobic exercise only		69.7	63.3	66.7	65.7
Guidelines met for Active Adults		47.8	34.8	30.6	39.2
Guidelines met for Highly Active Adults		37.7	24.9	22.2	29.3

Food Security

Based on responses to the *US Household Food Security Survey Module: Six-Item Short Form (2012)* from the USDA Economic Research Service.

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
High or marginal food security (score 0-1)		70.5	60.9	52.8	63.6
Low food security (score 2-4)		18.5	23.5	16.7	21.5
Very low food security (score 5-6)		11.0	15.6	30.6	14.9
Any food insecurity (low or very low food security)		29.5	39.1	47.2	36.4

C. Health Care Utilization

College students reported:

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Receiving psychological or mental health services within the last 12 months		20.1	38.2	58.3	32.9
Visiting a medical provider within the last 12 months		60.3	80.8	83.3	73.5

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Ever prescribed medication for a mental health condition		20.1	42.5	66.7	36.0

Prescribed before starting at current college/university*

Prescribed after starting at current college/university*

Last 12 months, prescribed medication for a mental health condition*

**These figures use all students in the sample as the denominator, rather than just those students who have ever been prescribed medication for a mental health condition*

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Ever had counseling for a mental health condition		19.7	45.5	61.1	37.3

Started counseling before starting at current college/university*

Started counseling after starting at current college/university*

Last 12 months, had counseling for a mental health condition*

**These figures use all students in the sample as the denominator, rather than just those students who have ever had counseling for a mental health condition*

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Started counseling before starting at current college/university*		13.5	35.2	36.1	27.6
Started counseling after starting at current college/university*		6.1	10.3	25.0	9.5
Last 12 months, had counseling for a mental health condition*		8.3	29.5	52.8	23.1

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

College students reported:

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Flu vaccine within the last 12 month		42.8	52.8	55.6	49.4
Not starting the HPV vaccine series		24.5	21.1	11.1	21.7
Starting, but not completing HPV vaccine series		3.1	2.7	11.1	3.3
Completing HPV vaccine series		42.4	51.2	41.7	47.3
Not knowing their HPV vaccine status		30.1	24.9	36.1	27.7
Ever having a GYN visit or exam (females only)			48.5	30.6	
Having a dental exam in the last 12 months		66.8	76.7	55.6	72.1
Being tested for HIV within the last 12 months		7.9	11.4	8.3	9.8
Being tested for HIV more than 12 months ago		10.0	6.8	5.6	7.8
Wearing sunscreen usually or always when outdoors		20.5	42.0	25.0	32.9
Spending time outdoors with the intention of tanning at least once in the last 12 months		34.4	62.4	31.4	50.0

D. Impediments to Academic Performance

Respondents are asked in numerous places throughout the survey about issues that might have negatively impacted their academic performance within the last 12 months. This is defined as negatively impacting their performance in a class or delaying progress towards their degree. Both types of negative impacts are represented in the figures below. Please refer to the corresponding Data Report for specific figures on each type of impact. Figures in the left columns use all students in the sample as the denominator. Figures in the right columns use only the students that experienced that issue (e.g. students who used cannabis, reported a problem or challenge with finances, or experienced a particular health issue) in the denominator. *(items are listed in the order in which they appear in the survey)*

Negatively impacted academic performance among all students in the sample

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Alcohol use		2.6	0.8	2.8	1.6
Cannabis/marijuana use		0.9	1.4	0.0	1.1
Pregnancy or a partner's pregnancy		1.3	0.0	0.0	0.5

Negatively impacted academic performance among only students that experienced the issue

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
	3.7	1.1	4.3	2.2
	3.8	6.0	0.0	4.8
	100.0	0.0	0.0	75.0

Problems or challenges in the last 12 months

Career	9.2	8.4	19.4	9.3
Finances	17.0	14.9	16.7	15.7
Procrastination	47.6	43.1	52.8	45.2
Faculty	8.3	6.8	2.8	7.0
Family	3.9	7.3	8.3	6.2
Intimate Relationships	8.3	8.9	13.9	8.9
Roommate/housemate	4.8	6.2	0.0	5.4
Peers	3.9	7.0	5.6	5.9
Personal appearance	2.6	6.2	2.8	4.7
Health of someone close to me	6.6	9.2	5.6	8.1
Death of a family member, friend, or someone close to me	7.0	8.4	11.1	8.1
Bullying	1.7	3.3	0.0	2.5
Cyberbullying	0.4	0.3	0.0	0.3
Hazing	0.0	0.3	0.0	0.2
Microaggression	1.7	2.4	5.6	2.3
Sexual Harassment	0.0	3.0	0.0	1.7
Discrimination	0.9	2.4	2.8	2.0

	35.6	29.2	41.2	32.6
	45.9	30.9	27.3	35.2
	65.3	59.6	63.3	62.2
	73.1	64.1	16.7	63.4
	18.4	21.1	17.6	20.5
	26.4	30.0	38.5	29.1
	23.9	22.1	0.0	21.3
	22.5	30.2	25.0	28.1
	8.2	11.8	4.2	10.1
	20.8	21.5	14.3	21.1
	33.3	34.1	36.4	34.4
	50.0	42.9	0.0	41.0
	12.5	16.7	0.0	10.5
	0.0	50.0	0.0	33.3
	15.4	20.9	16.7	18.3
	0.0	33.3	0.0	23.4
	8.7	40.9	12.5	24.1

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

Negatively impacted academic performance among all students in the sample

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Acute Diagnoses in the last 12 months				
Bronchitis	0.4	2.2	2.8	1.6
Chlamydia	0.0	0.0	0.0	0.0
Chicken Pox (Varicella)	0.0	0.0	0.0	0.0
Cold/Virus or other respiratory illness	7.4	12.2	5.6	9.9
Concussion	0.4	0.3	2.8	0.5
Gonorrhea	0.0	0.0	0.0	0.0
Flu (influenza or flu-like illness)	3.5	6.5	2.8	5.1
Mumps	0.0	0.0	0.0	0.0
Mononucleosis (mono)	0.0	1.6	0.0	0.9
Orthopedic injury	2.2	3.0	8.3	3.0
Pelvic Inflammatory Disease	0.0	0.3	2.8	0.3
Pneumonia	0.0	1.1	0.0	0.6
Shingles	0.0	0.0	0.0	0.0
Stomach or GI virus or bug, food poisoning or gastritis	1.7	4.3	5.6	3.6
Urinary tract infection	0.0	2.4	0.0	1.4

Negatively impacted academic performance among only students that experienced the issue

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
50.0	66.7	100.0	66.7
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
31.5	35.7	20.0	33.5
100.0	20.0	100.0	42.9
0.0	0.0	0.0	0.0
38.1	51.1	50.0	47.1
0.0	0.0	0.0	0.0
0.0	75.0	0.0	66.7
35.7	28.9	50.0	32.8
0.0	50.0	50.0	50.0
0.0	50.0	0.0	50.0
0.0	0.0	0.0	0.0
44.4	43.2	66.7	46.0
0.0	22.5	0.0	19.1

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Any ongoing or chronic medical conditions diagnosed or treated in the last 12 months	14.4	28.5	47.2	24.4

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
24.1	36.3	58.6	34.3

Other impediments to academic performance

Assault (physical)	0.0	0.8	0.0	0.5
Assault (sexual)	0.4	3.3	2.8	2.2
Allergies	1.7	3.3	0.0	2.6
Anxiety	19.7	31.7	47.2	28.1
ADHD or ADD	6.1	8.7	25.0	9.0
Concussion or TBI	0.9	0.5	2.8	0.8
Depression	16.6	22.5	55.6	22.2
Eating disorder/problem	0.0	3.0	5.6	2.0
Headaches/migraines	3.5	14.1	13.9	10.1
Influenza or influenza-like illness (the flu)	2.2	5.1	2.8	3.9
Injury	1.7	1.9	8.3	2.2
PMS	0.0	13.0	5.6	7.8
PTSD	0.9	4.1	8.3	3.3
Short-term illness	3.5	6.5	5.6	5.3
Upper respiratory illness	5.7	8.4	8.3	7.3
Sleep difficulties	17.9	22.5	33.3	21.4
Stress	26.6	37.4	44.4	33.9

0.0	37.5	0.0	25.0
14.3	37.5	33.3	33.3
5.6	9.7	0.0	8.3
42.5	47.6	54.8	46.9
53.8	54.2	75.0	58.0
40.0	18.2	100.0	29.4
61.3	56.5	71.4	59.6
0.0	16.4	20.0	14.1
15.1	31.1	33.3	27.4
19.2	32.8	16.7	27.8
20.0	21.2	42.9	23.3
0.0	29.1	14.3	27.9
40.0	39.5	37.5	39.6
30.8	30.0	33.3	30.1
24.1	23.8	23.1	23.7
46.6	43.7	50.0	45.4
40.1	47.3	51.6	45.6

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

E. Violence, Abusive Relationships, and Personal Safety

Within the last 12 months, college students reported experiencing:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
A physical fight	3.9	1.4	0.0	2.2
A physical assault (not sexual assault)	0.9	1.1	5.6	1.3
A verbal threat	8.7	7.4	11.1	8.0
Sexual touching without their consent	3.5	7.1	8.3	5.8
Sexual penetration attempt without their consent	0.9	3.0	2.8	2.2
Sexual penetration without their consent	0.9	2.2	0.0	1.6
Being a victim of stalking	2.6	4.1	8.3	3.8
A partner called me names, insulted me, or put me down to make me feel bad	8.3	8.5	8.3	8.3
A partner often insisted on knowing who I was with and where I was or tried to limit my contact with family or friends	5.2	4.7	2.8	4.7
A partner pushed, grabbed, shoved, slapped, kicked, bit, choked or hit me without my consent	2.2	1.6	0.0	1.7
A partner forced me into unwanted sexual contact by holding me down or hurting me in some way	0.4	1.6	0.0	1.1
A partner pressured me into unwanted sexual contact by threatening me, coercing me, or using alcohol or other drugs	2.6	3.0	5.6	3.0

College students reported feeling *very safe**:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
On their campus (daytime)	92.9	90.4	77.1	90.2
On their campus (nighttime)	62.1	24.9	12.1	37.7
In the community surrounding their campus (daytime)	59.7	46.8	26.5	50.1
In the community surrounding their campus (nighttime)	30.1	14.9	5.9	19.9

*Note: "Does not apply" responses were removed from the total in the denominator

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

F. Tobacco, Alcohol, and Other Drug Use

Percent (%)	Ever Used			
	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Tobacco or nicotine delivery products (cigarettes, e-cigarettes, Juul or other vape products, water pipe or hookah, chewing tobacco, cigars, etc.)	31.9	28.7	30.6	29.6
Alcoholic beverages (beer, wine, liquor, etc.)	69.0	70.2	72.2	69.4
Cannabis (marijuana, weed, hash, edibles, vaped cannabis, etc.) [Please report nonmedical use only.]	31.0	33.4	52.8	33.4
Cocaine (coke, crack, etc.)	2.2	4.4	8.3	3.8
Prescription stimulants (Ritalin, Concerta, Dexedrine, Adderall, diet pills, etc.) [Please report nonmedical use only.]	2.6	3.0	11.1	3.3
Methamphetamine (speed, crystal meth, ice, etc.)	0.4	0.5	0.0	0.5
Inhalants (poppers, nitrous, glue, gas, paint thinner, etc.)	1.3	0.8	13.9	1.7
Sedatives or Sleeping Pills (Valium, Ativan, Xanax, Klonopin, Librium, Rohypnol, GHB, etc.) [Please report nonmedical use only.]	2.2	3.0	11.1	3.3
Hallucinogens (Ecstasy, MDMA, Molly, LSD, acid, mushrooms, PCP, Special K, etc.)	5.7	3.0	11.1	4.4
Heroin	0.4	0.5	0.0	0.5
Prescription opioids (morphine, codeine, fentanyl, oxycodone [OxyContin, Percocet], hydrocodone [Vicodin], methadone, buprenorphine [Suboxone], etc.) [Please report nonmedical use only.]	0.4	2.2	2.9	1.6

*These figures use all students in the sample as the denominator, rather than just those students who reported lifetime use.

*Used in the last 3 months			
Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
21.4	17.6	22.2	18.9
61.1	65.9	55.6	62.7
18.3	20.6	25.0	19.9
0.4	1.9	0.0	1.2
0.4	0.8	0.0	0.6
0.0	0.0	0.0	0.0
0.0	0.3	8.3	0.6
1.3	1.4	2.8	1.4
2.2	1.1	0.0	1.4
0.0	0.0	0.0	0.0
0.0	0.5	0.0	0.3

Substance Specific Involvement Scores (SSIS) from the ASSIST

Percent (%)	*Moderate risk use of the substance			
	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Tobacco or nicotine delivery products	14.4	12.2	13.9	12.9
Alcoholic beverages	10.5	10.6	0.0	9.8
Cannabis (nonmedical use)	9.6	12.2	16.7	11.3
Cocaine	0.0	0.8	0.0	0.5
Prescription stimulants (nonmedical use)	0.0	0.3	0.0	0.2
Methamphetamine	0.0	0.0	0.0	0.0
Inhalants	0.0	0.3	2.8	0.3
Sedatives or Sleeping Pills (nonmedical use)	0.0	1.1	0.0	0.8
Hallucinogens	0.9	0.5	0.0	0.6
Heroin	0.0	0.0	0.0	0.0
Prescription opioids (nonmedical use)	0.0	0.0	0.0	0.0

*These figures use all students in the sample as the denominator, rather than just those students who reported lifetime use.

*High risk use of the substance			
Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
0.9	1.4	0.0	1.1
0.4	0.5	0.0	0.5
0.4	0.8	0.0	0.6
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0
0.0	0.0	0.0	0.0

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

***Proportion of students who were prescribed a medication and used more than prescribed or more often than prescribed in the past 3 months**

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Prescription stimulants	0.0	0.3	0.0	0.2
Prescription sedatives or sleeping pills	0.9	0.8	2.8	0.9
Prescription opioids	0.0	0.3	0.0	0.2

*These figures use all students in the sample as the denominator, rather than just those students who reported having a prescription. Note that the title of this table was changed in Fall 2022, but the figures remain the same.

***Tobacco or nicotine delivery products used in the last 3 months**

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Cigarettes	12.2	4.3	11.1	7.5
E-cigarettes or other vape products (for example: Juul, etc.)	12.2	15.7	19.4	14.4
Water pipe or hookah	0.4	0.3	0.0	0.3
Chewing or smokeless tobacco	7.0	1.6	0.0	3.4
Cigars or little cigars	5.2	0.8	0.0	2.3
Other	0.4	1.1	0.0	0.8

*These figures use all students in the sample as the denominator, rather than just those students who reported tobacco or nicotine delivery product use in the last 3 months.

Students in Recovery

■ 1.5 % of college students surveyed (1.7 % cis men, 0.4 % cis women, and 7.7 % transgender/gender non-conforming) indicated they were in recovery from alcohol or other drug use.

When, if ever, was the last time you:

Percent (%)	Drank Alcohol			
	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Never	24.0	26.0	27.8	25.6
Within the last 2 weeks	45.4	43.1	22.2	42.6
More than 2 weeks ago but within the last 30 days	10.0	8.7	13.9	9.4
More than 30 days ago but within the last 3 months	7.0	13.0	25.0	11.4
More than 3 months ago but within the last 12 months	7.9	6.5	5.6	7.0
More than 12 months ago	5.7	2.7	5.6	4.1

*Students were instructed to include medical and non-medical use of cannabis.

Cis Men	Cis Women	*Used Cannabis/Marijuana	
		Trans/ Gender Non- conforming	Total
66.4	61.9	47.2	62.9
9.6	9.5	16.7	10.0
0.9	2.2	2.8	1.7
4.4	5.4	2.8	4.9
8.3	6.0	16.7	7.4
10.5	15.0	13.9	13.1

Driving under the influence

- 13.5 % of college students reported driving after having **any alcohol** in the last 30 days.*
*Only students who reported driving in the last 30 days and drinking alcohol in the last 30 days were asked this question.
- 40.6 % of college students reported driving within 6 hours of using cannabis/marijuana in the last 30 days.*
*Only students who reported driving in the last 30 days and using cannabis in the last 30 days were asked this question.

Estimated Blood Alcohol Concentration (or eBAC) of college students. Due to the improbability of a student surviving a drinking episode resulting in an extremely high eBAC, all students with an eBAC of 0.50 or higher are also omitted from these eBAC figures. eBAC is an estimated figure based on the reported number of drinks consumed during the last time they drank alcohol in a social setting, their approximate time of consumption, sex, weight, and the average rate of ethanol metabolism. Only students who reported drinking alcohol within the last 3 months answered these questions.

Estimated BAC	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
< .08		82.4	78.5	77.3	79.9
< .10		85.9	82.4	90.9	84.2
Mean		0.04	0.05	0.04	0.04
Median		0.01	0.02	0.02	0.02
Std Dev		0.06	0.06	0.05	0.06

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

*Reported number of drinks consumed the last time students drank alcohol in a social setting.

Number of drinks	Percent (%)	Trans/ Gender Non- conforming			Total
		Cis Men	Cis Women		
4 or fewer		66.4	75.7	72.7	72.2
5		3.5	6.3	13.6	5.7
6		7.7	7.1	4.5	7.4
7 or more		22.4	10.9	9.1	14.8
Mean		4.2	3.3	3.0	3.6
Median		3.0	2.0	2.0	2.0
Std Dev		4.1	3.1	2.2	3.5

*Only students who reported drinking alcohol in the last three months were asked this question.

Reported number of times college students consumed five or more drinks in a sitting within the last two weeks:

	Among all students surveyed				
	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Did not drink alcohol in the last two weeks (includes non-drinkers)		54.6	56.9	77.8	57.4
None		24.5	20.1	13.9	21.2
1-2 times		17.0	18.4	8.3	17.3
3-5 times		2.6	4.3	0.0	3.4
6 or more times		1.3	0.3	0.0	0.6

*Only students who reported drinking alcohol in the last two weeks were asked this question.

*Among those who reported drinking alcohol within the last two weeks

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
53.8	46.5	62.5	49.8
37.5	42.8	37.5	40.7
5.8	10.1	0.0	8.1
2.9	0.6	0.0	1.5

*College students who drank alcohol reported experiencing the following in the last 12 months when drinking alcohol:

	Trans/ Gender Non- conforming				
	Percent (%)	Cis Men	Cis Women	Total	
Did something I later regretted		16.8	17.2	20.8	17.4
Blackout (forgot where I was or what I did for a large period of time and cannot remember, even when someone reminds me)		8.1	10.3	8.3	9.3
Brownout (forgot where I was or what I did for short periods of time, but can remember once someone reminds me)		16.8	20.2	20.8	19.1
Got in trouble with the police		1.2	0.8	4.2	1.1
Got in trouble with college/university authorities		1.2	0.4	4.2	0.9
Someone had sex with me without my consent		1.2	1.5	0.0	1.3
Had sex with someone without their consent		0.0	0.4	0.0	0.2
Had unprotected sex		9.3	8.7	8.3	9.1
Physically injured myself		5.6	6.1	12.5	6.4
Physically injured another person		1.9	0.0	0.0	0.7
Seriously considered suicide		3.7	1.1	8.3	2.4
Needed medical help		1.2	0.8	4.2	1.1
Reported two or more of the above		20.1	22.1	27.8	21.8

*Only students who reported drinking alcohol in the last 12 months were asked these questions.

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

G. Sexual Behavior

When, if ever, was the last time you had:

Percent (%)	Oral sex			Total
	Cis Men	Cis Women	Trans/ Gender Non- conforming	
Never	45.2	39.6	52.8	42.8
Within the last 2 weeks	19.7	25.1	22.2	22.9
More than 2 weeks ago but within the last 30 days	5.7	9.0	5.6	7.5
More than 30 days ago but within the last 3 months	8.8	11.2	2.8	9.9
More than 3 months ago but within the last 12 months	10.1	5.7	5.6	7.2
More than 12 months ago	10.5	9.3	11.1	9.7

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
25.4	31.9	25.0	29.1
5.7	7.9	2.8	6.7
4.8	7.1	2.8	5.9
10.1	5.2	2.8	6.7
7.9	7.9	8.3	7.8

Percent (%)	Anal intercourse			Total
	Cis Men	Cis Women	Trans/ Gender Non- conforming	
Never	89.5	83.9	83.3	85.9
Within the last 2 weeks	1.7	1.4	2.8	1.7
More than 2 weeks ago but within the last 30 days	0.9	0.5	0.0	0.6
More than 30 days ago but within the last 3 months	1.7	1.4	0.0	1.4
More than 3 months ago but within the last 12 months	2.2	2.7	2.8	2.5
More than 12 months ago	3.9	10.1	11.1	7.8

*College students who reported having oral sex, or vaginal or anal intercourse within the last 12 months reported having the following number of sexual partners:

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
1	75.2	78.0	85.7	77.2
2	10.3	9.1	0.0	9.1
3	6.0	3.3	14.3	4.7
4 or more	7.7	9.1	0.0	8.5
Mean	1.6	1.6	1.3	1.6
Median	1.0	1.0	1.0	1.0
Std Dev	1.5	1.7	0.7	1.6

*Only students who reported having oral sex, or vaginal or anal intercourse in the last 12 months were asked this question.

College students who reported having oral sex, or vaginal or anal intercourse within the last 30 days who reported using a condom or another protective barrier *most of the time* or *always*:

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Vaginal intercourse	47.9	40.0	50.0	42.5
Anal intercourse	66.7	28.6	0.0	40.0

*Only students who reported having oral sex, or vaginal or anal intercourse in the last 30 days were asked these questions.

College students who reported having vaginal intercourse (penis in vagina) within the last 12 months were asked if they or their partner used any method to prevent pregnancy the last time they had vaginal intercourse:

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
No, did not want to prevent pregnancy	1.9	2.1	0.0	2.3
No, did not use any method	15.2	14.7	8.3	14.5
Don't know	4.8	1.0	0.0	2.3

*Only students who reported having oral sex, or vaginal or anal intercourse in the last 12 months were asked this question.

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

*Those students who reported using a contraceptive use the last time they had vaginal intercourse, reported they (or their partner) used the following methods:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Birth control pills (monthly or extended cycle)	28.0	42.0	18.2	36.7
Birth control shots	2.4	5.1	0.0	4.0
Birth control implants	8.5	7.0	9.1	7.6
Birth control patch	0.0	1.3	0.0	0.8
The ring	1.2	1.3	0.0	1.2
Emergency contraception ("morning after pill" or "Plan B")	6.1	5.1	9.1	5.6
Intrauterine device	14.6	13.4	36.4	14.7
Male (external) condom	58.5	50.3	45.5	53.0
Female (internal) condom	1.2	0.0	0.0	0.4
Diaphragm or cervical cap	0.0	0.0	0.0	0.0
Contraceptive sponge	1.2	0.0	0.0	0.4
Withdrawal	20.7	33.8	27.3	29.5
Fertility awareness (calendar, mucous, basal body temperature)	3.7	8.9	9.1	7.6
Sterilization (hysterectomy, tubes tied, vasectomy)	6.1	2.5	0.0	3.6
Other method	0.0	0.0	9.1	0.4
<i>Male condom use plus another method</i>	31.7	36.9	18.2	34.7
<i>Any two or more methods (excluding male condoms)</i>	17.1	30.6	45.5	27.1

*Only students who reported they or their partner used a method the last time they had vaginal intercourse were asked these questions. This question was select all that apply.

College students who reported having vaginal intercourse (penis in vagina) within the last 12 months were asked if they or their partner used emergency contraception ("morning after pill" or "Plan B") in the last 12 months:

Yes (11.4 % cis men, 24.7 % cis women, 16.7 % trans/gender non-conforming)

College students who reported having vaginal intercourse (penis in vagina) within the last 12 months were asked if they experienced an unintentional pregnancy or got someone pregnant within the last 12 months:

Yes (0 % cis men, 0 % cis women, 0 % trans/gender non-conforming)

H. Mental Health and Wellbeing

Kessler 6 (K6) Non-Specific Psychological Distress Score (Range is 0-24)

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
No or low psychological distress (0-12)	88.5	80.8	74.3	82.9
Serious psychological distress (13-24)	11.5	19.2	25.7	17.1
Mean	6.36	8.09	9.23	7.57
Median	6.00	7.00	10.00	7.00
Std Dev	4.70	5.22	4.61	5.12

UCLA Loneliness Scale (ULS3) Score (Range is 3-9)

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Negative for loneliness (3-5)	57.9	56.4	44.4	56.3
Positive for loneliness (6-9)	42.1	43.6	55.6	43.8
Mean	5.18	5.28	5.86	5.28
Median	5.00	5.00	6.00	5.00
Std Dev	1.77	1.81	2.00	1.82

Diener Flourishing Scale – Psychological Well-Being (PWB) Score (Range is 8-56)

(higher scores reflect a higher level of psychological well-being)

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Mean	44.78	45.63	39.81	44.84
Median	46.00	47.00	41.00	47.00
Std Dev	8.66	7.69	9.84	8.46

The Connor-Davison Resilience Scale (CD-RISC2) Score (Range is 0-8)

(higher scores reflect greater resilience)

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Mean	6.34	6.03	5.47	6.09
Median	6.00	6.00	6.00	6.00
Std Dev	1.42	1.43	1.65	1.47

Self injury

■ 9.9 % of college students surveyed (7.9 % cis men, 9.5 % cis women, and 22.2 % trans/gender non-conforming) indicated they had intentionally cut, burned, bruised, or otherwise injured themselves within the last 12 months.

Within the last 12 months, have you had problems or challenges with any of the following:

	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Academics		44.1	40.1	47.2	42.3
Career		25.9	28.8	47.2	28.8
Finances		37.1	48.2	61.1	44.8
Procrastination		73.6	72.4	83.3	73.2
Faculty		11.4	10.6	16.7	11.1
Family		21.9	34.8	47.2	30.7
Intimate relationships		31.4	29.8	36.1	30.6
Roommate/housemate		20.1	28.4	36.1	25.7
Peers		17.5	23.5	22.2	21.2
Personal appearance		32.0	53.0	66.7	46.3
Health of someone close to me		31.6	43.1	38.9	38.6
Death of a family member, friend, or someone close to me		21.0	24.7	30.6	23.6
I was bullied		3.5	7.6	8.3	6.1
I was cyberbullied		3.5	1.6	8.3	3.0
I was hazed		0.0	0.5	2.8	0.5
I experienced microaggression(s)		11.4	11.7	33.3	12.8
I was sexually harassed		3.5	8.9	16.7	7.3
I experienced discrimination		10.0	6.0	22.2	8.4

*Only students who reported a problem or challenge in the last 12 months were asked about level of distress.

Students reporting none of the above	10.9	5.7	0.0	7.5
Students reporting only one of the above	8.3	8.4	5.6	8.1
Students reporting 2 of the above	17.0	12.2	11.1	13.9
Students reporting 3 or more of the above	63.8	73.7	83.3	70.5

***Of those reporting this issue, it caused moderate or high distress**

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
	74.3	91.2	70.6	83.8
	71.2	64.2	64.7	66.8
	76.5	75.8	86.4	77.0
	53.0	61.9	46.7	57.6
	73.1	68.4	50.0	68.6
	60.0	64.8	76.5	64.8
	58.3	66.4	76.9	64.3
	47.8	65.4	38.5	57.9
	33.3	50.0	75.0	47.0
	39.7	58.2	45.8	52.2
	54.9	61.4	57.1	58.8
	64.6	76.7	72.7	72.7
	37.5	50.0	100.0	51.3
	62.5	50.0	66.7	52.6
	0.0	50.0	0.0	33.3
	26.9	32.6	41.7	31.7
	37.5	66.7	16.7	55.3
	30.4	45.5	50.0	40.7

Suicide Behavior Questionnaire-Revised (SBQR) Screening Score (Range is 3-18)

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Negative suicidal screening (3-6)	81.6	73.5	41.7	74.5
Positive suicidal screening (7-18)	18.4	26.5	58.3	25.5
Mean	4.91	5.10	8.22	5.22
Median	4.00	3.00	8.00	4.00
Std Dev	2.86	2.96	4.00	3.09

Suicide attempt

- 2.5 % of college students surveyed (1.8 % cis men, 2.7 % cis women, and 5.6 % trans/gender non-conforming) indicated they had attempted suicide within the last 12 months.

Within the last 30 days, how would you rate the overall level of stress experienced:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
No stress	3.1	0.8	2.8	1.7
Low	31.4	21.7	25.0	25.3
Moderate	52.0	51.5	38.9	51.0
High	13.5	26.0	33.3	22.0

I. Acute Conditions

College students reported being diagnosed by a healthcare professional within the last 12 months with:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Bronchitis	0.9	3.5	2.8	2.5
Chlamydia	0.9	0.8	0.0	0.8
Chicken Pox (Varicella)	0.4	0.6	0.0	0.5
Cold/virus or other respiratory illness (for example: sinus infection, ear infection, strep throat, tonsillitis, pharyngitis, or laryngitis)	24.1	34.2	27.8	30.2
Concussion	0.4	1.4	2.8	1.1
Gonorrhea	0.4	0.0	0.0	0.2
Flu (influenza) or flu-like illness	9.3	12.8	5.6	11.0
Mumps	0.4	0.0	0.0	0.2
Mononucleosis (mono)	0.4	2.2	0.0	1.4
Orthopedic injury (for example: broken bone, fracture, sprain, bursitis, tendinitis, or ligament injury)	6.1	10.3	16.7	9.1
Pelvic Inflammatory Disease	0.0	0.5	5.6	0.6
Pneumonia	0.0	2.2	0.0	1.4
Shingles	0.0	0.0	0.0	0.0
Stomach or GI virus or bug, food poisoning or gastritis	4.0	10.0	8.3	7.8
Urinary tract infection	0.9	11.1	11.1	7.7

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

J. Ongoing or Chronic Conditions

The questions for the *ongoing or chronic conditions* are presented differently in this report than the order they appear in the survey. In the survey, all items appear in a single list, ordered alphabetically. In this report, the conditions are presented in groups to ease burden on the reader. The findings are divided into mental health conditions, STIs and other chronic infections, and other ongoing or chronic conditions in this report.

Mental Health	College students reported ever being diagnosed with the following:			
	Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming
ADD/ADHD - Attention Deficit/Hyperactivity Disorder	7.9	9.5	22.2	10.0
Alcohol or Other Drug-Related Abuse or Addiction	0.4	0.3	0.0	0.5
Anxiety (for example: Generalized Anxiety, Social Anxiety, Panic Disorder, Specific Phobia)	19.2	43.6	66.7	36.3
Autism Spectrum	2.2	1.6	8.3	2.5
Bipolar and Related Conditions (for example: Bipolar I, II, Hypomanic Episode)	0.4	3.5	8.3	2.7
Borderline Personality Disorder (BPD), Avoidant Personality, Dependent Personality, or another personality disorder	0.0	1.9	8.3	1.6
Depression (for example: Major depression, persistent depressive disorder, disruptive mood disorder)	16.6	33.1	61.1	28.8
Eating Disorders (for example: Anorexia Nervosa, Bulimia Nervosa, Binge-Eating)	0.9	6.8	11.1	4.8
Gambling Disorder	0.0	0.0	0.0	0.0
Insomnia	1.8	9.8	11.1	7.2
Obsessive-Compulsive and Related Conditions (for example: OCD, Body Dysmorphia, Hoarding, Trichotillomania and other body-focused repetitive behavior disorders)	0.9	5.2	13.9	4.2
PTSD (Posttraumatic Stress Disorder), Acute Stress Disorder, Adjustment Disorder, or another trauma- or stressor- related condition	1.3	11.2	25.0	8.6
Schizophrenia and Other Psychotic Conditions (for example: Schizophrenia, Schizoaffective Disorder, Schizophreniform Disorder, Delusional Disorder)	0.0	0.0	5.7	0.3
Tourette's or other neurodevelopmental condition not already listed	0.4	1.1	2.8	0.9
Traumatic brain injury (TBI)	1.3	1.1	0.0	1.1

***Of those ever diagnosed, those reporting contact with healthcare or MH professional within last 12 months**

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
44.4	80.0	87.5	68.8
100.0	0.0	0.0	66.7
50.0	80.1	83.3	74.1
60.0	50.0	0.0	43.8
100.0	76.9	66.7	76.5
0.0	85.7	66.7	80.0
47.4	82.8	86.4	75.5
50.0	56.0	50.0	54.8
0.0	0.0	0.0	0.0
75.0	58.3	50.0	58.7
0.0	73.7	40.0	63.0
66.7	73.2	55.6	69.1
0.0	0.0	50.0	50.0
100.0	25.0	0.0	33.3
0.0	25.0	0.0	14.3

*Only students who reported ever being diagnosed were asked about contact with a healthcare or mental health professional within the last 12 months.

Percent (%)	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Students reporting none of the above</i>	71.6	50.9	27.8	57.0
<i>Students reporting only one of the above</i>	11.8	11.1	2.8	10.8
<i>Students reporting both Depression and Anxiety</i>	13.5	30.9	58.3	26.3
<i>Students reporting any two or more of the above (excluding the combination of Depression and Anxiety)</i>	3.1	7.0	11.1	5.9

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

STI's/Other chronic infections

College students reported ever being diagnosed with the following:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Genital herpes	0.0	1.6	0.0	0.9
Hepatitis B or C	0.9	0.0	0.0	0.3
HIV or AIDS	0.0	0.0	0.0	0.0
Human papillomavirus (HPV) or genital warts	0.9	1.4	0.0	1.1

*Only students who reported ever being diagnosed were asked about contact with a healthcare or mental health professional within the last 12 months.

***Of those ever diagnosed, had contact with healthcare or MH professional within last 12 months**

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
0.0	66.7	0.0	66.7
50.0	0.0	0.0	50.0
0.0	0.0	0.0	0.0
0.0	80.0	0.0	57.1

Other Chronic /Ongoing Medical Conditions

College students reported ever being diagnosed with the following:

	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
<i>Percent (%)</i>				
Acne	14.8	26.8	27.8	22.8
Allergies - food allergy	10.1	11.7	5.6	11.0
Allergies - animals/pets	12.8	11.2	8.3	11.7
Allergies - environmental (for example: pollen, grass, dust, mold)	25.3	28.6	20.0	27.0
Asthma	12.3	17.4	16.7	15.7
Cancer	0.0	1.6	0.0	0.9
Celiac disease	0.4	1.6	0.0	1.1
Chronic pain (for example: back or joint pain, arthritis, nerve pain)	4.8	9.3	19.4	8.4
Diabetes or pre-diabetes/insulin resistance	1.8	4.1	2.8	3.1
Endometriosis	0.0	2.7	2.8	1.9
Gastroesophageal Reflux Disease (GERD) or acid reflux	3.1	6.2	5.6	5.0
Heart & vascular disorders (for example: atrial fibrillation or other cardiac arrhythmia, mitral valve prolapse or other valvular heart disease, congenital heart condition)	0.9	3.8	16.7	3.4
High blood pressure (hypertension)	5.2	3.3	0.0	3.8
High cholesterol (hyperlipidemia)	1.7	3.0	0.0	2.5
Irritable bowel syndrome (spastic colon or spastic bowel)	0.9	4.1	2.9	3.0
Migraine headaches	4.0	17.2	17.1	12.5
Polycystic Ovarian Syndrome (PCOS)	0.0	6.8	8.3	4.4
Sleep Apnea	2.2	1.6	0.0	1.7
Thyroid condition or disorder	0.9	4.1	2.8	2.8
Urinary system disorder (for example: bladder or kidney disease, urinary reflux, interstitial cystitis)	0.9	0.8	0.0	0.8

*Only students who reported ever being diagnosed were asked about contact with a healthcare or mental health professional within the last 12 months.

***Of those ever diagnosed, had contact with healthcare or MH professional within last 12 months**

Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
17.6	38.1	30.0	32.6
4.3	32.6	50.0	25.7
10.3	36.6	33.3	27.0
19.0	36.2	14.3	29.7
25.0	39.1	50.0	35.0
0.0	83.3	0.0	83.3
0.0	33.3	0.0	28.6
63.6	82.4	71.4	75.5
100.0	86.7	100.0	90.0
0.0	70.0	100.0	66.7
57.1	65.2	50.0	62.5
100.0	71.4	33.3	63.6
58.3	58.3	0.0	58.3
75.0	81.8	0.0	75.0
0.0	66.7	100.0	63.2
33.3	64.5	66.7	60.3
0.0	76.0	66.7	75.0
80.0	50.0	0.0	63.6
50.0	80.0	100.0	77.8
0.0	33.3	0.0	20.0

Cis Men n =	229
Cis Women n =	369
Trans/GNC n =	36

Students who reported being diagnosed with diabetes or pre-diabetes/insulin resistance, indicated they had:

<i>Percent (%)</i>	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Type I Diabetes	50.0	36.4	100.0	43.8
Type II Diabetes	66.7	9.1	0.0	21.4
Pre-diabetes or insulin resistance	0.0	76.9	0.0	62.5
Gestational Diabetes	0.0	9.1	0.0	7.1

K. Sleep

Reported amount of time to usually fall asleep at night (sleep onset latency):

<i>Percent (%)</i>	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Less than 15 minutes	47.2	40.1	30.6	41.8
16 to 30 minutes	26.2	25.2	38.9	26.4
31 minutes or more	26.6	34.7	30.6	31.7

Over the last 2 weeks, students reported the following average amount of sleep (excluding naps):

On weeknights				
<i>Percent (%)</i>	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
Less than 7 hours	44.5	36.3	44.4	39.9
7 to 9 hours	53.7	62.1	55.6	58.6
10 or more hours	1.7	1.6	0.0	1.6

On weekend nights				
Cis Men	Cis Women	Trans/ Gender Non- conforming	Total	
20.1	18.4	16.7	19.3	
72.1	71.0	77.8	71.3	
7.9	10.6	5.6	9.3	

Students reported the following on 3 or more of the last 7 days:

Felt tired or sleepy during the day				
<i>Percent (%)</i>	Cis Men	Cis Women	Trans/ Gender Non- conforming	Total
0 days	6.6	1.9	8.3	4.0
1-2 days	32.8	19.5	8.3	23.4
3-5 days	43.7	43.4	47.2	43.9
6-7 days	17.0	35.2	36.1	28.7

Got enough sleep so that they felt rested				
Cis Men	Cis Women	Trans/ Gender Non- conforming	Total	
9.2	22.0	13.9	17.0	
40.2	39.3	47.2	39.9	
41.0	30.9	33.3	34.7	
9.6	7.9	5.6	8.4	

Demographics and Sample Characteristics

■ **Age**

18 - 20 years:	45.4 %
21 - 24 years:	30.2 %
25 - 29 years:	10.4 %
30+ years:	14.0 %
Mean age:	23.3 years
Median age:	21.0 years

■ **Gender***

Cis Women:	57.3 %
Cis Men:	35.6 %
Transgender/Gender Non-conforming:	5.6 %

* See note on page 2 regarding gender categories

■ **Student status**

1st year undergraduate:	22.8 %
2nd year undergraduate:	17.2 %
3rd year undergraduate:	17.2 %
4th year undergraduate:	11.1 %
5th year or more undergraduate:	4.7 %
Master's (MA, MS, MFA, MBA, etc.):	12.8 %
Doctorate (PhD, EdD, MD, JD, etc.):	12.3 %
Not seeking a degree:	0.9 %
Other:	1.1 %

Full-time student:	90.8 %
Part-time student:	8.9 %
Other student:	0.3 %

■ **Relationship status**

Not in a relationship:	51.5 %
In a relationship but not married/partnered:	37.2 %
Married/partnered:	11.3 %

■ **Primary Source of Health Insurance****

College/university sponsored SHIP plan:	10.4 %
Parent or guardian's plan:	67.1 %
Employer (mine or my spouse/partners):	8.9 %
Medicaid, Medicare, SCHIP, or VA:	5.7 %
Bought a plan directly or from the exchange	1.7 %
Embassy/sponsoring agency (international)	0.0 %
Another source	1.7 %
Have insurance, but don't know source:	1.9 %
Don't have health insurance:	3.6 %
Don't know if I have health insurance:	0.6 %
Students that selected more than one source:	2.5 %

■ **Student Veteran:** 2.2 %

■ **Parent or primary responsibility for someone else's child/children under 18 years old:** 6.3 %

**this question was select all that apply, totals may add up to over 100%

■ **Students describe themselves as**

Straight/Heterosexual:	78.8 %
Asexual:	2.7 %
Bisexual:	8.9 %
Gay:	1.4 %
Lesbian:	1.3 %
Pansexual:	2.4 %
Queer:	1.4 %
Questioning:	2.0 %
Identity not listed above:	1.1 %

■ **Housing**

Campus or university housing:	46.9 %
Fraternity or sorority residence:	0.6 %
Parent/guardian/other family:	6.6 %
Off-campus:	44.9 %
Temporary or "couch surfing":	0.0 %
Don't have a place to live:	0.0 %
Other:	0.9 %

■ **Students describe themselves as****

American Indian or Native Alaskan	3.1 %
Asian or Asian American	7.6 %
Black or African American	4.3 %
Hispanic or Latino/a/x	4.2 %
Middle Eastern/North African (MENA) or Arab Origin:	1.6 %
Native Hawaiian or Other Pacific Islander Native:	0.0 %
White:	82.1 %
Biracial or Multiracial:	1.9 %
Identity not listed above:	1.2 %

If Hispanic or Latino/a/x, are you**

Mexican, Mexican American, Chicano:	44.4 %
Puerto Rican:	3.7 %
Cuban:	3.7 %
Another Hispanic, Latino/a/x, or Spanish Origin:	48.1 %

If Asian or Asian American, are you**

East Asian:	26.5 %
Southeast Asian:	14.3 %
South Asian:	57.1 %
Other Asian:	6.1 %

■ **Visa status & location of study**

	Do not have/need a U.S. visa	Have/need a U.S. visa
Studying in U.S.	80.3 %	15.7 %
Studying Outside U.S.	3.7 %	0.3 %

■ **First generation students** 35.1 %
 (Proportion of students for whom no parent/guardian have completed a bachelor's degree)

■ **Do you have any of the following?**

Attention Deficit/Hyperactivity Disorder (ADD or ADHD):	13.3 %
Autism Spectrum Disorder:	3.9 %
Deaf/Hearing loss:	1.7 %
Learning disability:	3.5 %
Mobility/Dexterity disability:	1.9 %
Blind/low vision:	3.5 %
Speech or language disorder:	1.4 %

■ **Participated in organized college athletics:**

Varsity:	1.9 %
Club sports:	7.1 %
Intramurals:	9.5 %

■ **Member of a social fraternity or sorority:**

Greek member:	4.2 %
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■ **Dropout Intention**
Very, moderately, or slightly likely to:

Leave school and transfer to another school	7.3 %
Leave school without transferring to another school	3.9 %

North Dakota State University

Policy Manual

SECTION 153 TOBACCO/NICOTINE-FREE CAMPUS

SOURCE: SBHE Policy Manual, Section 917
Fargo Municipal Code of Ordinances 10-1001 through 10-1303
North Dakota Century Code 23-12-09 through 23-12-11
NDSU President

The use of tobacco and nicotine products are linked to many health hazards including cancer, heart disease, stroke, lung disease, diabetes and Chronic Obstructive Pulmonary Disease (COPD). Use of tobacco products is the leading cause of preventable death and disability in North Dakota. North Dakota State University is committed to promoting healthier educational, work and living environments. North Dakota State University recognizes the serious health risks associated with the use of tobacco and nicotine products, both to users and non-users alike, and believes that the use of Tobacco/Nicotine Products is detrimental to the health and safety of students, employees and visitors.

This tobacco/nicotine-free policy is established to:

1. Reduce the high incidence of tobacco and nicotine use in North Dakota.
2. Protect the health and safety of all students, employees, and the general public.
3. Establish a standard of healthy, tobacco/nicotine-free behavior.

Definitions:

“Campus Property” includes all property, both indoor and outdoor, that is owned, operated, leased, occupied or controlled by NDSU, including all buildings, stairwells, parking lots, offices, green spaces and sidewalks that are located on such property. Campus property also includes all motorized equipment and vehicles owned or leased by NDSU.

“Electronic Smoking Device” means any device that can be used to deliver any aerosolized or vaporized substance to the person inhaling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen or e-hookah.

“Employee” means any person employed by NDSU in a full or part-time capacity, or any position contracted for or otherwise employed, with direct or indirect monetary wages or profits paid by NDSU, or any person working on Campus Property on a volunteer basis. The term includes all exempt and non-exempt employees, contactors, vendors and consultants.

“Off-Campus, University-sponsored Event” means any event sponsored by NDSU that does not take place on Campus Property.

“Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or hookah, or any other lighted or heated product, whether natural or synthetic, containing, made of, or derived from nicotine, tobacco, marijuana, or any other plant, that is intended for inhalation. Smoking also includes carrying or using an activated Electronic Smoking Device.

“Student” means any person enrolled in any educational course or program offered by NDSU.

"Tobacco/Nicotine Product" shall mean, any product containing, made of, or derived from tobacco or nicotine, and is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus. "Tobacco/Nicotine Product" also means an Electronic Smoking Device and any component or accessory used in the consumption of a Tobacco Product, such as filters, rolling papers, pipes, and substances used in Electronic Smoking Devices, whether or not they contain nicotine. "Tobacco/Nicotine Product" does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, as those terms are defined in the Federal Food, Drug and Cosmetic Act.

"Tobacco/Nicotine Use" means the act of Smoking, the use of smokeless tobacco, or the use of any other Tobacco/Nicotine Product in any form.

"Visitor" means any person who is not a Student or Employee.

To support and model a healthy lifestyle for our students, employees and community, North Dakota State University establishes the following tobacco/nicotine-free policy.

Policy:

1. NDSU prohibits the use of Tobacco/Nicotine Products at all times anywhere on Campus Property. This includes, but is not limited to, the use of Tobacco/Nicotine Products by employees, students, contractors, vendors, and visitors to NDSU.
 - 1.1 Tobacco/Nicotine use is permitted at the NDSU Research Extension Centers (RECs) and NDSU Extension county offices (excluding the Main Experiment Station), but only in those outdoor areas at least 50 feet from buildings.
 - 1.2 Indoor smokeless tobacco/nicotine use (chewing tobacco, dip, snuff, and snus) is permitted at residences owned by the ND Agricultural Experiment Station, family student residences, on-campus professional staff residences, the President's residence, and other special exemptions as granted by the President or the President's designee.
2. The use of Tobacco/Nicotine Products is prohibited at all events held on Campus Property, whether or not such events are sponsored by, or associated with, NDSU, and all Off-Campus, University-sponsored Events.
 - 2.1 For NDSU Extension county programs, any local tobacco/nicotine policies will supersede NDSU policy, and employees of NDSU Extension conducting extension activities are exempt from enforcing NDSU policy 153 in spaces not owned by NDSU.
3. All tobacco/nicotine-related promotions, advertising, marketing, distribution, sponsorship, and acceptance of financial contributions and/or gifts are prohibited on Campus Property, at Off-Campus, University-sponsored events, and in all publications controlled by NDSU.
4. NDSU prohibits the sale or distribution of Tobacco/Nicotine Products on Campus Property and at Off-Campus, University-sponsored Events.
5. The Tobacco/Nicotine Product prohibition does not apply to specific activities used in connection with the safe practice of traditional spiritual, religious or cultural ceremonies (See

https://www.ndsu.edu/multicultural/student_support/ for information on cultural ceremonies such as smudging, etc.).

5.1 When engaging in a spiritual, religious or cultural ceremony using smoke in any campus location, the following precautions should be taken:

Identification of the location of the nearest fire pull station and fire extinguisher;

Communication with appropriate students and NDSU personnel (room/suitemates and building directors) to share time and location of ceremony. Please contact NDSU personnel in person or by phone;

Contain embers and ashes in abalone shells, ceramic bowls, or similar items; and

Extinguish embers/ashes appropriately to eliminate risk of fire.

Communicating the Policy to Students, Employees, & Public:

This policy will be included in the NDSU Policy Manual and the Code of Student Conduct and communicated as part of the employee and student orientation. North Dakota State University shall post signs indicating that the Campus Property is tobacco/nicotine-free in all locations and in the manner identified in NDCC 23-12-10.4.1(a) and (b). In addition, notices should be posted in other highly visible places on Campus Property including, but not limited to, walkways, athletic fields, parking lots and at all Off-Campus, University-sponsored Events. Students, employees and the public will be notified of this policy in writing or electronically and, when feasible, through verbal announcements at University-sponsored events.

Enforcement:

All individuals on Campus Property or at an Off-Campus, University-sponsored Event share in the responsibility for adhering to and enforcing this policy. All members of the NDSU community are expected to support this policy and cooperate in its implementation and enforcement. Students, employees, and visitors violating this policy should be reminded of the policy and asked to comply.

Violations of the policy by students may be cause for disciplinary action in accordance with the Code of Student Conduct.

Violations of the policy by employees will be handled in accordance with written personnel policies contained in the NDSU Policy Manual.

Cessation Resources:

Dangers of tobacco and nicotine use can be found at the [U.S. Department of Health & Human Services](#) and [Centers for Disease Control and Prevention](#) websites.

Students requesting tobacco and nicotine cessation assistance are encouraged to visit with [NDSU Student Health Service](#).

Tobacco and nicotine cessation resources can be found on the <https://www.hhs.nd.gov/health/community/tobacco/ndquits/cessation-programs> webpage.

HISTORY:

New	June 21, 1990
Amended	April 2006
Amended	February 2008
Amended	March 1, 2010
Housekeeping	December 2010
Housekeeping	May 31, 2012
Housekeeping	April 11, 2013
Housekeeping	April 22, 2013
Housekeeping	June 15, 2018
Amended	August 23, 2021
Amended	November 3, 2021
Amended	September 12, 2024

North Dakota State University

Policy Manual

SECTION 151 CODE OF CONDUCT

SOURCE: State Policy Manual, Section 308.1
State Policy Manual, Section 611.4
NDSU President

1. Introduction and Application.

This Code of Conduct establishes minimum standards for all NDSU employees. NDSU is committed to uphold the highest ethical and professional standards. All NDSU employees must, at all times, comply with all applicable laws, regulations, policies and procedures. Activities that achieve results unlawfully or in violation of applicable policies or procedures or by unethical behavior - including, but not limited to, payments for illegal acts, indirect contributions, rebates, or bribery - are not tolerated and must be reported. All conduct must meet or exceed minimum standards established by law.

2. General Conduct.

NDSU supports an environment that is free of discrimination, harassment, and bullying. All NDSU employees are expected to conduct themselves in a businesslike manner. Unlawful consumption of alcoholic beverages or use of illegal drugs, being at work while under the influence of alcohol or drugs, disruptive behavior, gambling, unauthorized use of public property or resources and other unauthorized activities that disrupt the efficient and economical administration of NDSU, are prohibited. Violation of applicable laws or policies governing possession and use of alcoholic beverages or drugs, including the Drug Free Workplace Act, SBHE Policy 615 or NDSU Policy 155 Alcohol and Other Drugs – Unlawful and Unauthorized Use by Students and Employees are prohibited. Likewise, sexual or other harassment (including actions contributing to a hostile work environment) in violation of federal or state law, as outlined in NDSU Policy 162: Sexual Harassment, Gender-Based Harassment, and Sexual Misconduct, SBHE Policy 603.1, or NDSU Policy 100: Equal Opportunity and Non-Discrimination is prohibited. NDSU Policy 156.1: Title IX Complaint Procedures governs sexual harassment which violates Title IX of the Education Amendments of 1972.

All NDSU personnel are subject to the rules and policies of the North Dakota State Board of Higher Education, NDSU, and their respective department or unit. NDSU expects all University personnel to be aware of, and comply with, NDSU's policies and procedures that apply to them, and requires those reporting to them to do the same. Employees are expected to uphold the values of honesty, respect, integrity, and trust.

Employees are expected to complete all required training in a timely manner. If employees do not complete their required training, the employee may not be eligible for a salary adjustment until the required training is completed per [NDSU Policy 129: Salary Administration](#).

NDSU requires all employees to act professionally in their interactions with others including:

- A. Following training and job specific requirements as stated in the employee's job description or appointment letter, or as assigned by respective department or unit,
- B. Respecting the value, creativity, and diversity of all persons, which includes diversity of opinions and professional approaches to doing things, (See Policy 100: Equal

Opportunity and Non-discrimination Policy, Policy 325: Academic Freedom, or other relevant policies for guidance.)

- C. Contributing to an environment of respectful and productive working relationships with those with whom the person interacts, and
- D. Making good faith efforts to resolve differences constructively.

2.1 For purposes of this policy, bullying is defined as:

2.1.1 Conduct directed at another that is severe, pervasive, or persistent;

2.1.2 Is of a nature that would cause a reasonable person in the target's position substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities; and

2.1.3 Actually does cause the target substantial emotional distress and undermines the target's ability to work, study, or participate in the target's regular life activities.

2.2 Bullying by electronic means is prohibited under NDSU Policy 158 and N.D.C.C. 12.1-17-07.

2.3 It is not bullying when a supervisor, or peer acting in an evaluative capacity, notes unsatisfactory performance or misconduct; institutes proceedings for workplace sanctions, nonrenewal, or dismissal for cause; provides feedback regarding work behavior or performance; or engages in discretionary actions related to the evaluative capacity, so long as the actions are made in accordance with the appropriate criteria and are not a clear abuse of discretion. A target of bullying does not have to be a member of a protected class listed in NDSU Policy 100.

2.4 NDSU values and promotes freedom of expression and inquiry as provided under applicable law. Nothing in this policy is intended to limit or restrict a person's First Amendment rights or rights to academic freedom; however, such rights do not include the right to engage in workplace bullying.

2.5 Resources to assist with an informal resolution are available through the Office of the Ombuds. If informal resolution is not feasible or any party wishes to follow the formal process, suspected violations should be reported to the impacted party's immediate supervisor and to the NDSU Equal Opportunity and Title IX Compliance Office, 701.231.7708 or ndsu.eoaa@ndsu.edu. In the case the immediate supervisor is involved in the suspected violation, the violation should be reported to the next level of supervisor.

3. Conflicts of Interest.

All NDSU employees are expected to perform their duties conscientiously, honestly, and in compliance with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. All employees must comply with applicable federal and state laws. Employees may not unlawfully use their position, or the knowledge gained as a result of their position for private or personal advantage. All employees are responsible for their own actions. Any individual who has concerns or questions regarding a perceived or potential conflict or regarding application or interpretation of federal or state law or SBHE policy or NDSU policy is encouraged to communicate with a superior or appropriate administrative official at NDSU.

4. Outside Activities and Employment.

Employees are encouraged to support the community by participating in religious, charitable, educational, and civic activities. However, employees must comply with applicable federal and state laws, as well as Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities. At all times, employees must avoid outside activities that create an excessive demand upon their time and attention, thus depriving NDSU of their best efforts in fulfilling their job duties

or that create a conflict of interest, or an obligation, interest, or distraction that interferes with the independent exercise of judgment in NDSU's best interest.

5. Gifts, Entertainment and Favors; Kickbacks and Secret Commissions.

Excluding *de minimus* contributions, such as purchase of a meal at reasonable value as part of a conference or other event with no conditions attached to such purchase and as permitted under applicable federal and state laws, employees may not accept favor of any person or organization with whom or with which NDSU has, or is likely to have, business dealings. Similarly, employees may not accept any other preferential treatment under circumstances that because of their position with NDSU, the preferential treatment may influence or be perceived as influencing their official conduct. Employees may not receive payment or compensation of any kind from any source for NDSU duties and responsibilities, except as authorized under applicable law or NDUS and NDSU pay policies. Specifically, the acceptance of "kickbacks" or commissions in any form from vendors, suppliers or others is prohibited.

6. NDSU Funds and Other Assets

Employees who have access to NDSU funds and other assets in any form must follow the prescribed procedures for recording, handling, and protecting money and other assets as detailed in applicable NDSU procedure manuals or other explanatory materials. Any person who has information concerning possible fraud or dishonesty shall immediately report such information to a superior or appropriate administrative official at NDSU. .

Employees responsible for spending or approving expenditure of NDSU funds or incurring any reimbursable expenses must comply with all applicable laws and policies and use good judgment on behalf of NDSU to ensure that good value is received for every expenditure. NDSU funds and all other assets are for NDSU purposes only and not for personal use or benefit. NDSU or other public equipment, supplies and other property or assets may not be used for private or personal use, except as authorized under SBHE Policy 611.5 or other applicable law or NDSU policy.

7. NDSU Records and Communications.

Accurate and reliable records of many kinds are necessary to meet NDUS NDSU legal and financial obligations and to manage the affairs of the NDUSNDSU. NDUS NDSU books and records must reflect in an accurate and timely manner all business transactions. Employees responsible for accounting and recordkeeping must fully disclose and record all assets and liabilities and exercise diligence in enforcing these requirements. Employees must not make or engage in any false record or communication of any kind, whether internal or external, including, but not limited to, false expense, attendance, enrollment, financial, or similar reports and statements, or false advertising, deceptive marketing practices, or other misleading representations.

8. Dealing with Outside People and Organizations.

NDSU employees must take care to separate their personal roles from their NDSU positions when communicating on matters not involving NDSU business. They may not use NDSU identification, stationery, supplies, and equipment for personal or political matters. When communicating publicly on matters that involve NDSU business, employees may not represent that they speak for the NDSU, unless that is one of their duties or they are otherwise authorized to do so. When dealing with anyone outside the NDSU, including public officials, employees must take care not to compromise the integrity or damage the reputation of NDSU.

An employee of NDSU authorized to sell or lease any property or make any contract in the employee's official capacity is subject to the provisions of N.D.C.C. Section 12.1-13-03 and may not be interested in any such sale, lease or contract.

Pursuant to N.D.C.C. Section 48-01.2-08, employees may not have any interest in a public construction or repair contract.

An employee may not have an interest in any contract involving the expenditure of public or institutional funds entered into by NDSU unless:

- a. N.D.C.C. Sections 12.1-13-03 and 48-01.2-08 do not apply; and
- b. The contract is approved by the NDSU President or designee or, if the employee in question is the chief financial officer or president of an institution or an officer of the Board, by the Board, following full disclosure of the employee's interest.

Employees have an obligation to act in the best interests of NDSU. Employees must comply with Policy 151.1 regarding conflicts of interest and Policy 152 regarding external activities.

9. Prompt Communications.

In all matters involving communication with NDSU students, customers, suppliers, government authorities, the public and others, employees must endeavor to make complete, accurate, and timely communications and respond promptly and courteously to all proper requests for information and complaints.

10. Privacy, Confidentiality and Open Records.

Employees must at all times comply with applicable laws, regulations and SBHE and NDSU policies concerning privacy, confidential records, access to open records and records retention.11. Employees shall report suspected violations of this Code to their superior, or appropriate administrative official at NDSU. In cases that involve the employee's superior, suspected violations shall be reported to the superior's supervisor or designee. Alleged violations of this Code involving NDSU employees shall be investigated by the appropriate NDSU officer. Investigations may be conducted by, or in conjunction with, the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. Investigations shall occur using procedures and best practices developed by the Office of Human Resources and Payroll and/or the Office of the Vice Provost for Faculty Affairs and Equity. All employees shall cooperate in investigations of alleged violations. A violation of this Code is cause for dismissal or other appropriate disciplinary action, in addition to any criminal or other civil sanctions that apply.

11.1 Suspected violations of this policy related to fraud should be reported utilizing the NDSU [fraud hotline](#)

11.2 Any employee who makes a report in good faith shall be protected against retaliation of any kind; any employee who retaliates or attempts retaliation in response to a good faith report shall be subject to dismissal or other discipline.

11.3 Failure to report known or suspected violations is in itself a violation and may lead to dismissal or other disciplinary action.

Institution Codes.

The NDUS office and each NDUS institution shall adopt and implement a Code of Conduct consistent with this Code and Committee of Sponsoring Organization of the Treadway Commission (COSO) Standards. NDUS office and institution codes shall include:

- a. A Statement of the organization's values;

- b. The people or groups of people affected;
- c. A brief description or list of key behaviors that are accepted and not accepted;
- d. How to identify and resolve conflicts of interest;
- e. How to report violations and to whom;
- f. Consequences of violating the Code;
- g. Consequences of failure to report known or suspected violations; and
- h. How reports will be investigated.

NDSU requires that each new employee reviews the Code of Conduct and sign a statement certifying the employee has read and agrees to comply with the Code. Further, all benefited employees are required to annually certify in writing that they have read and are in compliance with the Code of Conduct.

Resources and Related Policies:

[NDSU Policy 100: Equal Opportunity and Nondiscrimination Policy](#)

[NDSU Policy 110: Employment of Relatives](#)

[NDSU Policy 100.1: Nondiscrimination of the Basis of Disabilities and Reasonable Accommodation](#)

[NDSU Policy 112: Pre-employment and Current Employee Criminal Record Disclosure](#)

[NDSU Policy 151.1: External Activities and Conflicts of Interest](#)

[NDSU Policy 152: External Professional Activities](#)

[NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees](#)

[NDSU Policy 160: Political Activities and Voting Rights of University Employees](#)

[NDSU Policy 161: Fitness for Duty](#)

[NDSU Policy 162: Sexual Harassment Policy](#)

[NDSU Policy 162.1: Consensual Relationships](#)

[NDSU Policy 169: Employee Responsibility and Activities: Theft and Fraud](#)

[NDSU Policy 169.1: Employee Misuse of Property Reports - - Protections](#)

[NDSU Policy 190: Employee Responsibility and Activities: Intellectual Responsibility](#)

[NDSU Policy 323: Selection of Textbooks and other Curricular Materials](#)

[NDSU Policy 326: Academic Misconduct](#)

[NDSU Policy 345: Research Involving Human Subjects](#)

[NDSU Policy 340.1: Coursepacks](#)

[NDSU Policy 400: Purchasing - General Policies](#)

[NDSU Policy 406: Surplus Property](#)

[NDSU Policy 505: Property, Plant and Equipment](#)

[NDSU Policy 700: Services and Facilities Usage](#)

[NDSU Policy 700.1: Use of University Name](#)

[NDSU Policy 700.2: Taking Equipment Off-Campus](#)

[NDSU Policy 700.3: Personal Use of State Property](#)

[NDSU Policy 710.1: Web Advisory Board](#)

[NDSU Policy 712: Contract Review](#)

[NDSU Policy 718: Public/Open/Restricted Records](#)

[NDSU Policy 823: Financial Conflict of Interest – Public Health Service Sponsored Research](#)

[NDUS Policy 603.3: Nepotism](#)

[NDUS Policy 611.2: Employee Responsibility and Activities: Intellectual Responsibility](#)
[NDUS Policy 611.4: Employee Responsibility and Activities: Conflict of Interest](#)
[NDUS Policy 611.9: Selection of Textbooks and Other Curricular Materials](#)
[NDUS Policy 803.1: Purchasing Procedures](#)
[Conflict of Interest Form](#)
[NDSU Consulting Authorization Request Form](#)
[NDSU Fraud Hotline](#)
[AAUP Statement of Professional Ethics](#)
[NDSU Research Foundation](#)
[N.D.C.C. Ch. 12.1-13 \(See section 12.1-13-03: Public servant's interest in public contracts.\)](#)
[N.D.C.C. Ch.48-01.2: \(See section 48-01.2-08: Officers must not be interested in contract.\)](#)
[N.D.C.C. Ch. 44-04: \(See section 44-04-09: Nepotism.\)](#)

HISTORY:

New	July 1990
Amended	November 1996
Amended	June 2000
Amended	October 2001
Amended	December 2002
Housekeeping	August 2009
Amended	March 25, 2011
Housekeeping	June 24, 2011
Housekeeping	August 18, 2011
Housekeeping	February 1, 2012
Housekeeping	November 19, 2012
Amended	May 6, 2014
Amended	December 2, 2016
Amended	March 5, 2020
Amended	June 9, 2020
Amended	August 14, 2020
Amended	December 14, 2020
Amended	January 4, 2023

North Dakota State University

Policy Manual

SECTION 161.1 DRUG AND ALCOHOL TESTING

SOURCE: NDUS Human Resource Policy Manual, Section 3

1. After a conditional offer of employment, applicants for positions that require a Commercial Driver's License (CDL) or a pilot's license will be required to take a drug and alcohol test. These tests will be conducted in the manner prescribed by the Department of Transportation (DOT) or the Federal Aviation Administration (FAA), respectively. In addition, applicants must sign a written agreement authorizing former employers to release to the institution all information on the applicant's alcohol tests with a concentration result of 0.04 or greater, positive controlled substances test results and refusals to be tested within the preceding two (2) years. Failure to pass this test or sign the written authorization will result in a withdrawal of the offer of employment.
2. Current employees in positions that require a Commercial Driver's License (CDL) or a pilot's license will be required to undergo drug and alcohol testing under the following circumstances:
 - a. Reasonable suspicion
 - b. Post-accident
 - c. Return-to duty following a violation of DOT or FAA drug/alcohol testing regulations
 - d. Follow-up testing as directed by a Substance Abuse Professional (SAP) from the faculty and staff assistance program
 - e. A random testing program

Employees who do not pass the test, or those who refuse to test, are subject to disciplinary action up to and including termination.

3. NDSU's full policy on drug and alcohol testing is given to applicants for, and current employees in, positions that require a Commercial Driver's License or a pilot's license. Receipt of this document must be acknowledged in writing by the applicant or employee.

HISTORY:

New	February 1996
Amended	August 1997
Housekeeping	December 28, 2010

North Dakota State University

Policy Manual

SECTION 134

FACULTY/STAFF ASSISTANCE

SOURCE: NDSU President

North Dakota State University recognizes that a wide range of personal problems may affect employees' work performance. Such problems typically relate to family, finances, marriage, legal matters, career decisions, personal concerns, and alcohol/drug abuse. In many instances the individual handles such personal problems independently and the effect on job performance is negligible. In other cases, normal supervisory assistance serves as either motivation or guidance in resolving the problem so that the employee's performance on the job will return to an acceptable level. However, normal supervisory efforts are not always sufficient to correct unsatisfactory job performance.

The Faculty/Staff Assistance Program (FSAP) of North Dakota State University is designed to assist faculty, staff, and their families with personal problems that impair job performance. This program provides problem assessment and short-term counseling and referral to community resources when deemed appropriate.

The Faculty/Staff Assistance Program of NDSU is provided by The Village Employee Assistance Program. The Village EAP has offices located throughout North Dakota and Minnesota as well as through an international network of approved providers.

1. Confidentiality

- 1.1 All help will be provided in complete confidence between the FSAP professional and the faculty, staff, or family member receiving assistance. All records are maintained by the FSAP provider. They will not be released without the expressed, written consent of the employee. Any record released to NDSU by the employee will not become part of the faculty or staff member's official personnel file.

2. Eligibility

- 2.1 Regular, benefited faculty and staff and their household members and dependents up to age 26 years of age are eligible to use the program.

3. Referral Procedures

3.1 *Supervisory Referrals*

- 3.1.1 The supervisor is in the best position to observe the employee's job performance. It is the supervisor who observes behavioral changes through such objective measures as poor attendance, reduced productivity, and increased errors or accidents on the job. Often these problems can be handled by the supervisor working directly with the employee. However, if the resolution of the problem is beyond the resources of the supervisor, the supervisor may inform the employee that his/her work performance had declined and suggests that he/she take advantage of the assistance offered through the FSAP. Since diagnosis of the problem is not the responsibility of the

supervisor, the supervisor is encouraged to make the appropriate referral after observing work performance. After the referral is made and the employee does not participate in FSAP or the work performance does not improve, the supervisor may take normal corrective or disciplinary action and bring the matter to the attention of the next supervisory level.

3.1.2 A comprehensive orientation program will be available to supervisors to enable them to better recognize behavior changes and to initiate referral.

3.2 *Self Referrals*

3.2.1 The faculty or staff member may decide to ask the immediate supervisor for help in efforts to seek assistance. In this case the supervisor is expected to help the employee find assistance.

3.2.2 The faculty or staff member may seek help on his/her own directly from a FSAP professional. No contact with NDSU will be made by the FSAP professional.

3.2.3 When appropriate, sick leave may be granted for treatment or rehabilitation on the same basis as for all other health problems. Annual leave or leave without pay may also be considered for use when necessary.

4. **Services**

Any NDSU faculty, staff, or household member may arrange service.

4.1 Appointments may be made by calling the FSAP provider office at 1-800-627-8220. Arrangements will be made for the faculty, staff or household member to see a counselor in Fargo or other available locations.

4.2 A counselor is available 24 hours a day, seven days a week, to address any emergency or crisis situation by calling 1-800-627-8220.

5. **Cost**

5.1 The cost for assessment, short-term counseling and referral is covered by NDSU. If costs are incurred for other services not covered by this problem or other benefits, those costs will be the responsibility of the faculty or staff member.

HISTORY:

New	July 1990
Amended	April 1992
Amended	August 1997
Amended	November 2005
Amended	November 21, 2011
Housekeeping	July 12, 2013

**STUDENT-ATHLETE HANDBOOK & STUDENT ATHLETE CODE OF CONDUCT
2022-2023**

NORTH DAKOTA STATE UNIVERSITY

Mission Statement - With energy and momentum, North Dakota State University addresses the needs and aspirations of people in a changing world by building on our land-grant foundation.

ATHLETIC DEPARTMENT

Mission Statement - To build together a leadership position in NCAA Division I that centers on integrity, success, tradition and a commitment to exceeding the expectations of our student-athletes, coaches, staff and the greater NDSU community.

Vision Statement - To continue the Championship Tradition of Bison Athletics

CORE VALUES

The people of the Athletics Department value:

Student-Athletes: We derive our purpose from student-athletes, men and women alike, who will be provided an opportunity to achieve the highest standards through the best preparation and support in a complete environment conducive to their welfare.

Academic Excellence: We commit ourselves to the academic excellence and achievement of all student-athletes and center our efforts on producing graduates who are successful, contributing citizens.

Athletic Excellence: We are passionate about winning.

Citizenship: We are committed to development of character, enhancement of maturity and emphasize good sportsmanship for all.

Diversity: We are committed as an athletic community to embracing and supporting diversity through consistent education, programming and open dialogue. Divisive, exclusionary or biased behavior/comments will not be tolerated by staff, coaches and student-athletes.

Equity: NDSU and the Department of Athletics are committed to gender equity and to the application of Title IX.

Leadership: We strive for setting and exceeding the standards for ethical behavior, fiscal integrity, equity, diversity and non-discriminatory actions through strong leadership.

Tradition: We are grateful for the past, embrace its preservation and welcome new traditions.

Teamwork: We are dedicated to each member of the Bison family and strive for open communication, a high level of trust, honesty and respect toward all.

NCAA: We subscribe fully to the philosophy and regulations set forth by the NCAA and its Core Operational Principles.

MAJOR THEMES

We are ...

Competitors-

NDSU's tradition is one of opportunity and achievement. The most visible statement of our tradition is the success of the University's students. Each generation has been challenged to defy limits, and each generation has succeeded, as the standard is set higher and higher. When students succeed, the University succeeds.

Fans-

NDSU fans strengthen our tradition of excellence. They have been asked to take measures to guarantee that opportunity for achievement at the highest level exists for our University. At the center of our achievements are donors who believe in the fundamental goals of athletics within higher education. Our fans, alumni and friends have come to expect the best from NDSU over the years. We are fortunate that they do.

Winners-

Expectations have been set and standards defined. Success is our tradition. It is the essence of our philosophy. We value winning. Current and past success will serve as a springboard to victories in all areas of our student-athletes' lives.

GENERAL INFORMATION

NDSU Student ID (NDSU Card)

All students are assigned a personal NDSU student ID number. Learn this number. It is your identification for many things such as library checkout, computer usage and your billing statement. This number will appear on your NDSU Card. You can obtain a NDSU Card at the NDSU Card Center in the Memorial Union.

Billings

You are responsible to follow up on your personal billings. All billings can be viewed on Campus Connection. If you have a question about your billing, contact ONE STOP in the Union (231-6200).

Meal Card

Your NDSU Card also serves as your meal card. Do not share your meal card with anyone.

NCAA Rules

If you have a question concerning eligibility, financial aid, competition or other NCAA regulations, contact Sr. Associate AD/SWA, Colleen Heimstead 701-231-5696, Director of Compliance, Brigit Sprenger 701-231-5808 or an appropriate athletics department administrator.

Athletic Scholarship Check

If you are receiving an athletic scholarship check for room and/or board, you must enroll in Direct Deposit. You will do this on Campus Connection. Should you not have a checking account the check will be mailed to the address that you provide on Campus Connection. It is imperative that this address is correct and updated as the check will be sent to the address that appears on Campus Connection.

Financial Aid Check

Financial aid is applied to the campus connection account at the beginning of each semester. See the semester registration schedule for the dates or go online under "Dates and Deadlines." (www.ndsu.edu/ndsu/deott/dates). All financial aid also can be viewed on Campus Connection.

Parking Permits

If you choose to park on campus, you are required to purchase a parking permit online at www.ndsu.edu/parking. NCAA legislation does not permit athletics to assist you with a parking violation.

Parking Policy

All NDSU student parking permits are purchased online at www.ndsu.edu/parking. An overview of athlete parking is as follows:

2022-2023 Parking Instructions for Student-Athletes

All NDSU student parking permits are purchased online at www.ndsu.edu/parking

Listed below is an overview of athlete parking.

	Parking for Practice Commuter North Permit Required in the RF Lot	Athletic Training, Treatment and Event Sites
Baseball	RF	SHAC/Newman Field
Men's Basketball	RF	SHAC
Women's Basketball	RF	SHAC
Football	Fargo Dome Lot B	SHAC/Fargo Dome
Men's Golf	RF	SHAC
Women's Golf	RF	SHAC
Soccer	RF	SHAC/Dakota Field
Softball	RF	SHAC/Ellig Field
Men's Track	RF	SHAC/Ellig Track
Women's Track	RF	SHAC/Ellig Track
Volleyball	Visitor's Lot by Sudro	SHAC/BBF
Wrestling	RF	SHAC

Residence Dining Center (RDC) Parking: Student-Athletes shall never park in Faculty/Staff parking lots, specifically the lots adjacent to the RDC. These lots include PH-Lot, Visitor's (E-Lot), W-Lot and CIE-Lot. Violators will be cited for parking in any of these lots.

- **BBF:** Use the Visitor's Lot by Sudro Hall.

➤ **Overnight Parking from November 1, 2022 to July 31, 2023**

- Use the NE corner of the Fargo Dome Lot “C” with any valid NDSU permit or a Park & Ride permit.
- Park in the SE corner of the “RF” Lot with any valid NDSU permit (excluding Park and Ride permits).
- Student-athletes must have a valid parking permit to park overnight in designated areas.

Park & Ride Permits (Fargo Dome Lots C, D and E)

Discounted (\$60) “Park and Ride” permits (previously known as DOME permits) are available for parking at the Fargo Dome. Park & Ride permits are only valid at the Fargo Dome and are **not** valid in conjunction with any other permit or in any other location. MATBUS service is available Monday – Friday with limited routes and service on Saturday. Fargo Dome lots C, D and E also allow parking with any valid student or staff parking permit. However, **overnight parking is not permitted.**

Wellness Center Parking

All student parking permits, except Park and Ride, can be used at the Wellness Center for up to 2 consecutive hours of free parking each day.

FOR MORE INFORMATION

On-Campus Services			
Academic Counseling/Class Scheduling	Contact your Academic Advisor		
Add/Drop Class	Registration & Records	Ceres 211	231-7981
Admissions	Office of Admission	Ceres 114	231-8643
Academic Support	Athletic Academics	SHAC	231-5781
Career Resources	Career Center	Ceres 306	231-7111
Counseling	Counseling Center	Ceres 212	231-7671
Computer Clusters	Quentin Burdick Building	QBB	231-8685
Disability Information	Disability Services	Lower Level Main Library	231-8463
Drug Testing	Scott Woken	SHAC	231-7779
Eligibility	Colleen Heimstead	SHAC	231-5696
	Brigit Sprenger	SHAC	231-5808
Financial Aid	Julie Wanzek	Ceres Hall	231-7534
	NDSU One Stop	Union 176	231-6200
Health Services	Student Health Service	Wellness Center	231-7331
Insurance Coverage	Scott Woken	SHAC	231-7779
International Programs	International Students & Study Abroad Services	Union 116	231-7895
Invoices/Billings	NDSU One Stop	Union 176	231-6200
Library		Library	231-8876
Multicultural Programs	Office of Multicultural Programs	Memorial Union 173	231-1029
Registration & Records	Philip Hunt	Ceres 110	231-7987
Residence Life	Angie Limesand	W Bison Court 124	231-8041
	Kelly Laverdure	W Bison Court 124	231-8023
Transfer Students	Colleen Heimstead	SHAC	231-5696
	Kelli Layman	SHAC	231-5781
Student Rights & Responsibilities	Emily Frazier	Old Main 100	231-8406
Student Government		Memorial Union 128	231-8461
Tickets/Player Comps	Kaye Ternes	SHAC	231-8988
Trainers, Athletic	Scott Woken	SHAC	231-7779
Tutoring Services	Michelle Pearson	ACE	231-5554

Emergency Services		
Call 911 (From an On Campus Phone 1-911)		

Campus Police			231-8998
Go to Sanford Health Emergency Room		720 4th St N	234-5121
Go to Prairie St John's		510 4th St S	476-7216
First Link Suicide Line			232-4357
Rape and Abuse Crisis Center			293-7273

Counseling Center hours:

Academic year M-F 8:00 am-5:00 pm

Summer and school breaks M-F 7:30 am-4:00 pm

After hours call:

NDSU Counseling Center 231-7671

First Link 235-7335

Other crisis /emergency options include:

Call 911 (From an on campus phone 1-911)

Campus Police 231-8998

Go to Sanford Emergency Room 417-2100 (5225 23rd Ave S)

Go to Prairie St John's 476-7216 (510 4th St S)

First Link Suicide Line 232-4357

Rape and Abuse Crisis Center 293-7273

University Support Systems			
Institutional Equity & Compliance		Old Main 201	231-7708
Counseling Center		Ceres Hall 212	231-7671
NDSU CARES Project		Ceres Hall 212	231-7671
(Campus Awareness, Referral and Education for Suicide Prevention)			
Disability Services		Lower Level Main Library	231-8463
Information Technology Services		QBB 206 (Help Desk)	231-8685
LIVE REAL Mentor Program		West Dining, Lower Level	231-8379
Multicultural Programs		Memorial Union 178	231-1029
Safe Zone Program (LGBTQ)		Memorial Union 250	231-6560
Sexual Assault Prevention and Advocacy		Wellness Center	231-5733
Dean of Students		Old Main 100	231-7701

Useful Internet Links	
Alcohol & Drug Prevention Programs	http://www.ndsu.edu/alcoholinfo/
Bias Reporting System	http://www.ndsu.nodak.edu/equal_opportunity/biasreportingsystem/
Bison Athletics	www.GoBison.com
Code of Student Conduct	https://www.ndsu.edu/fileadmin/policy/601.pdf
Counseling Center	www.ndsu.edu/counseling
Disability Services	www.ndsu.edu/disabilityservices
Diversity Resources	https://www.ndsu.edu/about/inclusion
(NDSU & FM area)	http://www.edu/disabilityresources
Institutional, Equity & Compliance	www.ndsu.edu/equity
International Students & Study Abroad Services	http://www.ndsu.edu/international/
Leadership Programs	http://mu.ndsu.edu/leadership_programs
LIVE REAL Mentor	http://www.ndsu.edu/alcoholinfo/students/live_real_mentor_program/
Multicultural Programs	http://www.ndsu.edu/multicultural/
NCAA	www.ncaa.org
NDSU CARES (Campus Awareness, Referral and Education for Suicide Prevention)	www.ndsu.edu/counseling/ndsu_cares_project/

Safe Zone Program (LGBTQ)	http://mu.ndsu.edu/safezone
Wallman Wellness Center	www.ndsu.edu/wellness

CONTACT INFORMATION FOR ADMINISTRATION AND COACHING STAFF

<https://gobison.com/staff-directory>

GOVERNING BODIES OF INTERCOLLEGIATE ATHLETICS

NDSU is Division I member of the National Collegiate Athletic Association (NCAA), founded in 1906. The NCAA's basic purpose is to maintain intercollegiate athletics as an integral part of the educational program and the athlete as an integral part of the student body. Student-athletes are protected under the principles of the NCAA which governs institutional control, student-athlete well being, gender equity, sportsmanship and ethical conduct, sound academic standards, nondiscrimination, rules compliance, amateurism, competitive equity, recruiting, eligibility, financial aid, playing and practice seasons, post season competition, and economy of the athletics program.

NDSU is a member of the Summit League in all sports with the exception of membership in the Missouri Valley Football Conference and the Big 12 Conference for Wrestling.

UNIVERSITY ATHLETICS COMMITTEE

The Department of Athletics has a direct relationship with the University Athletics Committee. Comprised of faculty, staff and students, the committee serves as a standing committee to the NDSU Faculty Senate. This committee also serves as the NDSU Athletics Advisory Board as described in the constitution of the National Collegiate Athletic Association.

The Committee members are selected by the respective college, and include the Director of Athletics, Faculty Athletic Representative, Senior Associate Director of Athletics/SWA, vice president of the student body and a member of the Student-Athlete Advisory Council.

STUDENT-ATHLETE ADVISORY COUNCIL (SAAC)

The Student-Athlete Advisory Council is a very active group, meeting twice a month during the academic year. As your representatives, they serve as leaders by listening to your concerns and sharing them with the athletics administrators. The council is comprised of two members from each team. Projects include development of Student-Athlete policies, extended relationships with student-government, community outreach and involvement in educational programming.

Many positive volunteer opportunities are initiated and implemented by all student-athletes such as the blood drive, holiday visits to area hospitals and community services to name a few.

ACADEMICS

Success in the classroom is a central focus for NDSU student-athletes. The staff, coaches and administrators share the same commitment and dedication to academic excellence. Your main goal is to earn a college degree as it creates a life filled with opportunity. If you maintain good study habits and work hard in classes, you will earn your degree.

NDSU and the NCAA have established several academic guidelines and regulations:

Guidelines for Academic Success

Understand that earning a degree through a challenging academic experience is your primary goal.

Meet all academic responsibilities, including the responsibilities of class attendance and the completion of all assignments in a timely manner.

Strive to be involved as a full-fledged member of the University community and make a strong effort to derive as much as possible out of all of the many opportunities presented at NDSU.

Utilize the academic support services available through the Academic Collegiate Enhancement (ACE) program and seek academic help when it is needed.

Understand that your personal commitment is at the heart of your academic success.

Class Attendance

To be successful academically you must attend all classes. Student-athletes are required to attend all of their classes regardless of the instructor's attendance policy. Athletics expects you to be in class with the exception of illness, family emergencies and official team travel.

Missed Class Policy

As found in the NDSU Policy Manual, SECTION 333, CLASS ATTENDANCE POLICY AND PROCEDURE, please be fully aware of your responsibility to adhering to the missed class policy as stated below.

SOURCE: NDSU Faculty Senate Policy 1. GENERAL PHILOSOPHY

Attendance in classes is expected. Only the course instructor can excuse a student from course responsibilities. (The term course includes class, laboratory, field trips, group exercises or other activities.)
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If class attendance is a component of the course grade, the course instructor must clearly communicate this to the class in writing in the syllabus.
--

The course instructor must clearly inform students on the first day of class and in writing in the syllabus (1) of their policy regarding class absence (including if supporting documentation is required; and (2) policy for making up missed assignments. It is recognized that sometimes an assignment is impossible to make-up.

The course instructor must exercise a fair and consistent standard for resolving questions of missed assignments, the type, extent, manner and time frame of the make-up assignments.

Students are responsible for informing course instructors of absences. If absences are known (e.g., university sanctioned activity, such as student government, judging, clubs, athletic competition, fine arts performances), course instructors shall be informed with written notification as far in advance as possible (preferably a two-week notice). Where advance notification is not possible (e.g., illness, family emergency), students should contact their course instructor as soon as possible about the absence. Veterans and student service members with special circumstances or who are activated, to include State Active Duty, are encouraged to notify the instructor as soon as possible, provide Activation Orders if possible, and inform the NDSU Office of Military and Veterans Services to facilitate a smooth exit from and successful re-entry to the University.

When a student misses class for any reason, the student is responsible for contacting the instructor to make arrangements to follow the course instructor's policy in making up any missed assignments, if permitted.

Responsibilities of the Student-Athlete

It is your responsibility to obtain and understand each instructor's policy regarding attendance.

You can be deleted from the class roster or fail a class because of a lack of attendance, and your instructor does not have to notify you of this. Direct communication with each of your instructors is very important.

If you know that you will miss class time because of competition, discuss it with your instructors during the first week of class so that you know where you stand ahead of time.

It is your responsibility during the first week of class to find out the policy on make-up work in each of your classes. Do not wait until you have already missed a test or assignment to find out your instructor's policy on make-up work.

If you are unable to attend class because of a conflict with a competition, it is your responsibility to inform the instructor. Prior to each away competition, your coach will provide you with an official letter for you to personally present to each of your instructors. This letter identifies the date and time of departure and lists the official travel roster. Please be certain that the instructor is aware that your absence from class is due to athletic participation.

Satisfy all academic expectations outlined by the instructor for each class even with the additional time demands related to practice, competition and team travel.

Earn University and NCAA satisfactory progress each semester towards a degree.

Prepare for and attend all scheduled tutoring appointments, advising and other academic related meetings.

Academic Integrity

It is your responsibility to adhere to the policies of Academic Honesty and the Code of Academic Responsibility and Conduct as stated by North Dakota State University. For information on these policies you can go to: <http://www.ndsu.edu/academichonesty/>

Student-athletes shall neither participate in nor condone any form of cheating or academic dishonesty. Academic violations include:

- Plagiarism
- Cheating on exams / course assignments
- Assisting others in any form of cheating / academic dishonesty
- Falsifying reasons for taking a make-up exam, submitting assignments late or missing class.

Class Expectations

Basic courtesy and responsibility as a representative of your team requires that you:

- treat instructors and classmates with courtesy and respect.
- arrive at class on time and do not leave early.
- be prepared for class.
- be attentive in taking notes and participating in class discussions.
- notify your instructor in advance when competition or travel requires you to miss class.
- discuss in advance with your instructor the procedure you are to follow if competition necessitates missing an examination or assignment deadline.

Registration

All students register using the Campus Connection system. This is a web-based registration. A link to Campus Connection is on the NDSU homepage (www.ndsu.edu).

Changing Your Schedule

Before changing your schedule, you must obtain permission from your **academic advisor** and contact your Athletic Academics Advisor with the change(s) to your schedule.

Add/drop deadlines are published each semester in the registration schedule on the Campus Connection web site. Add and drop dates vary for many courses and within departments, so be sure to check the registration schedule. Check dates and deadlines at: <http://www.ndsu.edu/bisonconnection/dates/>.

Schedules (Study List)

A copy of your class schedule is available from the Campus Connection web site.

Incompletes

Under ordinary circumstances and at the discretion of the instructor, a student may be assigned a grade of Incomplete. Grades of Incomplete must be removed no later than the end of the seventh week of the following semester. Grades that are not removed within the specified time are automatically changed to F grades.

Dean's List

To be eligible for inclusion on the Dean's List, a student must have earned a grade point average of no less than 3.50 while completing at least 12 hours.

University Academic Probation and Suspension

To be eligible to register continuously without conditions, a student must maintain the following:

Minimum Semester & Cumulative GPA	Completed Hours
2.00 (freshman)	fewer than 26
2.00 (sophomore)	27-59
2.00 (junior)	60-89
2.00 (senior)	90+

1. **Warning:** Occurs anytime that your semester GPA falls below a 2.00 and your cumulative GPA is above a 2.00. It does not appear on the official transcript.
2. **Probation:** Occurs if the semester and the cumulative GPA falls below a 2.00 if the semester before this occurred you were in good standing.
3. **Continued Probation:** Continuance of probation may be issued for as many semesters as the Semester GPA is above with the Cumulative GPA below 2.00. Continued Probation does not appear on the official transcript.
4. **Suspension:** Occurs when both the semester and cumulative GPA falls below a 2.00 if the previous semester the student was on probation or continued probation or was admitted to the institution as a conditional student. This is an intervention by the institution for failure to demonstrate academic improvement. Suspension is issued for the immediate two grading periods following the suspended term. Suspension does appear on the official transcript.
5. **Suspension Appeal:** If suspended, a student may appeal with extenuating documented circumstances. [Suspension appeals](#) are noted on the official academic record after the specific term as a continuance approved by Academic Standards with the date of approval. Students must meet or exceed both the term and cum GPA to continue; if not, the student is re-suspended.

The **Academic Standing Chart** below provides a visual of the above terms and standings.

Previous Standing	End of Current Term		
	Sem. GPA < 2.00 Cum. GPA ≥ 2.00	Sem. GPA < 2.00 Cum. GPA < 2.00	Sem. GPA > 2.00 Cum. GPA < 2.00
First term student with no previous standing	--	² Probation	--
Admitted on Probation (ADPR)	--	³ Suspension	--
Good (GOOD)	¹ Warning	² Probation	² Probation
Warning (WARN)	¹ Warning	² Probation	² Probation
Probation (ACPR)	¹ Warning	³ Suspension	² Continued Probation
Continued Probation (CNPR)	¹ Warning	³ Suspension	² Continued Probation
Suspension Appeal (SPCT) ⁴	¹ Warning	³ Suspension	² Continued Probation
Reinstate on probation following Suspension (ACSP)	¹ Warning	³ Suspension	² Continued Probation

Academic Appeals

If you feel you have been unfairly treated or miss graded in a course, you may initiate an appeal by contacting the chair of the department in which the course is offered.

ACADEMIC SUPPORT

Athletic Academic Coordinators

Associate Director of Athletic Academics	Kelli Layman	SHAC	701-730-6228
Asst. Dir. Athletic Academics/Student Development	Sammie Hildreth	SHAC	701-231-5556
Assistant Director of Athletic Academics	Sara Parman	SHAC	701-231-5557
Athletic Academics Coordinator	Leigh Spooner	SHAC	701-730-2924
Graduate Assistant	Brandon Metz	SHAC	
Graduate Assistant	John Ursino	SHAC	
Graduate Assistant	Jocelyn Dinius	SHAC	
Graduate Assistant		SHAC	

Hours of Operation in SHAC

Monday-Thursday 8am-10pm
 Friday 8am-5pm
 No Weekends

Academic Collegiate Enhancement (ACE)

Intercollegiate athletics, in cooperation with Student Success programs, offers an academic enhancement program designed to assist all athletes. Tutors are on site and provide one-on-one or small group assistance. Each head coach has specific academic criteria for mandatory participation in the program.

In cooperation with various services and units available for students at NDSU, Athletic Academics provides:

- University resources to assist student-athletes
- Coordinating structured study and tutorial programs
- Monitoring semester and yearly academic progress

This is done through:

- Mandatory student-athlete meetings
- Study Skills courses
- Academic Orientation
- Grade checks

Advising

Each semester, student-athletes along with their **academic advisor** are required to fill out a Degree Progress Certification (DPC) form and return it to Athletic Academics Support Staff before your enrollment appointment. You will not be allowed to register until your DPC form is turned in and signed by your advisor. It is important to remain in close contact with your academic advisor and coach regarding your academic eligibility.

Additional Academic Support Programs

Academic Counseling	ACE	231-5871
Center for Writers	Library #6	231-7927
Disability Services	Wellness Center	231-8463
Multicultural Programs	MU 178	231-1029
Student Support Services (TRIO)	Ceres 319	231-8028
Technology Learning and Media Center	QBB 150C	231-5130

More information on resources available for student-athletes is online at www.ndsu.edu/ace.

ITS Laptop Check-Out

ITS has laptop computers available for students to check out in the QBB. This is a great option for travel if you don't have your own. To reserve one, you must fill out the reservation form in advance on the ITS Web site.

ELIGIBILITY – ACADEMIC RULES FOR STUDENT-ATHLETES

Full-time or 12 Credit Hour per Semester Rule

To be eligible to practice, compete, receive financial aid, or use the athletic training facilities, a student-athlete must be full time by being registered in a minimum of 12 credits hours per semester. An exception to this rule is if the athlete is in his/her last semester of enrollment and needs fewer than 12 credits to graduate. You must receive written approval prior to receiving this exception.

Six-Hour Rule

To be eligible for competition, a student-athlete must pass a minimum of six semester hours of degree applicable academic credit the previous full-time regular academic term (fall or spring semester).

18-Hour Rule

The 18 rule states that to be eligible for competition, a student-athlete must complete 18-semester hours of academic credit during each regular academic year. Hours earned during summer may not be used to fulfill this requirement.

9-Hour Rule (Football only):

To be eligible for fall competition, a football student-athlete must pass a minimum of nine semester hours of degree applicable academic credit the previous fall semester.

24-Hour Rule

A student-athlete must complete a minimum of 24 semester hours of academic credit prior to beginning the second year of enrollment.

Remedial, Tutorial, Noncredit hours

A maximum of six semester hours of remedial, tutorial or noncredit hours may be used to satisfy the minimum academic progress requirement. If a student wants to use these credits toward their satisfactory progress, then the credits must be taken during his/her first year of collegiate enrollment. Math 102 and English 101 are examples of such classes at NDSU.

Progress Toward Degree or 40/60/80 Rule

To be eligible for competition, a student-athlete must be making progress toward a degree. This progress is calculated by the percent of credits applying toward a degree (major).

For example, if the degree requires 122 credit hours, the athlete must complete by the **start** of the:

Third year 40% of degree (122 x 40% = 49 hours)

Fourth year 60% of degree (122 x 60% = 74 hours)

Fifth year 80% of degree (122 x 80% = 98 hours)

Note: five-year programs use 33/50/67 percentages to calculate progress toward degree.

Minimum GPA Rule or 90/95/100 Rule

To be eligible for competition, a student-athlete must achieve the following minimum GPA:

Start of second year 90% of GPA required for graduation (2.0 GPA x 90% = **1.80**)

Start of third year 95% of GPA required for graduation (2.0 GPA x 95% = **1.90**)

Start of fourth year 100% of GPA required for graduation (**2.0** GPA)

Declaring a Major

All athletes must declare a major no later than the end of their fourth semester. The student-athlete through their chosen college

must make formal enrollment of the declared major.

If a student-athlete wants to change their major, the student-athlete must request approval prior to the change from Athletic Academics Support Staff. Approval is critical because eligibility issues need to be addressed.

Declare/Change Major in Registration and Records, Ceres Hall 110 or file online after seeking approval by the Athletic Academic Staff: <http://www.ndsu.edu/registrar/forms/>
Visit with your new advisor once the request has been processed.

Social and Community Responsibilities

Student-athletes shall conduct themselves as responsible members of the university and local community. Student-athletes must abide by the sport specific team rules established by their coach; the rules, regulations and policies of the university and all local, state and federal laws.

Internet Usage / Social Networking / Online Communities

The popularity of social networking websites (e.g., Facebook, Twitter, YouTube, Instagram, Snapchat, Tik Tok) has grown tremendously. These websites can serve as valuable communication tools when used appropriately. The use of social media, however, has the potential to cause problems for both the student-athlete and the university if used inappropriately.

Important Suggestions and Recommendations Regarding Social Networking Sites

Some students mistakenly believe social networking websites have a wall of privacy and assume their profiles are viewed only by a close circle of friends and fellow students. To the contrary, the content on most of these sites is accessible by anyone in the general public unless security and privacy features are used.

The public nature of these websites has created personal safety and personal welfare concerns. For example, student-athletes have been stalked or sexually harassed and assaulted as a result of their Facebook profiles. Agents and gamblers also have contacted student-athletes through social networking sites. Fans of opposing teams have taunted student-athletes based on information obtained from social networking sites.

You also should be aware that potential employers and graduate school admission officers now regularly screen applicants by conducting "Google" searches of an applicant's name and by reviewing the applicant's social networking profiles. Students are being passed over for interviews and denied admission to universities based on the content of their profiles.

You should be very careful about what personal information you share on the internet. For your own security, protection and welfare and that of your teammates and friends, the Athletics Department strongly recommends and advises you to:

- Keep phone numbers, physical addresses, birthdates, current whereabouts, travel plans and other personal information strictly confidential. This information should not be contained in your personal online profile.
- Limit the access of others to e-mail addresses and screen carefully those whom you may accept as "friends" on a social networking site.
- Use whatever security and privacy features are available to restrict the ability of others view on your site or to post pictures, messages and other content on your site.
- If an individual contacts you via a social networking site and the nature of the contact makes you concerned for your safety or uncomfortable in any way, you should immediately contact a coach, an Athletics Department administrator or the police.

Rules Regarding Social Networking Sites

Participation in intercollegiate athletics carries with it personal accountability. As a condition of being a student-athlete at the NDSU, student-athletes must abide by the following rules related to the use of the internet and social networking sites:

Student-athletes may not post online any pictures, information or other content that might cause embarrassment to themselves, fellow student-athletes, teams, coaches, the Athletics Department or the university (examples: obscene images or language, pictures at parties with alcohol, references to drugs or sex).

Student-athletes may not post any content online that is unsportsmanlike, derogatory, demeaning or threatening toward any other individual or entity (examples: derogatory comments regarding another institution; taunting comments aimed at a student-athlete, coach or team at another institution). No posts should depict or encourage unacceptable or illegal activities (examples: hazing, sexual harassment/assault, gambling, discrimination, fighting, vandalism, academic dishonesty, underage drinking, and illegal drug use).

Student-athletes may not post any content online that would constitute a conference or NCAA rules (examples: commenting publicly about a prospective student-athlete, providing information related to sports wagering activities; soliciting impermissible extra benefits).

Student-athletes may not post any information that is sensitive or personal in nature or is proprietary to the Athletic Department or the university that is not public information (examples: tentative or future team schedules, student-athlete injuries and eligibility status, travel plans/itineraries or information).

Student-athletes may not post any pictures, audio or video content or any other information that is not the student-athlete's personal property or would violate copyright laws. Student-athletes may not use the logos or trademarks of the NDSU or other entities without permission, and student-athletes are personally liable for any copyright violations they may commit.

Student-athletes are required to abide by all laws related to the use of the internet (including state and federal privacy laws such as FERPA and HIPAA), and student-athletes are personally liable for any violations of those laws. Student-athletes also are required to follow the NDSU Student Code of Conduct and all university computer usage rules and regulations.

Any information posted can be held against you in criminal charges and/or as evidence of violations of campus policies.

Student-athletes must provide their coaches with access to their social networking sites if requested.

Additional Guidelines

North Dakota State University faculty, alumni, coaches, students, administrators and staff have profiles listed on Facebook.

Many institutions have prohibited student-athletes from having Social Media or other electronic social sites. Several factors play into this decision including access by those who may intentionally or unintentionally jeopardize the well-being of a student-athlete.

As a part of online social networking, it is imperative that you are aware that this information is public and can be viewed by anyone, including members of the media, the general public and Bison fans in general. Information posted a social network sites has the potential to influence the public opinion of the university, the athletics department and you as an athlete. Competitors search for ways to gain advantage over the Bison.

Any information posted can be held against you in criminal charges and/or as evidence of violations of campus policies.

As administrators and coaches at NDSU we trust that you will make good decisions and be responsible for your personal information.

In closing, we have listed a few thoughts for you to consider:

- Recruits often view Social Media to learn about the NDSU athletic team they are considering. Be mindful of the first impression you give by the content you have posted.
- Remember the media are aware of information posted on these sites which could and which have, resulted in potential liabilities for the student-athlete and the athletics program.

Review process for any Social Media misconduct

As with any misconduct, there is a review process that includes athletics department senior staff members and sport supervisors. If situations arise where inappropriate language or videos are posted to social media by current student-athletes or committed prospective student-athletes, the athletics department senior staff members, sport supervisors and specific head coach will discuss the situation and determine the best course of action for the individual involved. Action may include, but is not limited to: suspension from team, removal from team, scholarship reduction or scholarship cancellation. Other campus administrators may be included in discussions if necessary.

Responsible Computer Usage

The NDSU computer system is intended for academic use. While you may use the system for personal reasons, you are expected to abide by all campus policies, state and federal laws.

Transfer Policy/Notification to Transfer

If a student-athlete wishes to speak with another institution about transferring to that institution, the student-athlete should first communicate their request with their head coach. A student-athlete may initiate the notification of transfer process by providing a member of the compliance staff with a written notification of transfer at any time. The student-athlete must meet with either Colleen Heimstead or Brigit Sprenger, in the NDSU Compliance Office, to complete the notification to transfer form. The NDSU Athletics Department only accepts written notification of transfer via this form. Written or emailed requests will not be accepted and will not trigger the two business day window for entry into the NCAA transfer portal. The compliance staff shall enter his or her information into the national transfer database within two business days of receipt of a written notification of transfer from the student-athlete. The entry into the transfer database will only be completed by the compliance staff.

Prior to entering the NCAA Transfer Portal, the student-athlete must complete the Educational Module. At the conclusion of the module, there is a certificate of completion the student-athlete can access to confirm they have completed the module. The certificate can be physically printed or saved as a PDF and must be forwarded to Colleen Heimstead, colleen.heimstead@ndsu.edu.

Educational Module: www.ncaa.org/sports/2015/2/13/want-to-transfer.aspx Then, scroll to "Division I Transfer Module".

Student-athletes who have initiated the notification of transfer and remain on the team:

- Will continue to have access to all academic support programs
- Will continue to have access to the sports medicine staff
- Will continue to have access to the strength & conditioning staff
- Will continue to have access to their gear and equipment through the equipment staff

Student-athletes who have initiated the notification of transfer, but have quit the team and no longer participate in practices, workouts or other meetings:

- Will continue to have access to all academic support programs
- Will continue to have access to the sports medicine staff ONLY if they are continuing medical treatment or rehabilitation
- Will NOT have access to the strength & conditioning staff
- Must return ALL issued gear and equipment to the equipment staff

Be reminded of the NCAA one-time transfer legislation:

13.1.1.3.1 Notification of Transfer. A student-athlete may initiate the notification of transfer process by providing his or her institution with a written notification of transfer at any time. The student-athlete must complete an educational module related to transferring before the institution may enter the student-athlete's information into the national transfer database. The student-athlete's institution shall enter his or her information into the national transfer database within two business days of receipt of a written notification of transfer from the student-athlete or receipt of confirmation of the student-athlete's completion of the educational module, whichever occurs later.

The student must provide written notification of transfer to the institution by the following dates:

- (1) Fall and winter sports: May 1.
- (2) Spring sports: July 1.

14.5.5.2.10.1 Exceptions to Notification of Transfer Dates -- Fall and Winter Sports. A student-athlete who participates in a fall or winter sport is not required to provide written notification of transfer prior to May 1 if either of the following occur on or before July 1 of the same academic year:

- (a) The student-athlete's athletics aid is reduced, canceled or not renewed (except as permitted per Bylaws 15.3.4.2 or 15.3.5.1); or
- (b) The head coach of the student-athlete's team departs or announces departure from the institution.

14.5.5.2.10.2 Application of Notification Dates to Midyear Transfers. A midyear transfer student-athlete is not required to have provided notification of transfer to the institution by the notification deadline in the previous academic year.

STUDENT-ATHLETE RIGHTS

NDSU Non-discrimination Statement:

NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or

veteran status, as applicable. Direct inquiries to Vice Provost, Title IX/ADA Coordinator, Old Main 201, [\(701\) 231-7708](tel:7012317708), ndsuoaa@ndsuo.edu.

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Notice of Nondiscrimination


NDSU is committed to providing a safe and non-discriminatory learning, living, and working environment for every member of our university community. I want to take a moment to remind our university community of our **policies prohibiting discrimination and harassment.** Additionally, in light of the restructuring that has taken place at NDSU over the last year, I would like to take the opportunity to inform the university community of **resources available at NDSU to address your questions, concerns, or complaints regarding discrimination and harassment, including Title IX.**

NDSU prohibits discrimination and harassment on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, status as a U.S. veteran, or participation in lawful activity off the employer's premises during nonworking hours which is not in direct conflict with the essential business-related interests of the employer. **Title IX specifically prohibits discrimination based on sex** in education programs or activities, including, but not limited to, gender-based discrimination, pregnancy discrimination, sexual harassment, or sexual assault. **NDSU also prohibits retaliation** based on protected activity, including, but not limited to, reporting alleged discrimination or providing information during a discrimination investigation. **The full text of NDSU's policies related to equal opportunity, discrimination, harassment, and retaliation can be found at the end of this statement.**









Questions, concerns, or complaints related to equal opportunity, discrimination, harassment, and retaliation, including those related to Title IX, may be directed to:

Dr. Canan Bilen-Green
Vice Provost and Title IX/ADA Coordinator
Old Main 201
NDSU Main Campus
Fargo, ND 58108
Phone: [\(701\) 231-7708](tel:7012317708)
Email: ndsuoaa@ndsuo.edu

She has been designated to receive complaints from students, faculty, and staff regarding discrimination, harassment, and retaliation, including those related to Title IX, and to monitor NDSU's compliance with state and federal non-discrimination laws and regulations.

Complaints can also be filed with external agencies, including U.S. Department of Education Office for Civil Rights (Phone: 1-[\(800\) 421-3481](tel:8004213481), TDD: 1-800-877-8339, OCR@ed.gov, www2.ed.gov/ocr). See NDSU  [Policy 156](#) for full list.

NDSU's Equal Opportunity, Discrimination, Harassment, and Retaliation Policies:

-  [100](#) - Equal Opportunity and Non-Discrimination Policy
-  [100.1](#) - Non-Discrimination on the Basis of Disabilities and Reasonable Accommodation
-  [103](#) - Equal Opportunity/Affirmative Action Policy on the Announcement of Position Openings
-  [156](#) - Discrimination, Harassment, and Retaliation Complaint Procedures
-  [162](#) - Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy
-  [162.1](#) - Consensual Relationships
-  [168](#) - Reasonable Accommodation on the Basis of Disability - Guidelines for Employee Requests
-  [601](#) - Code of Student Conduct

Bias Reporting System

NDSU offers bias incident reporting online or in person. The program is administered by the Office of Institutional Equity & Compliance. The reporting tool allows a person to report situations regardless of the desired outcome. A student does not need to have a desired outcome to utilize this tool. The Bias Reporting System can be found online at: www.ndsu.edu/equal_opportunity/biasreportingsystem. Paper forms are also available for reporting allegations of bias. The paper forms are in the Library (main campus and downtown), ONE STOP, and second floor of Old Main outside of room 201.

DIVERSITY AND INCLUSION RESOURCES

“The NDSU community prioritizes and values diversity and inclusion. We take collective responsibility for ensuring a sense of belonging, respect, and justice that support the success of each person.”

Listed below are a few of the organizations at NDSU that are available for your participation. For a more comprehensive view of diversity and inclusion at NDSU, please visit the website at <https://www.ndsu.edu/about/inclusion>.

- [Office of Multicultural Programs](#)
- [Disability Services](#)
- [Black Collegiate Women](#)
- [Black Student Association \(BSA\)](#)
- [Hispanic Organization of Latin Americans \(HOLA\)](#)
- [Native American Student Association \(NASA\)](#)
- [Pride Alliance](#)
- [LGBTQ+ Resources](#)
- [We Take a Stand Training for Students](#)
- [Multicultural and LGBTQIA Student Counseling](#)

If you have questions, concerns or need additional information or resources, please contact any administrator in the athletics department.

NDSU Counseling Center – SEE BELOW FOR TEMPORARY LOCATION FOR 2022-2023

The mission of the Counseling Center is to encourage individuals to develop their unique potential by providing services and programs in a supportive environment.

The NDSU Counseling Center provides a confidential setting in which students may explore concerns of a personal or academic nature; makes referrals; and serves as consultants for faculty and staff. Students in counseling can explore a variety of concerns which may prevent them from functioning at their optimum levels.

Anti-Racism and Solidarity Statement

NDSU Counseling Center affirms our commitment to recognize the impact that racism, xenophobia, and transphobia have on the mental health and well-being of Black, Indigenous, People of Color (BIPOC). We stand in solidarity with our BIPOC students, staff, and faculty and denounce the rise of overt racism and xenophobia.

As mental health professionals, we understand the impact of oppressive and harmful systems on the mental health and well-being of BIPOC, and at the same time, acknowledge that we will never fully grasp the pain and trauma unless we have experienced it ourselves.

As we continue to uncover and confront the deep entrenchment of institutional racism in this country, we are committed to evolving and growing in our counseling work to better serve our students. NDSU Counseling Center staff will continue to engage in work related to fostering our cultural competencies through ongoing training, specifically targeted at dismantling racism along with examination of our own inherent biases, and promoting anti-racism cultural competencies in the therapeutic process.

We encourage you to contact our center if you (or someone you know) would like support with coping and healing. We hope that the resources below resonate with the NDSU community as ways in which we can both support those who are hurting and join together to facilitate a more inclusive and supportive environment for all.

The NDSU Counseling Center is pleased to announce that it has temporarily relocated to the [Stop and Go Center \(1919 North University Drive\)](#) while its current location in Ceres Hall is remodeled to better serve our students.

Center services will remain the same, the only thing changing is our location for the year. Tentative plans are for the Center to return to a newly remodeled, modern office complex in May 2023.

Counseling Center services are available free of charge to all NDSU students and the Center is open year-round. Academic year hours are 8:00 AM – 5:00 PM, Monday – Friday and summer hours are 7:30 AM – 4:00 PM, Monday – Friday. The Center's telephone number is (701) 231-7671. Free two-hour parking will be available for students using the Center during this relocation period. Students can also take bus 34, with routes every 15 minutes, to the Stop and Go Center.

Scheduling An Appointment

- **Individual and Group Counseling** for NDSU students, **free** of charge.
- **In-person or remote appointments available** (*due to licensing restrictions, remote meetings only available for those physically located in North Dakota*).
- **Location:** [1919 University Drive North \(Stop and Go Center\)](#)
- **Phone number:** 701-231-7671.
- **Hours during the school Year:** M-F 8:00 a.m.-5:00 p.m.
- **Hours during summer and school breaks:** M-F 7:30 a.m.-4:00 p.m.

To schedule an appointment, please call us at 701-231-7671 to be scheduled for either a return appointment or an initial assessment. Alternatively, you can come in person to our office at [1919 University Drive North](#) to schedule an appointment.

>> If you are a student in crisis, please call the Center at (701) 231-7671 and we will have someone speak with you as soon as possible for a crisis appointment. If help is needed outside of normal business hours, as always you can call the Center at 701-231-7671, and FirstLink (the FM area 24-hour hotline) will answer the call and help deal with the situation.

>> If you are concerned about someone else and would like to consult about how best to help this person, call the Center (701-231-7671) and one of the staff members will discuss your concerns with you over the phone. For more crises/emergency information see our crises intervention page: [Crises Intervention](#).

FINANCIAL AID

Financial aid is provided to assist with college expenses. An athletic grant-in-aid, or scholarship, may consist of tuition and fees, room and board, books and other expenses related to attendance at the institution up to the cost of attendance established by NDSU. Athletic grants-in-aid are awarded within NCAA guidelines. All are awarded on a one-year basis and may be renewed annually. There are several guidelines surrounding financial aid that student-athletes should be familiar with:

Grant-in-aid

A grant-in-aid may pay for tuition, room and board, course and program fees, books and other expenses related to attendance at the institution up to the cost of attendance established by NDSU. Student-athletes should be aware that full or partial scholarships do not automatically cover four years. It is up to each head coach whether or not a student-athlete's grant will be renewed each year. To assist with the renewal of scholarships, student-athletes are encouraged to make sufficient academic progress each semester. Student-athletes should keep in mind that the NCAA does not permit the institution to pay for some fees. If you have questions or

concerns about your scholarship, contact your head coach or ONE STOP.

Student Loans/Grants

Even if a student-athlete does receive a full grant-in-aid, he/she also may apply for a student loan or grant. These loans are administered by NDSU Financial Aid & Scholarships and must be in accordance with NCAA regulations. As a student-athlete you are obligated to report all sources of financial assistance. You may set up direct deposit for excess financial aid checks; otherwise the checks will be mailed to you directly. If you have an existing bill on your account, you will go and pick up your check at ONE STOP and will be asked to pay the bill that is on your account.

Pell Grants

If it is determined a student-athlete's financial need is high enough, Pell Grant funding may be allocated. A student-athlete who receives a Pell Grant may receive financial aid equivalent to the cost of attendance plus the Pell Grant.

Employment

Student-athletes are permitted to work during the academic year. Earnings from a student-athlete's on or off-campus employment are exempt and not counted in determining a student-athlete's cost of attendance. Compensation may be paid to a student-athlete, provided:

- the student-athlete's compensation does not include any remuneration for value or utility that the student-athlete may have for the employer because of publicity, reputation, fame or personal following he/she has obtained because of athletic ability;
- the student-athlete is compensated only for the work actually performed; and
- the student-athlete is compensated at a rate commensurate within the locality for similar services.

Prohibited Financial Aid, Benefits and Arrangements (when not associated with an NIL agreement)

A student-athlete is prohibited from the following financial aid, benefits and arrangements:

- Employment arrangement for the athlete's relatives
- Gift of clothing or equipment
- Signing or co-signing a note with an agency to arrange for a loan
- A loan of money
- A guarantee of bond
- Providing loans to a prospect's relatives or friends
- Cash or like items
- Any tangible items, including merchandise
- The use of an automobile
- Free or reduced services, rentals or purchases of any type
- Free or reduced-cost housing
- Services such as typing, faxing
- Use of telephones, cells phones

Should you have questions on this complicated matter, contact the Director of Compliance or an appropriate athletic administrator.

GENERAL ATHLETIC SCHOLARSHIP POLICIES

- Student-athletes on athletic scholarship are bound by the same requirements for athletic eligibility as athletes who are not on scholarship.
- The total amount of financial aid (excluding bona fide loans and aid from family) for athletes receiving athletic grants and other university designated financial aid (such as academic scholarships or grants) may not exceed the cost of attendance. However, an athlete receiving a Pell Grant may retain the grant in addition to the cost of attendance. Academic honor awards that meet NCAA criteria are subject to consideration for retention by the student-athlete.
- In all cases, the student-athlete's financial aid award may not exceed the cost of attendance at NDSU.
- An athletic scholarship is issued for one academic year.
- Student-athletes who are NCAA qualifiers from high school may receive athletic aid during their first year.
- If a student-athlete is injured during official practice, competition or university sponsored travel to or from competition under intercollegiate athletics auspices, that student's athletic grant, or a portion thereof, may be continued until the athlete receives his/her baccalaureate degree or through the athlete's fourth year of enrollment, whichever comes first.

- The university's obligation to provide medical care and financial aid for an injured athlete under the above policy will terminate immediately if appropriate university medical staff certify that an injured athlete has recovered sufficiently to permit competition and the athlete voluntarily chooses not to participate in athletics.
- An athletic grant may be withdrawn during the period of the award if the student athlete:
 - Renders himself/herself ineligible for intercollegiate competition.
 - Voluntarily quits the team.
 - Loses amateur status in the athlete's sport.
 - Fraudulently misrepresents any information on an application, letter of intent or financial aid tender.
 - Engages in misconduct that brings disciplinary or other legal actions including conduct prior to enrollment at NDSU.
- An institution may cancel or reduce financial aid of the student-athlete who is found to have engaged in misconduct by the university's regular student disciplinary authority, even if the loss in aid requirement does not apply to the student body in general.
- A currently enrolled student-athlete may have their financial aid cancelled or reduced for a civil wrongdoing.
- According to recent changes in the Internal Revenue Code, a portion of a recipient's scholarship may be taxable. The recipient may exclude amounts paid for tuition and fees. Generally, amounts received for room and board become the taxable amount. NDSU is not required to furnish the recipient statement of taxable amounts. The student is responsible for reporting such amounts on his/her individual tax returns.

Appeals

NDSU provides the following appeals process for student-athletes who wish to appeal a decision regarding their athletic grant-in-aid or any other circumstance that warrants a sanction, by the head coach or an athletic administrator.

To initiate the appeal, the student-athlete needs to submit a written request that includes:

- The student's name, student ID, year in school, and sport;
- Reason for the appeal (e.g., denial of transfer request, team suspension);
- Reasons for believing that the decision was unfair, including names of institutional staff members (e.g., coach, athletic administrator) with whom the student-athlete had discussed the concern;
- Provide copies of any relevant documents to the University Student-Athlete Appeals Committee (e.g., letter regarding decision, suspension).

If the student wishes, a process advocate will assist the student with the preparation of the above materials. Upon request by the student the process advocate will be assigned by the chair of the University Athlete Appeals Committee and will be responsible to contact the athlete.

The student-athlete submits these materials to the chair of the University Student-Athlete Appeals Committee within 15 working days after receiving notification that the decision has been rendered contrary to the expectation of the student-athlete. After receiving this information, the chair of the committee notifies the appropriate coach and the athletic director of the appeal, provides them a copy of the information, schedules a hearing and notifies all of the parties to the appeal of the time and place. The hearing will usually be conducted by conference call, but the student-athlete may request the hearing be in person. During the hearing, each party presents its arguments to the University Athlete Appeals Committee.

Following the hearing, the University Student-Athlete Appeals Committee will take one of two actions:

1. If the appeals committee finds that the decision to uphold the decision regarding financial aid, to deny the transfer request or to sustain the decision for other circumstances, is not a violation of NCAA rules, regulations or institutional policies and no extenuating circumstances are present, the appeal is immediately denied.
2. If the appeals committee finds that the decision to uphold the decision regarding financial aid, to deny the transfer request or to sustain the decision for other circumstances, is a violation of NCAA rules, regulations or institutional policies, the appeal is immediately approved. The student-athlete will be awarded financial aid agreed upon by the appeals committee, granted permission to transfer or will be reinstated as a member of their respective team.

In either case, the chair of the appeals committee notifies the student-athlete of the decision in writing as soon as possible but not later than three (3) weeks after the hearing. If the student-athlete wishes to discuss the result of the appeal, a meeting with the chair or a designated member of the University Student-Athlete Appeals Committee is arranged.

The committee's decision is final and there is no appeal beyond the University Student-Athlete Appeals Committee.

Committee

The University Student-Athlete Appeals Committee consists of four faculty and staff members. Each member is appointed to a three-year term by the university President and may be re-appointed. The President shall designate the chair. **The Associate Vice Provost for Enrollment Management serves as the chair.** The current Faculty Athletics Representative is also a standing member of the committee.

AMATEURISM

Student-athletes must be aware of and responsible for amateurism rules as governed by the NCAA. A student-athlete will not be eligible for participation in an intercollegiate sport if the individual:

- Uses his or her athletics skills (directly or indirectly) for pay in any form in that sport;
- Accepts a promise of pay even if such pay is to be received following completion of intercollegiate athletics participation (i.e., gift certificates, cash, savings bonds);
- Signs a contract or commitment of any kind to play professional athletics, regardless of its legal enforceability or any consideration received;
- Receives, directly or indirectly, a salary, reimbursement of expenses or any other form of financial assistance from a professional sports organization based upon athletic skill or participation, except as permitted by NCAA rules;
- Competes on any professional athletic team, even if no pay or remuneration for expenses is received.

At the beginning of each sport season, student-athletes will be given an opportunity to report the acceptance or promise of pay. Thereafter, the institution shall fully assist the student-athlete in reinstating their eligibility.

It is imperative student-athletes report signing of any outside contract to play outside competition in their sport. For example, athletes may participate in approved summer leagues, including international leagues, with advance written permission from the directors of athletics or designee.

AGENTS

A student-athlete shall be ineligible for participation in an intercollegiate sport if he/she has ever agreed (orally or in writing) to be represented by an agent for the purpose of marketing his/her athletic ability or reputation in that sport. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport.

Each student-athlete is encouraged to keep in direct contact with their head coach and the director of athletics concerning the use of an agent.

EQUIPMENT

NDSU athletic equipment or clothing may be used only in practice, during workouts, or in competition while representing NDSU as a member of a team. Use during any other type of competition may result in loss of athletic eligibility, among other consequences.

If issued athletic equipment is not returned, awards may be withheld until the equipment is returned or paid for (i.e., rings, watches, jackets etc.)

- The athlete is responsible for all equipment issued to him/her. It is his/her responsibility to return all equipment (regardless of condition) to the equipment room on the date established by the equipment manager. All practice and competitive equipment must be returned to the equipment room immediately following the final competitive event of the season. Failure to return equipment could have severe consequences such as charges assessed to the student-athlete's account.
- If equipment is not returned, equipment personnel will notify the appropriate athletic administrator who will inform the student-athlete the amount due payable to the Athletic Business Office for collection.
- If a student-athlete, including those who have exhausted their athletic eligibility, fails to return his/her athletic equipment, the cost of equipment doubles and a hold will be placed on their official university transcript.
- An athlete cannot elect to purchase their equipment or uniform in lieu of its return. The athlete will reimburse the department double for any missing equipment.

UNIFORMS

All uniforms and protective equipment are to be worn properly and in accordance with Athletics Department, NCAA and sport-specific guidelines and procedures.

Uniforms include: top, bottom, head gear (e.g., helmet, hat, etc.), socks and footwear.

Uniforms and protective equipment **SHOULD NOT** be altered at any time. This includes: cutting, taping or writing messages (other than approved messaging such as wristbands with team plays). This rule also applies to other uniform accessories such as eye black, tape, towels, head bands, wrist bands, undergarments, etc.

TICKET POLICY

- The NCAA permits a maximum of four complimentary admissions per home contest to an eligible student-athlete in the sport in which the individual participates.
- Each student-athlete is responsible to identify the number of tickets and names of individuals who will sign for them.

Process, Terms and Conditions of Complimentary Admission for Student-Athletes

1. The request must be submitted online through guest management prior to the lockout date designated for the event.
2. Recipients must present a picture I.D. and enter through the pass gate.
3. A student-athlete may not receive payment from any source for his/her complimentary admissions and may not exchange or assign them for any item of value.
4. A student-athlete may not purchase tickets for an intercollegiate athletic event from the institution and then sell the tickets at a price greater than their face value.
5. Complimentary admissions will only be provided through a pass list for individuals designated by the student-athlete. Hard tickets will not be issued.

Process for Immediate Guests to Receive Game Admission

Please follow these steps when picking up your complimentary admission:

1. State the name of the player who reserved your complimentary admission.
2. Present a picture I.D. to the seller.
3. Sign the complimentary admission form.
4. Enter the stadium/arena.

Baseball	Southwest entrance, Newman Outdoor Field
Basketball	South entrance, SHAC
Football	East entrance, Fargodome (marked TEAM TICKETS)
Softball	North entrance, Ellig Sports Complex
Volleyball	South entrance, Bentson Bunker Fieldhouse
Wrestling	South entrance, SHAC

Doors/gates open 60 minutes prior to start of contest. For football only the doors will open 90 minutes prior to the start.

TRAVEL

NDSU has developed travel policies to ensure the safety of its student-athletes and its athletics staff. Foremost, if a student-athlete, manager or cheer team member requests not to travel with or return with the team, the student must complete an NDSU Athletic Trip Policy Waiver form. The form must be signed by a parent or guardian and be on file prior to departure.

MEDICAL CARE

Your physical welfare is very important to us at North Dakota State University. Every student-athlete will receive excellent medical care. The medical staff will closely monitor recuperation and recovery after an injury or illness to ensure you are at your peak level of physical health when competing. The athletic training staff hopes your competitive experience is enriching physically, mentally and socially, and is dedicated to helping you achieve your goals. With athletic participation comes the inherent risk of injury. We're here to help in the following ways:

- Reduce risk of injury through physical screening, conditioning programs and education.

- Should an injury occur, be available for consultation, referral to the team physician, and develop a treatment and rehabilitation program that will guide you to full recovery.
- Act as liaison between physician, coach, parents and athlete so everyone has full understanding of the capabilities or limitations the injury imposes.
- Educate the athlete so that he/she understands his/her injury, responsibilities and future implications for participation.

Physical Examinations

You are required to have a physical examination. All returning student-athletes will be given a physical when they return to school; transfer students and freshmen must have their physical prior to any workouts, including summer conditioning.

Treatment of Illness and Injuries

All illnesses or injuries, including cuts and abrasions, should be reported immediately to the athletic trainer of your sport. For injuries, the following steps should be taken:

- After reporting the injury to the athletic trainer, the student-athlete, in case of an emergency, will be taken to a hospital for evaluation.
- Following evaluation, the student-athlete may be referred to the athletic training room for treatment, or to the physician for additional evaluation.
- The student-athlete is required to report to the designated athletic training room for treatment.
- After daily evaluations of the injury and approval by the North Dakota State University team physician or personal medical physician, and thereafter verified by NDSU's team physician, and athletic trainer, the student-athlete will be allowed to return to competition.
- If appointments for a second opinion are made for further medical treatment or testing, it is imperative the student-athlete keeps that scheduled appointment. Further, without prior notification by the student-athlete to the Director of Sports Medicine to seek a second opinion, NDSU will not be responsible for any related expenses.

Pregnancy Policy

- Female student-athletes are encouraged to notify the sports medicine staff, coach and team athletic trainer immediately if they think they may be pregnant. The student-athlete is encouraged to seek assistance from the NDSU Sports Medicine Department, their personal health care provider or other experts in pregnancy and related conditions.
- The sport medicine staff will collectively work to assure the student-athlete's well-being as well as the student-athlete's position as a team member and/or her athletic scholarship. Women not on scholarship will receive the same level of care.
- Even if the student-athlete chooses to seek assistance from the NDSU Sports Medicine Department, the student-athlete is still strongly encouraged to seek outside professional medical care.
- A certified athletic trainer will assist in referring the student-athlete who thinks she may be pregnant to the Student-Health Service, a team physician, an obstetrician/gynecologist, or to the student-athlete's personal physician for medical care.
- With a positive pregnancy test, the student-athlete will be given information about the availability of professional counseling.
- In the event the student-athlete elects to continue to participate in intercollegiate athletics while pregnant, the following protocol will be followed:

A pregnancy management team consisting of the student-athlete, head coach, athletic trainer, team physician, obstetrician/gynecologist and/or personal physician and academic support staff will convene to monitor the student-athlete's health and academic progress. Parents or guardians must participate on the management team if the student-athlete is under age 18.

Based on a management plan and recommendations from the attending physician, the pregnancy management team will monitor the length and intensity of athletic participation and will determine how long the student-athlete may safely engage in strength and conditioning, practice and athletic competition.

The attending physician shall communicate, in writing, the level of activity permitted for the student-athlete and when the student-athlete shall cease participation.

In order to continue athletic participation during pregnancy, the student-athlete (and a parent or guardian if the student-athlete is under age 18) must sign an informed consent acknowledging the risks of continuing participation. Continuation is still

subject to medical clearance. Many medical experts suggest that pregnant women avoid competition after the 14th week of pregnancy due to the potential higher risk of health complications.

Postpartum, the attending physician's medical clearance will be required before the student-athlete can return to conditioning, practice and competition.

- The philosophy of North Dakota State University Athletics is that pregnancy and childbirth will be regarded as a temporary medical condition, similar to any temporary disability, which may result in the student-athlete's inability to participate in athletics.
- The student-athlete shall be informed that her position as a team member and her athletic scholarship, if applicable, is not in jeopardy for the current academic year as long as the student-athlete does not voluntarily withdraw from her sport, and that NDSU seeks a one-year extension of the NCAA five-year eligibility rule.
- A reduction or cancellation of scholarship is not permitted during the term of the award for the reason of pregnancy.
- If the student-athlete voluntarily terminates her position as a member of the team on a permanent basis, her athletic scholarship will continue only until the end of the current semester.
- Renewal and non-renewal of athletic financial aid for a pregnant or postpartum student-athlete will be determined by the head coach and the Director of Athletics. NCAA regulations regarding renewal and nonrenewal of athletic financial aid will be applied.
- It is possible that a pregnancy will have an impact on academic advancement and eligibility; therefore, it is of vital importance the student-athlete consult with her Academic Advisor, the Associate Director of Learning Services/Athletic Academics and the Director for Compliance regarding individual circumstances.
- All costs and expenses of the pregnancy are the responsibility of the student-athlete and will not be covered by the Department of Athletics.

A male student-athlete whose partner becomes pregnant often looks for support from others as well. Although males do not experience the physical changes associated with pregnancy they nevertheless may endure emotional stress. If you are a male and need direction, support, or guidance please know that many professionals are available to assist you. A first step would be, for you to visit with your head coach, athletic trainer or athletic director.

Mental Health Policy

Institutional financial aid based in any degree on athletics ability may not be reduced or cancelled because of an injury, illness, or physical or mental condition that prevents the recipient from participating in athletics (except as permitted pursuant to NCAA Bylaw 15.3.4.3).

North Dakota State University Policy on Inclusivity and Nondiscrimination for Transgender Student-Athletes

NORTH DAKOTA STATE UNIVERSITY NONDISCRIMINATION POLICY

North Dakota State University does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to: Vice Provost, Title IX/ADA Coordinator, Old Main 201, NDSU Main Campus, Fargo, ND, 58108, 701-231- 7708, ndsuoaa@ndsuoaa.edu.

DEFINITIONS

- Gender – The complex relationship between physical traits and one's internal sense of self as male, female, both, or neither, as well as one's outward presentations and behaviors related to that perception.
- Gender Identity – One's inner concept of self as male or female or both or neither. One's gender identity can be the same or different than the gender assigned at birth.
- Gender Nonconforming – A person whose gender expression or gender identity differs from gender norms associated with their assigned birth sex. Someone who identifies as gender nonconforming is not necessarily transgender.
- Cisgender – A person whose gender identity and gender expression align with sex assigned at birth.
- FTM (Female-to-Male or trans male) – A person who was assigned to the female gender at birth, but has a male gender identity.
- MTF (Male-to-Female or trans female) – A person who was assigned to the male gender at birth, but has a female gender identity.
- Transgender – Sometimes used as an "umbrella term" to describe anyone whose identity or behavior falls outside of stereotypical gender norms. More narrowly defined, it refers to an individual whose gender identity does not match

their assigned birth gender. Being transgender does not imply any specific sexual orientation (attraction to people of a specific gender). Therefore, transgender people may identify as straight, gay, lesbian, or bisexual.

- Transition – The process by which a transgender individual lives consistently with his or her gender identity, and which may (but does not necessarily) include changing the person’s body through hormones and/or surgical procedures. Transitions can occur in three ways: social transition through changes in clothing, hairstyle, name and/or pronouns; hormonal transition through the use of medicines such as hormone “blockers” or cross hormones to promote gender based body changes; and/or surgical transition in which an individual’s body is modified through the addition or removal of gender-related physical traits.

NCAA GUIDING PRINCIPLES ON INCLUDING TRANSGENDER STUDENT-ATHLETES

- Participation in intercollegiate athletics is a valuable part of the education experience for all student-athletes.
- Transgender student-athletes should have equal opportunity to participate in sports.
- The integrity of women’s sports should be preserved.
- Policies governing sports should be based on sound medical knowledge and scientific validity.
- Policies governing sports should be objective, workable, and practicable; they should also be written, available and equitably enforced.
- Policies governing the participation of transgender students in sports should be equitable in light of the tremendous variation among individuals in strength, size, musculature, and ability.
- The legitimate privacy interests of all student-athletes should be protected.
- Athletics administrators, staff, parents of athletes, and student-athletes should have access to sound and effective educational resources and training related to the participation of transgender and gender nonconforming students in athletics.
- Policies governing the participation of transgender students in athletics will comply with state and federal laws protecting students from discrimination based on sex, disability, and gender identity and expression.

NCAA BYLAWS & POLICIES RELATED TO TRANSGENDER STUDENT-ATHLETE PARTICIPATION

The following policies clarify participation of transgender student-athletes undergoing hormonal treatment for gender transition:

- A trans male (FTM) student-athlete who has received a medical exception for treatment with testosterone for diagnosed Gender Dysphoria and/or Transsexualism, for purposes of NCAA competition may compete on a men’s team, but is no longer eligible to compete on a women’s team without changing that team status to a mixed team.
- A trans female (MTF) student-athlete being treated with testosterone suppression medication for Gender Dysphoria and/or Transsexualism, for the purposes of NCAA competition may continue to compete on a men’s team but may not compete on a women’s team without changing it to a mixed team status until completing one calendar year of testosterone suppression treatment.

The following policies clarify participation of transgender student-athletes NOT undergoing hormonal treatment for gender transition:

- Any transgender student-athlete who is not taking hormone treatment related to gender transition may participate in sex-separated sports activities in accordance with his or her assigned birth gender.
- A trans male (FTM) student-athlete who is not taking testosterone related to gender transition may participate on a men’s or women’s team.
- A trans female (MTF) transgender student-athlete who is not taking hormone treatments related to gender transition may not compete on a women’s team.

Sports Sponsorship/Mixed Team Status – A mixed team is a varsity intercollegiate sports team on which at least one individual of each gender competes (Revised: 5/8/06). NCAA Bylaw 18.02.2 states that for the purpose of meeting the required minimums set forth in Bylaw 18, a mixed team shall be counted as one team and shall count toward the minimum sponsorship percentage of men’s championships.

- NCAA rules state that a male participating in competition on a female team makes the team a “mixed team.” The mixed team can be used for sports sponsorship numbers (provided other conditions outlined in Bylaw 20.9 are met) and counts toward the mixed/men’s team minimums within the membership sports sponsorship requirements. Such a team is ineligible for a women’s NCAA championship, but is eligible for a men’s NCAA championship.
- A female on a men’s team does not impact sports sponsorship in the application of the rule. The team still counts toward the mixed/men’s sport sponsorship numbers. Such a team is eligible for a men’s NCAA championship.
- Once a team is classified as a mixed team, it retains that status through the remainder of the academic year without exception.

Banned Substances – NCAA Bylaw 31.2.3 identifies testosterone as a banned substance, and provides a provision for a medical exception review for demonstrated need for use of a banned medication. It is the responsibility of the NCAA institution to submit the request for a medical exception (see www.ncaa.org/drugtesting) for testosterone treatment prior to the student-athlete competing while undergoing treatment. This request will be prepared and submitted by the North Dakota State University Sports Medicine staff before a student-athlete will be medically cleared for participation. In the case of testosterone suppression, the institution must submit written document to the NCAA of the year of treatment and ongoing monitoring of testosterone suppression.

STUDENT-ATHLETE RESPONSIBILITIES

In order to avoid challenges to a transgender student's participation during a sports season and so as to allow the institution to provide accurate sports sponsorship and championship information, a student-athlete who wishes to participate on a team that is different than their assigned gender at birth shall:

- Submit a request to participate on a sports team in writing to the director of athletics upon matriculation to the institution or when the decision to participate on a team that is different than their assigned gender at birth is made.
- In the case of a student-athlete who has completed, plans to initiate, or is in the process of taking hormones as part of a gender transition, the request should include a letter from the student's physician documenting the student-athlete's intention to transition or the student's transition status if the process has already been initiated. This letter should identify the prescribed hormonal treatment for the student's gender transition and documentation of the student's testosterone levels, if relevant.
- In the case of a student-athlete who is not planning to, nor has completed, the process of taking hormones as part of a gender transition, the request need only come from the student-athlete.

NORTH DAKOTA STATE UNIVERSITY DEPARTMENT OF ATHLETICS RESPONSIBILITIES

If a transgender student provides the director of athletics with the above documentation, the institution shall take the following steps:

- The director of athletics (or his/her designee) will meet with the student to review eligibility requirements and procedure for approval of transgender participation. The athletic director (or his/her designee) should also identify to the student the individual(s) that may need to know information in order to process an NCAA medical exception request, manage student-athlete accommodations, and process sports sponsorship information. The athletic director should request written permission from the student-athlete to share the minimally necessary information to the identified individual(s).
- If hormone treatment is involved in the student-athlete's transition, the North Dakota State University Sports Medicine staff shall notify the NCAA of the student's request to participate with a medical exception request.
- All discussions among involved parties and required written supporting documentation will, to the greatest extent possible, be kept confidential, unless the student-athlete makes a specific request otherwise. All information about an individual student's transgender identity and medical information, including physician's information provided pursuant to this policy, shall be maintained confidentially.

ADDITIONAL GUIDELINES FOR TRANSGENDER STUDENT-ATHLETE INCLUSION

Facility Access

- Changing Areas, Toilets, Showers – Transgender student-athletes may use the locker room, shower, and toilet facilities in accordance with the student-athlete's gender identity. When requested by a transgender student-athlete, North Dakota State University Athletics will work to provide private, separate changing, showering, and toilet facilities for the student-athlete's use. Transgender student-athletes are not required to use separate facilities. In addition, where possible, the Department of Athletics will also work to provide private, enclosed changing areas, showers, and toilets for use by any student-athlete who requests them.
- Competition at Another Institution – If a transgender student-athlete requests a particular accommodation to ensure access to appropriate changing, showering, or bathroom facilities, the Department of Athletics, in consultation with the transgender student-athlete, will notify the Department of Athletics of the host institution prior to competition to facilitate the availability of access to facilities that are comfortable and safe. This notification should maintain the student-athlete's confidential identity as a transgender person and will not be disclosed without the student-athlete's permission.
- Hotel Rooms – Transgender student-athletes generally should be assigned to share hotel rooms based on their gender identity, with a recognition that reasonable accommodations should be made if a student-athlete needs extra privacy.

Language

- Preferred Names – Teammates, coaches, and institutional personnel should refer to transgender student-athletes by a student-athlete's preferred name.

- Pronouns – Pronoun references to transgender student-athletes should reflect the student-athlete’s gender and pronoun preferences.

Dress Codes & Team Uniforms

- Dress Codes – Transgender student-athletes should be permitted to dress consistently with their gender identities.
- Dress Codes When Traveling – Team policies should be gender neutral. For example, team members should dress clean, neat, well cared for, and professional.
- Team Uniforms – Student-athletes should have access to uniforms that are appropriate for their sport.

Education

- Department of Athletics – Members of the Department of Athletics will receive information and education about transgender identities, institutional and conference non-discrimination policies, the use of preferred names and pronouns, and expectations for creating a respectful team and institutional climate for all student-athletes, including transgender and gender nonconforming student-athletes.
- Conferences & Opposing Teams – Conferences and Federations that North Dakota State University Athletics participates in will receive information and education about these North Dakota State University policies. All game contracts/agreements will include language that summarizes this policy and North Dakota State University’s expectations regarding the treatment of all student-athletes, including those who may be transgender.

Media

- Confidentiality – All reasonable steps should be taken to protect the privacy of transgender student-athletes. All medical information shall be kept confidential in accordance with applicable state, local, and federal privacy laws.

ENFORCEMENT & NON-RETIATION

Enforcement – Any member of the Department of Athletics who has been found to have violated this policy by threatening to withhold athletic opportunity or harassing any student on the basis of their gender identity or gender expression, or by breaching medical confidentiality, will be subject to disciplinary action, up to and including being forwarded to the North Dakota State University **Office of Gender and Sexual Diversity (LGBTQ)** (student) or termination (staff member). Any member of the Department of Athletics who becomes aware of conduct that violates this policy should report the conduct to the Director of Athletics or the NDSU **Human Resources Office**.

Retaliation – Retaliation is specifically forbidden against anyone who complains about discrimination based on gender identity or expression.

Resources

Transgender students attending NDSU have access to a variety of resources on campus, in the Fargo-Moorhead community, and online. Some of these resources can be found through our **Transgender Resource Guide** which can be found at: https://www.ndsu.edu/fileadmin/lgbtq/LGBTQ_Resource.pdf

References

https://www.ncaa.org/sites/default/files/Transgender_Handbook_2011_Final.pdf
<http://www.apa.org/practice/guidelines/transgender.pdf>

(12-31-19)

NDSU Athletic Training Equipment Check Out Policy

If you, as a student-athlete, receive an injury requiring utilization of any equipment (i.e. crutches, braces) they will be checked out to you until the medical staff indicates it is no longer medically necessary. Failure to return the item(s) will result in the student-athlete’s personal account being charged for the value of the modality. If the athlete has graduated, the athlete’s transcript will be held until receipt of payment.

STUDENT-ATHLETE INSURANCE POLICY

Participation in intercollegiate athletics carries with it an inherent risk of injuries. Athletes assume certain risks in that an athlete may suffer injuries in connection with intercollegiate activities. When such injuries occur, NDSU cannot assume indefinite responsibility for continuing medical care that might be subsequently required. Subject to the limitations stated

hereinafter, however, NDSU does accept certain obligations.

University Obligations

When a student-athlete is injured during the official NCAA playing and practice season, at a sanctioned competition or university sponsored travel to or from competition under NDSU's athletic department authority, the university will provide the following assistance to the injured student. For purposes of this policy, university sanctioned athletic activity includes all practices on university or shared community facilities authorized by a coach, and any events to which an athlete travels with university support or financial assistance.

- All student-athletes must have primary medical insurance coverage. North Dakota State University athletics carries a supplemental policy that requires all medical charges to be filed with a primary insurance company prior to consideration of acceptable charges. Therefore, all expenses must be filed with the student-athlete's primary insurance first.
- As a member institution of the NCAA, catastrophic injury coverage is dictated by the policy provided by the NCAA.
- Approved eligible medical costs associated with the injury must be submitted to the student-athlete's personal insurance policy. The university will cover deductible costs or remaining balances per NDSU's medical athletic policy.
- NDSU reserves the first right to obtain medical opinions about the injury from the NDSU medical staff for the necessity and reasonableness of any particular treatment of an injury.
- If the student-athlete seeks a second opinion from a physician other than an NDSU team physician, and the second opinion confirms the opinion of an NDSU team physician, then NDSU will only provide financial assistance for charges associated with the services performed by an NDSU team physician.

Limitations

The foregoing is subject to the following limitations:

- Any athlete with a pre-existing injury or who has a diagnosed illness prior to participation in NDSU athletics must notify in writing to the NDSU medical staff prior to participation in NDSU athletics. Any medical cost associated with the pre-existing injury or illness is not the responsibility of the NDSU athletic department, unless, after disclosure and approval to participate in athletics, an injury or illness is aggravated due to such participation.
- A medical physician, including the athlete's personal physician and/or a NDSU team physician, must certify that an injured athlete has recovered sufficiently to reasonably permit the athlete to participate. Furthermore, in all cases, NDSU reserves the right to rely on the opinion of a physician of its choosing should there be a difference of opinion.
- All treatment of injuries must be authorized or administered by the NDSU medical staff. Any outside treatment obtained by an injured athlete without NDSU authorization will not be the financial responsibility of the NDSU athletic department.
- North Dakota State University will assume eligible medical expenses incurred up to three months past the current academic year, provided the injury occurred prior to the last date of the academic year, as stated in the NDSU Student-Athlete Handbook found on line at www.gobison.com. This applies to a student-athlete who has exhausted eligibility and is listed on that year's official University intercollegiate team roster. This statement is not intended to automatically grant coverage of the medical costs as the athletic department reserves the right to determine if the situation warrants coverage.
- The above statement (#4) is null and void if the student-athlete voluntarily withdraws from the team.
- Any athlete injured in events or competition not conducted or sanctioned by the university is not eligible for NDSU financial medical assistance.
- If an injured athlete withdraws from the team, from the university, or graduates from NDSU, the provision of medical care and financial medical assistance will be terminated. North Dakota State University will assume eligible medical expenses incurred up to the date of withdrawal or graduation. This statement is not intended to automatically grant coverage of the medical costs as the athletic department reserves the right to determine if the situation warrants coverage.
- No provisions of this Student-Athlete Insurance Policy shall be interpreted to conflict with applicable NCAA rules and regulations.

DRUG TESTING / ALCOHOL SCREENING and Educational policy- *[Also refer to the NDSU Student-Athlete Alcohol Education/Alcohol Testing Policy and the NDSU Student-Athlete Drug Education/Drug Testing Policy under the Sports Medicine link on GoBison.com]*

It is our goal to provide Bison student-athletes, team managers and cheer team members an environment that allows them to develop their individual talents and to reach their full potential. We believe this environment should include consideration of potential obstacles a student-athlete, team manager or cheer team member may encounter while striving to reach his/her potential. It is our goal to educate our students about the effects (both long term and short term) of drugs / alcohol on their performance, and more importantly, on their lives. We hope our students compete and live free from all dangerous drugs, performance-enhancing substances and of the misuse of alcohol.

Our enhanced drug / alcohol education efforts have a testing and screening procedure to deter students from using performance enhancing drugs, experimenting with dangerous drugs and from the misuse of alcohol. These educational efforts apply to all student-athletes, team managers and cheer team members at NDSU.

For all of our student-athletes, team managers and cheer team members, there are two methods of selection for testing:

1. The first method is based on individualized reasonable suspicion that a student-athlete is using banned and/or illegal drugs.
2. The second is a random selection of student-athletes, team managers and cheer team members from selected teams or from the overall student-athlete, team manager and cheer team member population. If selected for testing, students will be required to produce a urine sample while being observed by a trained collector of the same gender.

The NDSU education and testing program does not replace the National Collegiate Athletic Association's (NCAA) year-round drug testing program. Student-athletes will continue to be subject to testing by the NCAA.

We will provide you with the exact details of the drug testing procedures.

If you have questions, contact Scott Woken, NDSU Asst. Athletics Director for Sports Medicine (701-231-7779 or scott.woken@ndsu.edu), or the National Center for Drug Free Sport Web site (www.drugfreesport.com). The REC (Resource Exchange Center) link on their Web page is a free confidential source of information available to all involved with NCAA athletics. REC tells whether specific dietary supplements or other substances contain NCAA banned ingredients. Access to the REC link requires a username (NCAA Division I) and password (ncaa1).

Synthetic Marijuana

The National Center for Drug Free Sport and the NCAA has issued concerns about a new substance commonly referred to as K2, but has been found under names such as "Spice" and "Spice Gold".

The ingredients listed on a package of K2 are all herbs. What are not listed are the compounds known as JWH-018 and JWH-073. These compounds give K2 its mind altering affects. These compounds mimic the effects of marijuana. JWH compounds multiply the negative effects of marijuana 3 to 5 times.

Symptoms include:

1. Racing Heart
2. Skyrocketing Blood Pressure
3. High Anxiety

Users have described sensations of feeling like their heart is going to explode. Users have experienced seizures and becoming non-responsive and unconscious.

Synthetic marijuana (and other synthetic drugs) are no longer legal- they are federally banned substances.

https://www.dea.gov/druginfo/drug_data_sheets/K2_Spice

There is absolutely no performance enhancing benefits to these compounds. In contrast, use could actually affect your athletic performance and training in a negative way.

NUTRITIONAL SUPPLEMENTS

The NCAA and NDSU have a student-athlete, team manager and cheer team member drug education and testing program. The NCAA has reported a significant number of positive drug tests for student-athletes using over-the-counter nutritional supplements during the past several years. Despite an aggressive educational campaign, the NCAA has noted the increase. In addition to the risk of testing positive, there are health and safety risks associated with many nutritional supplements.

It is imperative we warn you of the risks in using nutritional supplements. Using diet pills for weight loss also is a concern. Ephedrine (also known as ephedra and/or ma huang), which is banned by the NCAA and NDSU, for example, is a very accessible over-the-counter product, as are other banned products such as “andro” and “norandro.”

“The environment for today’s student-athlete is filled with easy access to products, which are legally available over-the-counter but contain substances banned by the NCAA. Many student-athletes assume if these products can be purchased at a health food store, they must be allowed under NCAA rules. THIS IS NOT TRUE! Reliance on the advice of the clerk at the store, the distributor at the gym, or anyone, who is not with the student-athlete’s athletics program, has resulted in erroneous information about whether the products contain any NCAA-banned substance. This false information sometimes results in a positive drug test for banned ingredients contained in the product.”¹

A student-athlete testing positive under rules of the NCAA or NDSU jeopardizes his/her athletic eligibility.

Our responsibility to provide you with the knowledge necessary to make informed choices is taken very seriously. If you currently are taking any nutritional supplements, we highly recommend you stop. You also are required to consult with Scott Woken, Asst. Athletics Director for Sports Medicine, at 701-231-7779, or your Strength & Conditioning coach to inform them of any substances you are taking. To do otherwise, is at your own risk.

The National Center for Drug Free Sport Web site (www.drugfreesport.com) is another excellent source of information. The REC (Resource Exchange Center) link on their Web page is a free confidential source of information available to all involved with NCAA athletics. The REC provides those who inquire whether specific dietary supplements or other substances contain NCAA banned ingredients. Access to the REC link requires a username (NCAA Division I) and password (ncaa1).

Gambling and Bribery Activities

The NCAA has established specific guidelines concerning the involvement in gambling. Student-athletes, coaches and staff shall not knowingly:

- Provide information to individuals in organized gambling activities concerning intercollegiate athletics competition
- Solicit a bet on any intercollegiate team
- Accept a bet on any team representing the institution
- Solicit or accept a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value
- Participate in any gambling activity that involves intercollegiate athletics or professional athletics, through a bookmarker, a parlay card or any other method employed by organized gambling which includes NCAA March Madness pools, college Bowl game boards or Super Bowl boards
- Participate in internet sports wagering, pools or fantasy leagues in which an entry fee is required and there is an opportunity to win a prize.

In addition to awareness of the gambling threat to the integrity of intercollegiate sports, student-athletes are responsible for reporting the following to the appropriate athletic department official:

- Report any offers of gifts, money or favors in exchange for supplying team information or for attempting to alter the outcome of any contest.
- Maintaining a clear understanding of what constitutes gambling activities and reporting any suspected infractions.
- Contacting the head coach or Athletics Communications Office when questions concerning the release of team information are posed.

Participation in gambling activities can result in disciplinary actions by the University and the NCAA as well as local, state, and or federal prosecution of the involved individual(s).

HOUSING/FOOD SERVICE CHANGE POLICY

- It is the responsibility of all student-athletes to verify a change of residence by notifying their head coach.
- If you are moving from a university residence hall to an off-campus location, you need to complete a university housing release form. Contact your Residence Hall Director about the procedure for release from the hall. There could be a cost to you for breaking the housing contract.
- If you are on athletic room and/or board scholarship and live off-campus, a check for room and/or board will be issued to you; however, some coaches require you to eat your meals on campus. It is your responsibility to check with your head coach about your team policy.

- The first two days of the semester is the deadline for receiving permission for a check for either room or board.
- Under NCAA regulations, the athletic department may provide aid based on the official allowance for a room as listed in NDSU's official publication.
- It is the responsibility of each student-athlete to notify their Residence Hall Director if they will remain on campus during any official vacation period. The NCAA does not permit athletics to pay for any penalties incurred by the athlete for failing to notify Residence Life of the need to stay.

ATHLETIC PERFORMANCE AWARDS

Letter Jackets

Student athletes can earn letter jackets as an active and eligible team member. Each coach has sport specific criteria in addition to the general guidelines listed below:

- Complete the season as an academically eligible member in good standing on the team;
- Meet the criteria for earning a letter of their respective sport as defined by the coach. This may include adhering to respective team rules, policies, conduct expectations and academic standards;
- Under extraordinary circumstances such as an injury or illness, a student-athlete may receive a letter jacket upon recommendation from the head coach;
- A senior in eligibility, who does not meet the performance criteria, may be recommended by the head coach to receive a letter jacket.

Championship Awards Criteria

Awards for winning a league/conference or national championship may be provided only to student-athletes who were eligible to participate in the championship event.

Team Sports

To receive a watch (or other designated award), teams must win either the regular season championship (which does not lead to the NCAA national championship tournament), **or** receive an at-large bid to the NCAA tournament.

To receive a ring, teams must:

1. Win either the regular season championship,
or
2. Win the conference tournament championship,
and
3. Qualify for the NCAA national championship tournament.

Individual Sports

To receive a watch (or other designated award), individuals must win a conference/league championship. (Three conference championships during career would allow for a ring in the final season of eligibility.)

To receive a ring, individuals must qualify for the NCAA national championships.

NCAA Championship Awards: An individual NCAA National Champion will receive an award designed specifically for that sport. Each official member of a team winning an NCAA championship will receive an award designed specifically for that sport. The awards must be approved by the athletic director and conform to NCAA rules and regulations.

Student-Athlete of the Month: Awarded monthly to selected student-athletes who demonstrates academic success by maintaining a cumulative GPA of 3.0.

Conference Awards: These awards vary from sport to sport. Some are chosen by a coach's vote, while others depend on a place finish in conference competition.

Academic Performance Awards

Green & Gold Gala Academic Awards: At the end of each spring semester those student-athletes who have excelled in the classroom may qualify for an award. Criterion is based on student-athlete's GPA and/or number of times the student-athlete made the Dean's list in that academic year.

Green & Gold Gala Athletics Awards: Various awards given to selected student-athletes for athletic performance.

In addition to the above NDSU sponsored awards, there are numerous conference and national academic awards that you may qualify for.

STUDENT-ATHLETE NAME, IMAGE AND LIKENESS (NIL) POLICY

In an effort to allow North Dakota State University (NDSU) student-athletes the opportunity to benefit from the use of their name, image and likeness (NIL) consistent with the NCAA's principles and guidelines, it is permissible for student-athletes to participate in the following activities:

- **Student-Athlete Business Activities (athletically-related and non-athletically related); student-athlete may establish his or her own business or otherwise engage in business activities.**
 - o Social media content creation and distribution
 - o Promotion of student-athlete business
 - o Personal promotional activities (e.g., signing autographs)
 - o Sale of memorabilia purchased by the student-athlete
 - o Private lessons
 - o Camps and Clinics

- **Third party promotional activities**
 - o Endorsing a commercial product via television, radio or social media
 - o Modeling non-institutional athletics and non-athletics apparel
 - o Personal appearances at local businesses

International student-athletes: Due to student visa guidelines that regulate employment and earnings for visa holders, international student-athletes are advised against participating in NIL activities.

Before you engage in NIL activities please review this document carefully. Below are guidelines for disclosing NIL activities followed by important compliance information.

Disclosure of all name, image and likeness activities and entities/individuals involved is required. This includes compensation arrangements. The student-athlete shall provide such information in advance of any arrangements or agreements. The NIL platform, INFLCR, has been integrated into the Team Works app for reporting NIL activities. Student-athletes must report all NIL activities in INFLCR.

Any questions about reporting in INFLCR, please contact Brigit Sprenger, Director of Compliance, brigit.sprenger@ndsu.edu.

Additionally, prior approval is requested before engaging in NIL activities that involve NDSU corporate sponsors. A list of sponsors can be found at the end of this document.

Compensation earned by the student-athlete, in a manner consistent with the guidelines outlined herein, will not affect the student-athlete's grant-in-aid or athletics eligibility. This policy is based on current NCAA regulations. At this time the NCAA is still in the process of finalizing the rules surrounding NIL and as such this policy may change as a result of any decisions made by the NCAA. In addition, any federal legislation or law passed in the State of North Dakota could affect this policy.

Mission, Vision, and Core Values of North Dakota State University

Mission

We provide transformational education, create knowledge through innovative research, and share knowledge through community engagement that meets the needs of North Dakota and the world.

Vision

To lead the advancement of our land-grant ideals through innovative education, research, and outreach.

Core Values

The keystone to the success of the NDSU strategic plan is our commitment to shared governance, transparency, responsible decision-making, and a sustainable future. The strategic plan is based on the following NDSU core values:

Collegiality
Community
Creativity
Excellence
Impact
Innovation
Integrity
Resilience
Responsiveness
Transformational

INVOLVEMENT IN ACTIVITIES THAT CONFLICT WITH NDSU VALUES AND MISSION IS PROHIBITED.

NIL Policy for NDSU Student-Athletes, Staff, and Boosters

PROHIBITED ACTIVITIES

Student-athlete is not permitted to sell items provided by the institution, including awards and apparel retained by the student-athlete at the end of the season that the institution will not reuse, until the student-athlete has exhausted eligibility for intercollegiate competition.

Use of institutional marks and logos is prohibited for any NIL activity.

Student-athlete is not permitted to promote activities associated with the following: tobacco, alcohol, banned athletic substances, illegal substances or activities, or sports wagering

A student-athletes NIL may not be used by an athletics equipment company or manufacturer to publicize the fact that the institution's athletics program uses its equipment.

PERMISSIBLE ACTIVITIES

A student-athlete may earn compensation for the use of their NIL provided:

- The compensation is not contingent on specific athletic performance or achievement (e.g., financial incentives based on points scored). Athletic performance may enhance a student-athletes NIL value but athletic performance may not be the "consideration" for NIL compensation;
- The compensation (or prospective compensation) is not provided as an inducement to attend the institution ("recruiting") or to remain enrolled at a particular institution;
- The compensation is commensurate with market value; and
- The compensation is not provided by North Dakota State University, an entity whose purpose includes supporting or benefitting NDSU or its intercollegiate athletics program, or an officer, director, employee or agent of NDSU (e.g., NDSU Foundation, NDSU Team Makers, etc.).

Student-athlete may reference their involvement in intercollegiate athletics at NDSU when promoting their business activity.

Student-athlete may receive compensation for teaching or coaching sport skills or techniques in his or her sport on a fee-for-lesson basis and may use his or her NIL to promote or advertise the availability of such lessons, provided:

- If institutional facilities are used, applicable institutional processes for renting facility space in a manner consistent with the general public apply;
- Playing lessons shall not be permitted;
- Compensation is paid by the lesson recipient (or the recipient's family member) and not another individual or entity; and
- Instruction to each individual is comparable to the instruction that would be provided during a private lesson when the instruction involves more than one individual at a time.

Student-athlete may use the services of a professional service provider in the following NIL activities:

- Advice regarding NIL activities
- Representation in contract negotiations related to NIL activities; and
- Marketing of the student-athletes NIL activities.

- A professional service provider who represents an individual in NIL activities may not also represent a student-athlete for the purpose of marketing his or her athletics ability or reputation in a sport to secure an opportunity as professional athlete.
- A student-athlete is not permitted to use a professional service provider in NIL activities who is an employee or independent contractor of NDSU. For purposes of this provision, an entity that contracts with an institution for the primary purpose of providing products but not services is NOT considered to be an independent contractor.
- A fee arrangement for professional services shall be consistent with typical industry arrangements and must not be discounted as a result of athletics ability. Fees must be disclosed pursuant to a written agreement with the service provider. A student-athlete may receive the same de minimis benefits (e.g., meals, copies, mailing) from a professional service provider that non-student-athletes receive.

Student-athlete may permit the use of his or her NIL in **non-institutional promotional activities** and receive compensation for such activities and to advertise or promote the sale or use of a commercial product or service, provided:

- There is no institutional involvement in the arrangement, development or promotion of the relationship between the student-athlete and an involved individual or commercial entity
- No institutional marks are used in the advertisement or promotion

A student-athlete may receive compensation for his or her autograph in conjunction with a non-institutional promotional activity; however, no institutional marks may be used in conjunction with the sale of an autograph.

Compensation for an autograph during a required athletically related activity (e.g., team community outreach) or other institutional event is prohibited.

ADDITIONAL CONSIDERATIONS WHEN ENGAGING IN NIL ACTIVITIES

Student-athletes should be advised that earnings from NIL activities may need to be reported as taxable income and included as earnings when completing the FAFSA. Consulting a tax professional may be necessary.

Student-athlete must rent institutional facilities in the same manner as the general public if use is for student-athlete's private lessons.

INSTITUTIONAL RESPONSIBILITIES

NDSU and institutional staff members may not identify or select a professional service provider or arrange for or provide payment for services rendered to the student-athlete.

NDSU institutional staff members shall not provide professional services related to a PSA or student-athletes NIL activities.

NDSU and institutional staff members are not permitted to be involved in the development, operation or promotion of a student-athlete's business activity. This includes use of institutional facilities. A business activity that is developed as part of a student-athlete's coursework is not subject to these restrictions.

NDSU and institutional staff members are prohibited from purchasing a student-athlete's product or service.

NDSU and institutional staff members are not permitted to assist a student-athlete in identifying or securing name, image and likeness opportunities.

It is permissible for NDSU to provide the following name, image and likeness education to student-athletes:

- Educational programming on name, image and likeness and associated regulations;
- Assist in evaluating name, image and likeness opportunities and permissibility of those opportunities;
- Disclosure expectations; and
- Assist with evaluation of professional service providers

BOOSTERS

Athletics boosters are prohibited from creating or facilitating NIL compensation opportunities for prospective student-athletes as a recruiting inducement or current student-athletes as an inducement to remain enrolled at NDSU.

CURRENT NDSU CORPORATE SPONSORS

ACME Electric
AgCountry Farm Credit Services

Army Rotc
Bader Rutter
Barkley
Bell Bank
Bite Squad
Bobcat
Border States Electric
Brandt Hospitality
Buffalo Wild Wings
Bully Brew Coffee
Carmichael Lynch
Cass Clay Creamery
Chick-fil-a West Acres
City of Fargo
Cloverdale
Coaches Choice
Coke
Culver's
Dakota Refrigeration
Dakota Wholesale
Deek's Pizza
Discovery Benefits
Energy of North Dakota
Fargo Tire
First Western Bank and Trust
Flint Communications
Forum Printing
Gate City Bank
General Equipment
Golden Harvest
Great Clips
H2M
Halberstadt's West Acres
Hanson Runsvold
Heartland Chevrolet - Martin Retail Group
Hector International Airport
Herd & Horns
High Point Networks
Hornbacher's
In-House Marketing
Jersey Mike's
Jim Kasper
Jimmy John's
KLJ
L365 Training Account
Lemke Home
Liberty Business Systems
Midco
Mycogen Seeds
Napa
NDACo
NDSU Alumni Foundation
NDSU Bookstore
Nodak Insurance Company
North Dakota Beef
North Dakota Corn
North Dakota Department of Health
North Dakota Forest Service
North Dakota Soybean
North Dakota State University
Northern Bag & Box
Northland Ford/GTB
Northwestern Mutual

Ohnstad Twichell
 OK Tire
 Olaf Anderson
 Optimum
 Otey White
 Pepsi
 Peterson Farms Seed
 Petro Serve
 Pioneer
 Powerplate Meals
 Pro Seed
 Probitas Promotions
 Radio FM Media
 RDO Equipment
 Republic National Distributing Company
 Roers
 Sandy's Donuts
 Sanford
 Scheels
 Sickies Garage
 Signarama
 Sleep Number Corporation
 Smile Guys Dental
 Spotlight Media
 State Farm
 Taco John's
 Taco Shop
 Thrivent
 Thunder Seed
 Todd Kadrmas
 Vaaler Insurance
 Valent
 Versatile Vehicles
 Visto Trailers
 Vitalant
 Vogel Law Firm
 WDAY TV
 We Fest
 Xcel Energy

ATHLETICS COMMUNICATIONS

As a member of an NDSU intercollegiate athletics team, you should be aware that a great deal of attention is paid by the surrounding community to the university's athletics program. Part of the benefit of being associated with our university is the extensive media attention received by the athletics teams. The public is very interested in the intercollegiate athletic activities at NDSU, and it is from these interested alumni, fans and supporters that the university receives much of its support for our program.

You have a responsibility to the university, your coaches and your teammates to cooperate with the media whenever possible. To aid the athletic media relations office with requests for information from the media, you are asked at the beginning of the year to complete a questionnaire.

Interacting with the print and electronic media is an opportunity to develop communication skills that can be helpful to you, not only as a student-athlete, but in future professional and business careers. As an entering freshman (or upperclassman), you may be nervous about speaking to media representatives, but by the time you graduate, you will have become relaxed, confident and articulate.

Ryan Perreault - Assistant Director of Athletics - Communications	231-8331 -Football
Ben Dishong – Assistant Director of Athletics Communications	231-5591 -Soccer, Wrestling, Softball, Men's Golf
Wes Offerman -Assistant Director of Athletics Communications	231-8047 -M Basketball, M&W Track/CC
Myles Johnson – Assistant Director of Athletics Communications	231-8548 -Volleyball, W Golf, W Basketball, Baseball

STUDENT-ATHLETE- CODE OF CONDUCT

Introduction

Being a member of a North Dakota State University athletic team is a privilege, not a right, and is one that bears responsibilities. The obligations of a student-athlete extend beyond the athletics arena and classroom. As a member of any North Dakota State University athletic team you are responsible for understanding all of the responsibilities included in the Student-Athlete Code of Conduct. In addition, it is the student-athlete's responsibility to know and understand all sanctions that might be imposed by the University for violations of the *Rights and Responsibilities of Community: A Code of Student Conduct* (Section 601 of the NDSU Policy Manual - <https://www.ndsu.edu/fileadmin/policy/601.pdf>)

Student-athletes, like other students, are members of several communities including the University community, the residence hall community, and local, state and national communities. Each of these communities expects its members to exhibit respectful and lawful behavior.

The athletics program is a highly visible component of the University, and as such, student-athletes have the potential to become highly visible members of the public. As a result of that reality, and in conjunction with your responsibilities as a member of both the student population and the student-athlete population, it is critical that you, the student-athlete, remain cognizant at all times of your role in abiding by the appropriate rules of the University, the NCAA, the Summit League, the Missouri Valley Football Conference, the Big XII Conference and the North Dakota State University Athletic Department.

Any alleged violation of the Student-Athlete Code of Conduct that is reported to the Director of Athletics or the Athletic Department will require an investigation into the alleged violation. A meeting will be convened as soon as possible, with the Director of Athletics (or designee), involved party(ies), coach and sport supervisor and/or any other relative parties. Based upon this meeting, the Director of Athletics may impose, in a reasonable time, sanctions, separate from or in addition to University imposed sanctions for infractions of the *Rights and Responsibilities of Community: A Code of Student Conduct*.

These sanctions may include, but are not limited to, immediate and indefinite suspension from competition and practice. The Athletic Department reserves the right to suspend an individual(s) from competition or practice in situations where the alleged violation is deemed to be serious in nature.

Such actions may be taken upon notice to the Athletic Department of any alleged violation of the *Rights and Responsibilities of Community: A Code of Student Conduct* or the Student-Athlete Code of Conduct. This may result in the Athletic Department imposing sanction(s) when an outside agency (university disciplinary bodies, court of law, etc.) has not taken any action, has not made a final determination or after a final determination.

Additionally, because of varying roles/ relationships/responsibilities students may have within and outside of the University, a student may be held accountable for prohibited conduct under other university, local, state or federal policies/laws/jurisdictions, which includes student-athletes under the Student-Athlete Code of Conduct.

Actions under this code are educational as are other actions taken under NDSU policies. Because the University's procedures are educational and not criminal in nature, such separate proceedings do not constitute double jeopardy. The University may proceed under this code before, during or after other NDSU administrative processes, or legal proceedings, and does not typically wait for a court finding. Findings under this code may differ from judgments in criminal courts.

University Policy on Parental Notification

In the case of serious violations of federal, state or local law, including alcohol and other drug violations, or when instances of concern about the student's safety and wellbeing have come to the University's attention, the University may notify parents in cases where we believe the student might benefit.

Parental Notification Policy

Parents or guardians of students under 21 years of age may be contacted by an NDSU athletics administrator following alcohol and/or other drug related incidents:

- If a student is found responsible for violating the University's alcohol/drug policy that results in a University referral for assessments or evaluations for chemical dependency, and/or when University sanctions of Behavioral Probation or greater are assigned.

- Based on situations that appear to endanger the health, safety, or life of other persons or the student.
- If an individual is involved in incidents that resulted in significant property damage.
- If a decision is made that it is in the best interest of a particular student to involve a parent or guardian to help address other significant life concerns related to illegal use of alcohol or other drugs.

Rules Violation Policy

North Dakota State University is committed to operating its athletics programs in a manner consistent with the letter and the spirit of NCAA, the Summit League, the Missouri Valley Football Conference, the Big XII Conference, and University rules and regulations. Toward that end, our compliance program combines the training and education of coaches, staff and students; the review and modification of athletics department and University operating procedures to ensure compliance with those rules; and prompt institutional response when rule violations do occur.

Our goals are to educate coaches, staff, students and fans in their responsibilities under the rules, to develop operating systems within the Athletic Department and the University that guide staff and students in their efforts to work within the rules, and to respond to each rule violation so that we can correct the situation that led to the problem.

We affirm that staff members and student-athletes of the North Dakota State University Athletic Department have an obligation to report any violations or potential violations of NCAA, the Summit League, the Missouri Valley Football Conference, and the Big XII Conference, rules of which they are aware.

Rules of Sportsmanship

Each student-athlete is expected to exhibit good sportsmanship conduct at all times as a representative of the team, department, university and community. The following constitutes poor sportsmanship and will not be accepted:

- Physical or verbal abuse toward officials, opponents, spectators, coaches or the media.
- Chants or statements, which are discriminatory in nature.
- Throwing objects at or onto the playing surface or at spectators.
- Use of inciting or taunting gestures designed to elicit negative reactions from opposing players, coaches, spectators or officials.
- Fighting with opponents.
- Negative public statements demeaning a team-member, coach, opponent or another institution.
- Inappropriate "celebrations" which are disrespectful toward opponents.

Violation of the sportsmanship rules may result in sanctions imposed by the Director of Athletics that may include suspension or dismissal from your team. As a student-athlete, your behavior shall reflect the high moral standards and civility that characterize participation in intercollegiate athletics.

Smoking and Use of Tobacco Products

The use of any tobacco product is strictly prohibited in any University athletics facility or playing field. In addition, using such products at any athletics contest, practice or athletically related event is not permissible. These rules apply to any off site contest and throughout any travel break. In addition, the athletics administration of North Dakota State University reserves the right to impose sanctions on any student-athlete found in violation of this policy per Section 153 of NDSU Policy manual.

It is the belief of the athletics staff at NDSU that the use of tobacco products impacts the health and therefore performance of our student-athletes and teams. Individuals suffering from an addiction to any tobacco product are encouraged to seek assistance from the NDSU Counseling Center, 212 Ceres Hall, 701-231-7671.

[Also refer to 3.10 in the NDSU Rights and Responsibilities of Community: A Code of Student Conduct]

Hazing

[Please refer to 3.45 in the NDSU Rights and Responsibilities of Community: A Code of Student Conduct]

Harassment

[Please refer to 3.39-3.43 in the NDSU Rights and Responsibilities of Community: A Code of Student Conduct]

Sexual Assault / Sexual Misconduct and Title IX Compliance

NDSU has a responsibility to respond promptly and effectively to a concern and will take immediate action to investigate, eliminate sexual harassment or sexual violence, prevent its recurrence, and address its effects. NDSU cannot guarantee confidentiality. It must weigh the request for confidentiality against its obligation to protect the safety and security of the entire

campus. Individuals desiring confidentiality may contact one of the following:

- FM Rape & Abuse Crisis Center / 701-293-7273 / www.raccfm.com (24 hour access)
- NDSU Counseling Center / 701-231-7671 / www.ndsu.edu/counseling (24 hour access)
- Sexual Assault Prevention and Advocacy Coordinator /701-231-5733/ megan.talcott@ndsu.edu

If you are the recipient of sexual discrimination, sexual harassment, sexual violence, or become aware of such actions the person who will assist you is the Title IX Coordinator. The Title IX Coordinator will guide you in a confidential manner by answering questions, concerns or a complaint related to Title IX. Please contact Canan Bilen-Green at 701-231-7040 or via email at canan.bilen.green@ndsu.edu. Title IX Deputy that can also assist is: Colleen Heimstead, Senior Associate Athletic Director/SWA 231-5696.

[Also refer to 3.40 in the NDSU Rights and Responsibilities of Community: A Code of Student Conduct and NDSU Policy 162 – Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy]

Sexual Harassment / Sexual Violence

The Athletic Department is committed to providing a safe and healthy environment for all of its student-athletes. Sexual harassment is unethical and unlawful and may result in department, University and legal sanctions. Sexual harassment is defined as:

"Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement,
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual, or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive environment."

Please note that sexual harassment in electronic form is also prohibited under NDSU Policy 710 – Computer and Electronic Communications Facilities.

Examples of prohibited conduct:

- Unwelcome sexual flirtation, advances or propositions
- Continued or repeated verbal abuse of a sexual nature
- Sexually degrading language to describe an individual
- Unwelcome remarks of a sexual nature to describe a person's body or clothing
- Display of sexually demeaning objects or pictures
- Offensive physical contact, such as unwelcome touching; coerced sexual intercourse
- Sexual assault
- Rape, date or acquaintance rape, or other sex offenses either forcible or non-forcible.

Concerns / Issues

NDSU athletics is committed to protecting the well-being of its student-athletes at all times. If you feel you have been mistreated, you are encouraged to visit with your coach, an athletic administrator or a staff member that you feel comfortable with in sharing your concern. This person will guide you with the correct course of action. Outside of the athletics department there are several individuals that you could also utilize.

After attempting to resolve the issue directly with the other person(s), or received guidance from those with which you shared the concern, and there is not a satisfactory resolution, as a general policy a student-athlete should follow the guidelines outlined for all university students. The specific site is located at <https://www.ndsu.edu/fileadmin/policy/601.pdf>

[Also refer to 3.40 in the NDSU Rights and Responsibilities of Community: A Code of Student Conduct and NDSU Policy 162 – Sexual and Gender-Based Harassment, Sexual Misconduct, and Title IX Policy]

NDSU Policy Manual Section 156.1: Title IX Complaint Procedures

https://www.ndsu.edu/fileadmin/policy/156_1.pdf

If a current student-athlete is involved in any Title IX allegation and it has been determined that the best course of action is to remove the student-athlete from their respective team, the following procedure of Policy 156.1 is applicable:

d. Emergency Removal. NDSU may remove a Party from the educational program or activity on an emergency basis, provided that NDSU determines, based on an individualized safety and risk analysis, 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. i. NDSU will provide the Respondent with notice and an opportunity to challenge the Emergency Removal decision immediately following the removal. In challenging the Emergency Removal decision, the Respondent shall have the burden to show why removal should not be implemented or be modified. While this challenge process may produce facts and evidence relevant to the grievance process, this challenge process need not follow all of the requirements of the grievance process. As such, this meeting is not a hearing on the merits of the allegation(s) but rather is an administrative process intended to determine solely whether the emergency removal is justified.

Sexual Misconduct Prevention Program

Overarching Principles

1. Intercollegiate athletics departments should be fully knowledgeable about and integrated in overall campus policies and processes addressing sexual misconduct prevention and acts of sexual misconduct, particularly those related to adjudication and resolution of matters related to sexual misconduct.
2. Intercollegiate athletics departments should review annually the most current Checklist Recommendations of the NCAA Sexual Violence Prevention Toolkit, using it as a guide with resources to conduct ongoing, comprehensive education for student-athletes, coaches and athletics administrators.
3. Intercollegiate athletics programs should utilize their platform to serve as leaders on campus through engagement in and collaboration on efforts to support campus-wide sexual misconduct prevention initiatives. This includes involving student-athletes in prevention efforts in meaningful ways across campus including encouraging use of leadership roles on campus to support such efforts.

The North Dakota State University Athletics department is committed to a partnership with campus colleagues to address sexual misconduct prevention. It is an institutional responsibility to address this issue appropriately and effectively to make the NDSU campus safe for all students. We believe that all people deserve to be treated with dignity, respect and concern for their well-being regardless of sex, gender identity, gender expression, sexual orientation, age, race, religion, socio-economic status, ethnicity or national origin.

NDSU prohibits discrimination and harassment against any individual on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, status as a U.S. veteran, or participation in lawful activity off the employer's premises during non-working hours which is not in direct conflict with the essential business-related interests of the employer.

NDSU will demonstrate its commitment to sexual misconduct prevention on campus through:

- Leadership
- Collaboration
- Compliance and Accountability
- Education
- Student-Athlete Engagement

Leadership

The Director of Athletics is committed to supporting a healthy and safe culture at NDSU. Fundamental values such as respect, fairness, integrity, honesty and responsibility are the foundation for the fair and ethical operation of the athletics department. The Director of Athletics has clearly communicated the need for all student-athletes, coaches and staff to commit to sexual misconduct prevention and follow campus protocol for appropriate response to a report of sexual misconduct. Athletics department staff members and student-athletes are provided sufficient resources and training to prevent and appropriately respond to sexual misconduct. Student-athletes have opportunities to receive leadership training for sexual misconduct prevention through campus-sponsored events. The Director of Athletics and senior administrative staff work in conjunction with the Title IX Coordinator to develop, manage, implement and evaluate sexual misconduct prevention efforts for athletics staff, coaches and student-athletes. Athletics department staff members cooperate with university investigations into allegations of sexual misconduct, do not interfere with those efforts and ensure investigations involving student-athletes and athletics department staff are managed in accordance with federal regulations and campus policies. The athletics department follows the NCAA Board of Governors Policy on Campus Sexual Violence. The president, director of athletics and campus Title IX coordinator attest annually that they are compliant.

Collaboration

The athletics department engages campus experts to contribute in the development, implementation and evaluation of the athletics department's sexual misconduct education program. Those campus experts include: health and counseling services, Student Affairs, Equity Office, campus security, residence life and campus legal counsel. Student-athletes are encouraged to contribute to the development and implementation of the sexual misconduct education program.

Compliance and Accountability

Institutional compliance is non-negotiable. Compliance compels accountability for legal requirements, and most importantly, contributes to behavior changes that are essential to create and maintain a culture that fosters well-being and safety for all students. The athletics department works with and communicates with the campus Title IX Coordinator and other personnel and departments on campus dedicated to accountability for compliance requirements. Athletics department staff members are informed of the definition of “Responsible Employees” (Title IX) and “Campus Security Authorities” (Clery Act) and their respective responsibilities. Athletics department staff members are informed about investigation and discipline processes and understand that alleged occurrences of sexual misconduct are investigated and adjudicated by a school-wide system that address these matters for all students.

Annual Disclosure Requirement (New for 2022-23)

All incoming, current and transfer student-athletes must disclose annually to NDSU whether their conduct has resulted in discipline through a Title IX proceeding or a criminal conviction for sexual, interpersonal or other acts of violence. In addition, student-athletes must disclose any pending proceedings or those not completed.

Failure by the student-athletes to accurately and fully disclose investigatory activity, a disciplinary action or criminal conviction may result in penalties, including a loss of athletics eligibility as determined by NDSU.

NDSU will take reasonable steps to confirm the information provided by the prospective student-athlete, continuing and transfer student-athletes and provide it to other institutions if the student-athlete attempts to enroll in a different college or university.

NDSU will do its due diligence to gather conduct-related information from former schools attended by prospective student-athletes or transfer student-athletes. The transfer tracer in the NCAA Transfer Portal can provide this information.

Education

Student-athletes, coaches and other staff in the athletics department participate in ongoing education focused on the definition and nature of sexual misconduct and about positive, consensual behavior. Student-athlete educational programming occurs at the following time periods: orientation activities, team meetings, fall compliance meetings, academic meetings, Life Skills presentations and sports medicine meetings. Annual student-athlete educational programming includes: Bystander training for all first-year students, Alcohol & Other Drugs Abuse Prevention, Sexual Assault Prevention & Advocacy and multiple opportunities to attend Life Skills presentations and workshops. Annual athletics department staff training includes: Annual Clery Act for Campus Security Authorities (CSA’s) and Preventing Sexual Harassment/Title IX Sexual Misconduct/Equal Opportunity in-person training which was completed 10/2/2019 for a 3-year certification. The Student-Athlete Handbook and Student-Athlete Code of Conduct includes the following information and resources: Sexual Assault, Sexual Misconduct, Title IX compliance, Sexual Harassment and Sexual Violence. Contact information for the NDSU Title IX Coordinator is included in the Student-Athlete Code of Conduct. NDSU provides multiple opportunities for student-athletes, coaches and staff to attend presentations and workshops dedicated to harassment, discrimination and Title IX. The NDSU Equity Office provides the “ONE CAMPUS. ONE VISION.” brochure to all employees. It includes information and resources related to equity and Title IX. Other trainings offered by the NDSU Equity Office includes: Safe Zone, Community of Respect and AntiRacism.

Student-Athlete Engagement

There is a commitment by student-athletes to ensure all students are treated with respect, dignity and concern for their welfare. Student-athletes are encouraged to be active, visible participants in the broader campus and societal efforts to prevent sexual misconduct. NDSU sponsors many activities that afford opportunities for student-athletes to participate with their non-athlete campus peers in campus-wide programming. Coaches and other athletics staff encourage and support student-athlete involvement in sexual misconduct prevention efforts.

The NDSU athletics department demonstrates its commitment to culture change and campus safety with a vision to achieve a community that values, respects and upholds the dignity of all people.

North Dakota State University President, Director of Athletics and Title IX Coordinator attest that:

1. The athletics department is fully knowledgeable about, integrated in, and compliant with institutional policies and processes regarding sexual misconduct prevention and proper adjudication and resolution of acts of sexual misconduct.
2. The institutional policies and processes regarding sexual misconduct prevention and adjudication and the name and contact information for the campus Title IX Coordinator, are readily available within the department of athletics, and are provided to student-athletes.
3. All student-athletes, coaches and staff have been educated on sexual misconduct prevention, intervention and response to the extent allowable by state law and collective bargaining agreements.

Further, the athletics department will cooperate with university investigations into reports and matters related to sexual misconduct involving student-athletes and athletics department staff in a manner compliant with institutional policies for all students.

Gambling Policy

Student-athletes are expected to abide by the NCAA rule (Bylaw 10.3), which prohibits student-athletes from knowingly:

- Providing information to individuals involved in organized gambling activities concerning intercollegiate athletics competition;
- Soliciting a bet on any intercollegiate team;
- Accepting a bet on any team representing the institution;
- Soliciting or accepting a bet on any intercollegiate competition for any item (e.g., cash, shirt, dinner) that has tangible value; or
- Participating in any gambling activity that involves intercollegiate athletics or professional athletics, through a bookmaker, a parlay card or any other method employed by organized gambling.

Furthermore, a student-athlete who is involved in any activity designed to influence the outcome of an intercollegiate contest or participates in a wager involving a North Dakota State University contest, shall lose all remaining regular and post-season eligibility in all sports.

Alcohol and Controlled Substance Infraction Policy

[Also refer to the NDSU Student-Athlete Alcohol Education/Alcohol Testing Policy and the NDSU Student-Athlete Drug Education/Drug Testing Policy under the Sports Medicine link on GoBison.com]

Student-athletes will be held to the following standard of conduct relating to the use and misuse of alcohol and other controlled substances in addition to the Student Code of Conduct for all NDSU students. This policy will be administered in coordination with the Athletic Department, Student Affairs and Residence Life.

Category I - General Alcohol Offenses

If a student-athlete is found responsible for any alcohol offense (on or off campus), upon investigation by the Athletic Department, the following general sanctions will be imposed.

A meeting will be scheduled with the head coach, student-athlete(s), sport administrator, and the Director of Athletics (or designee) whereby sanctions will be imposed that include the following:

First Offense: https://www.ndsu.edu/counseling/basics_alcohol_screening_and_intervention/

1. The student-athlete is immediately suspended for all athletically related activity until such time that an appointment has been confirmed with the Counseling Center for the 90-minute BASICS (Brief Alcohol and Screening and Intervention for College Students) session which includes completion of an eCHECKUP TO GO Alcohol self-assessment, followed by an additional 50-minute session to discuss the self-assessment.
2. Confirmation that the meeting has been scheduled is reported back to Colleen Heimstead- Senior Associate Director of Athletics 701-231-5696 colleen.heimstead@ndsu.edu.
3. The student-athlete is required to follow recommendations of the assessment professional. If off-campus services are needed, the student-athlete assumes all financial responsibility.
4. Information regarding allegations and athletics investigation will be provided to the student affairs office for action under the NDSU Student Rights and Responsibilities: A Code of Student Conduct.

Please note: If the sanction to contact the Counseling Center on campus is not completed, the student-athlete will be suspended from all team functions until which time the requirements have been met.

Second Offense:

1-4. from First Offense are applied.

5. The student-athlete will be suspended from a minimum of 10% of all scheduled contests. Note: Suspension will be for the next consecutive scheduled contests during regular/secondary seasons. If a season ends during the suspension, the sanction will be carried over to the following season. Suspension must be immediate; furthermore, coach, Director of Athletics (designee) and/or sport supervisor have the right to add to game sanctions to span secondary and championship segments.

Third Offense:

1-5. from First and Second Offense are applied.

6. Athlete will be suspended from 50% of all scheduled contests. Note: Suspension will be for the next consecutive scheduled contests during regular/secondary seasons. If a season ends during the suspension, the sanction will be carried over to the following season. Suspension must be immediate; furthermore, coach, Director of Athletics, (or designee) and/or Sport Supervisor reserve the right to add to game sanctions to span secondary and championship segments.
7. Athletic Department reserves the right to revoke any/all privileges afforded to an NDSU student-athlete including but not limited to:
 - Removal of athletic related scholarship aid
 - Separation from athletic academic support services
 - Separation from athletic training services
 - Retention of all NDSU athletic issued equipment and supplies

Fourth Offense:

1. Student-Athlete will be immediately dismissed from his/her team.
2. Athletic Department reserves the right to revoke any/all privileges afforded to an NDSU student-athlete including but not limited to:
 - Removal of athletic related scholarship aid
 - Separation from athletic academic support services
 - Separation from athletic training services
 - Retention of all NDSU athletic issued equipment and supplies
3. Information regarding allegations and athletics investigation will be provided to the student affairs office for action under the NDSU Student Rights and Responsibilities: A Code of Student Conduct.

Please note: The calculation of the number of offenses is cumulative throughout the term of enrollment at North Dakota State University. Any subsequent violation of the Alcohol and Controlled Substance Infraction Policy after the initial violation will result in a more severe penalty than the previous violation regardless of designation as Category I or II. As such, during the meeting with the head coach, student-athlete(s), Sport Administrator, and the Director of Athletics (designee), the student-athlete will be informed of the penalties he/she will face for future violations.

Category II - Drug Offenses and/or Serious Offenses Involving Alcohol

If a student-athlete is found responsible for use, possession and/or misconduct involving drugs other than alcohol as stated in the North Dakota State University Alcohol and Drug Testing Policy, is arrested and/or convicted of Driving While Intoxicated (DWI) / Driving Under the Influence (DUI), or, participates in practice or competition under the influence of alcohol or illicit drugs at any time as a representative of a North Dakota State University athletics team and upon investigation by the Athletic Department, the following general sanctions will be imposed.

A meeting will be scheduled with the head coach, student-athlete(s), sport administrator, and the Director of Athletics (or designee) whereby sanctions will be imposed that include the following:

First Offense: https://www.ndsu.edu/counseling/basics_alcohol_screening_and_intervention/

For a positive Marijuana test with results at any level, 1-6 below will apply.

1. Within 72 hours of meeting with the head coach, sport administrator and Director of Athletics (or designee) the student-athlete must contact the Counseling Center to schedule a 90-minute BASICS (Brief Alcohol and Screening and Intervention for College Students) session which includes completion of either the eCHECKUP TO GO alcohol self-assessment or the eCHECKUP TO GO Marijuana self-assessment depending on the substance involved in the offense, followed by an additional 50 minute session to discuss the self-assessment results.
2. Confirmation that the meeting has been scheduled is reported back to Colleen Heimstead- Senior Associate Director of Athletics 701-231-5696 colleen.heimstead@ndsu.edu
3. The student-athlete is required to follow recommendations of the assessment professional. If off-campus services are needed, the student-athlete assumes all financial responsibility.
4. If a student-athlete refuses an assessment they will be subject to indefinite suspension from all regular season and/or secondary season practices and contests until the assessment is made.

5. If a student-athlete refuses treatment recommendations they will be subject to indefinite suspension from all regular season practice and contests until treatment recommendation is initiated and/or completed, depending on the treatment recommendation.
6. Information regarding allegations and athletics investigation will be provided to the student affairs office for action under the NDSU Student Rights and Responsibilities: A Code of Student Conduct.

For a positive Marijuana test with results at 150 nanograms per milliliter and above, 1-6 above will apply along with 7-9 below.

7. The student-athlete is immediately suspended for one (1) week from all countable athletically related activities.
8. Athlete will be suspended from 10% of all scheduled contests in the championship season. Note: Suspension will be for the next consecutive scheduled contests during the championship seasons. If a season ends during the suspension, the sanction will be carried over to the following championship season. Suspension will be immediate; furthermore, coach, Director of Athletics (designee) and/or the sport administrator reserve the right to add to game sanctions to span championship and non-championship segments.
9. Athletic Department reserves the right to revoke any/all privileges afforded to a NDSU student-athlete including but not limited to:
 - Suspension from the team
 - Loss of eligibility and dismissal from the team
 - Loss of athletics related scholarship aid

Second Offense:

The following sanctions apply for all Category II Second Offenses; however, any student-athlete whose first and second offenses were DUI/DWI will be immediately and indefinitely suspended from all athletically related activities and all privileges may be revoked.

For a positive Marijuana test with results at any level, 1-7 from First Offense will apply.

For all other second offense categories, 1-7 from First Offense are applied along with 8-9 below.

For a positive Marijuana test with results at 150 nanograms per milliliter and above, 1-7 above will apply along with 8-9 below.

8. Athlete will be suspended from 50% of all scheduled contests in the championship season. Note: Suspension will be for the next consecutive scheduled contests during championship seasons. If a season ends during the suspension, the sanction will be carried over to the following championship season. Suspension will be immediate; furthermore, coach, Director of Athletics, (or designee) and/or the sport supervisor reserve the right to add to game sanctions to span championship and non-championship segments.
9. The Athletic Department reserves the right to revoke any/all privileges afforded to a NDSU student-athlete including but not limited to:
 - Suspension from the team
 - Loss of eligibility and dismissal from the team
 - Loss of athletics related scholarship aid

This policy may be applied to off-campus violations when student-athletes are participating in University sanctioned activities such as sporting events, awards dinners, field trips, and conferences or are exercising privileges granted to North Dakota State University students in general.

Note: The calculation of number of offenses is cumulative throughout the term of enrollment at North Dakota State University. Any subsequent violation of the Alcohol and Drug Testing / Education Policy after the initial violation will result in a more severe penalty than the previous violation regardless of designation as Category I or II.

As such, during the meeting with the head coach, student-athlete(s), sport administrator, and the Director of Athletics, (or designee), the student-athlete will be informed of the penalties he/she will face for future violations.

Criminal Acts

Student-Athletes are expected to be responsible members of the University and outside communities. Any criminal acts will be treated as serious in nature and athletics sanctions will be imposed in addition to any legal or university determined sanctions. Any act that occurs while a student is enrolled at North Dakota State University and considered a member of a varsity athletics team will be treated as a violation of this code. Information regarding allegations of criminal acts will be provided to the student affairs office for action under the NDSU Student Rights and Responsibilities: A Code of Student Conduct.

Criminal acts will be considered in two categories.

Category I: Secondary Offense:

A secondary offense is any violation of criminal law that is not classified as a felony; any violation of the *Rights and Responsibilities of Community: A Code of Student Conduct*, as determined by an appropriate University official; academic fraud as established by the University and as determined by an appropriate University official; or, knowingly giving false and misleading information to a University official. The Director of Athletics, (or designee) will determine sanctions for a secondary offense. Sanctions may include but are not limited to any one or more of the following:

- Verbal and written warning reprimand
- Participation in educational sessions
- Restriction in athletic department services
- Requirements for restitution
- Suspension from practice
- Loss of competition
- Loss of eligibility and dismissal from the team
- Loss of athletic related scholarship aid

Following notification of a secondary offense committed by any student-athlete, the Director of Athletics (designee) will convene the appropriate parties, including but not limited to the student-athlete, head coach, and sport supervisor to investigate and discuss the known circumstances related to the violation. If appropriate, a representative of the University's Office of Student Affairs should also be involved in such discussions or used as a resource.

Following the investigation, the Director of Athletics (designee) will implement and monitor the appropriate sanctions as determined for the student-athlete(s) who committed the secondary offense. It is important to note that the athletic administration reserves the right to suspend a student-athlete from participation on an intercollegiate team while any criminal charge is being investigated.

Category II: Major Offenses:

A major offense is any violation of North Dakota state criminal law, federal law or laws of another jurisdiction that is classified as a felony; two or more secondary offenses while a student-athlete is enrolled at North Dakota State University; or, a violation of the North Dakota State University *Rights and Responsibilities of Community: A Code of Student Conduct* that could result in an expulsion or suspension from the university.

The sanctions for a major offense are that the student-athlete shall be immediately prohibited from participation in practice, competition and any services provided by the athletic department and from any athletic related benefits; and/or, the Director of Athletics may revoke or modify any athletic related financial aid to the student-athlete.

Following the immediate suspension, the Director of Athletics (designee) will convene the appropriate parties, including but not limited to the student-athlete, head coach, and sport supervisor to investigate and discuss the known circumstances related to the violation. If appropriate, a representative of the University's Office of Student Affairs should also be involved in all discussions. Following the investigation, the Director of Athletics and the appropriate representative of the University's Office of Student Affairs will determine the length (definite or indefinite) of the suspension.

The Athletic Department will follow/support any disciplinary decisions as made by the Office of Student Affairs. As major offenses are of the most serious nature, it is imperative that the University and the athletics community are both considered when determining the appropriate sanctions.

STUDENT-ATHLETE CODE OF CONDUCT APPEALS POLICY

Any Student-Athlete who is found responsible for any violation of the student-athlete code of conduct will be given the opportunity to appeal that finding and/or imposed sanctions. In order to formally appeal any such decisions, the affected student-athlete must follow the prescribed appeal process. Once a student-athlete is notified of a violation or of the sanction to be imposed for a violation, the affected student-athlete will have 72 hours once he/she receives written notification in order to submit an appeal. The appeal must be in writing to the Director of Athletics (designee) and must set forth in detail the

reason(s) for the appeal. All suspensions are immediate and counseling requirements will remain in effect during this period of appeal. The student-athlete will be granted a hearing of the appeals board within 72 hours of filing the appeal. The appeals board will consist of: the Faculty Athletic Representative (FAR) as the chair, one male and one female athlete from SAAC with junior or senior status but not in the same sport as the involved athlete, one member of the coaching staff but not in the same sport of the involved athlete, and a sport supervisor with direct oversight for the sport in which the involved athlete participates. The Senior Associate Director of Athletics/SWA/Compliance will serve as ex officio member of the appeals board and will be responsible for organizing and monitoring the process.

Please note: This process is separate from the student conduct action appeals process. Please refer to the NDSU Rights and Responsibilities: A Code of Student Conduct for information regarding the student conduct process that applies to all NDSU students.

Appeal Decisions

Appeals may be decided in one of the following manners:

- Finding of responsibility may be upheld and sanctions enforced; or,
- Finding of responsibility may be upheld but the sanction suspended or reduced; or,
- Finding of responsibility may be reversed and sanction withdrawn.

All decisions of the appeals board are considered final. Any decision by the appeals board which reverses a finding of responsibility and therefore withdraws all sanctions (C) will effectively erase the alleged violation from the student-athlete's record and should not be considered in calculating cumulative violations for that athlete in the future.

Notice to all NDSU Student-Athletes, Managers and Cheer Team Members



FOOTBALL TAILGATING POLICY

The following standards have been developed so that North Dakota State University students, faculty, staff, alumni, and guests may enjoy their game day experience to the fullest. We anticipate your cooperation in observing each of these points, which are provided in the best interest of health and safety. Thank you very much.

HOURS

Reserved tailgating opens 5½ hours before kickoff. All other lots open 5 hours before kickoff. Tailgating ends 30 minutes prior to kickoff. All guests are required to exit the tailgating lots at this time. **Tailgating is not permitted in the parking lots during the game.** Lots close 1 hour after the game or 11:00 p.m., whichever comes first.

PARKING LOTS

Tailgating is allowed in designated parking lots. Alcohol is allowed in Fargodome lots E, F and G, and NDSU lot NQ. Consumption and possession of alcohol is prohibited in Fargodome lots A, AA, B, C, D, and all other NDSU lots.

- Lot A and AA are staff, media, and suiteholders
- Lot B and C are \$5 cash game day parking
- Lot D is Team Makers reserved parking
- Lot E, F and G are reserved tailgating
- NDSU Lot NQ is overflow non-reserved tailgating
- NDSU Lot R North is Team Makers reserved parking
- NDSU Lot R South, RF and F are \$5 cash game day parking

No tailgating, no alcohol in NDSU parking lots (except NQ).

PARKING PROCEDURES

Reserved Tailgating: Lot D will be used for reserved tailgating lineup. All tailgating spots in Lots E, F and G will have a Lot, Row and Space designation based on priority points. Reserved spots are \$20 per spot, per game in increments of 2 with a maximum of 6 per account. Renewals are due May 1. New spots are assigned by June 1.

Non-Reserved Tailgating: Non-reserved spots will be available in NDSU Lot NQ. Parking is \$5 cash per spot with a minimum of 2 and a maximum of 4 spots. Additionally, a “twice the size of your vehicle” maximum number of spots applies. Single vehicles with no trailers have a maximum of 2 spots. A vehicle with a trailer has a maximum of 4 spots. Staff will direct vehicles to spots.

Non-Reserved Tailgating Lineup: Fans who wish to tailgate together should arrive together. Non-reserved lineup begins at 5:00 p.m. Friday (for Saturday games) along the south side of 17th Avenue. Vehicles must be attended at all times; they may not be parked and abandoned. Law enforcement and event staff will be present to assist with this lineup. **Tailgating is prohibited on University and City of Fargo streets prior to entering the lot.**

Campus Parking: Game day parking is available for \$5 cash per spot in NDSU Lots R, RF and F west and south of the Sanford Health Athletic Complex. Vehicles shall enter from 14th Street.



FOOTBALL TAILGATING POLICY

RULES AND REGULATIONS

1. The University, Athletic Department and the Fargodome reserve the right to restrict any vehicle or person for reasons of safety.
2. Reserved tailgating parking passes must be visible while vehicle is parked in Lots E, F and G during tailgate hours. All vehicles parked in tailgate spots not allocated and/or reserved by vehicle's owner will be subject to be towed at owner's expense and risk.
3. For safety reasons, we ask that all beverages be consumed from aluminum cans, aluminum bottles, plastic or paper cups. No glass permitted in tailgating lots.
4. Under no circumstances shall persons under 21 years of age have possession of alcoholic beverages in the tailgating areas.
5. Drinking games and the use of devices intended to accelerate the consumption of alcohol are prohibited.
6. Beer kegs, party balls and glass bottles of beverages are prohibited in all parking areas.
7. Open containers of alcoholic beverages are not permitted outside the designated lots
8. Individuals who interfere with the rights of other people by the use of loud, abusive language and behavior that prevent others from enjoying tailgating and the game will be asked to cease the behavior or leave the event.
9. Noise amplification or music must be kept to a reasonable level.
10. Tailgating participants are responsible for keeping Fargodome and Athletic Department surrounding areas clean. Trash and recycling bins are located on every lot. Trash bags, recycling and cleanliness are the responsibility of each individual tailgate area.
11. Solicitation is not allowed on the University campus or Fargodome property without permit. The sale of items by anyone other than Athletic Department personnel is prohibited unless the Athletic Department has granted prior approval. All Fargodome solicitation policies apply.
12. The promotion or advertising of a business, product/ service or sale of items by anyone other than Athletic Department personnel is prohibited unless the Athletic Department has granted prior approval. Tailgaters cannot sublet or use spots for commercial activity.
13. Open flame fires, including fire pits, are prohibited in parking lots. Propane and charcoal grills are permitted. Please properly dispose of all hot coals.
14. Restrooms are available in the southwest corner of Fargodome from the opening of the tailgating lots until Fargodome doors open. Portable toilets are available in all tailgating lots. Additional restrooms available include the Fargodome east lobby.
15. Per Federal Aviation Administration policy drones are not permitted on Fargodome and University property, including all parking lots.
16. No unauthorized use of motorized vehicles allowed in the tailgate lots.
17. No personal property is permitted to be left behind in Fargodome parking lots between games. This includes vehicles, tents, trailers, portable toilets or any other tailgating property. All property must be removed from the parking lots prior to the following Monday at 12:00 p.m.
18. Animals must be on a leash and well behaved at all times and all owners assume responsibility for the actions of their animal.
19. Please be aware that individuals who violate the above rules and regulations will be asked to leave the property and be subject to legal penalties and the potential loss of tailgating privileges.

EACH TAILGATER ASSUMES ALL RISKS ASSOCIATED WITH TAILGATING AND WAIVES ALL CLAIMS AGAINST NDSU, THE NORTH DAKOTA UNIVERSITY SYSTEM, FARGODOME, TEAM MAKERS CLUB INC. AND ALL OF THEIR RESPECTIVE EMPLOYEES AND AGENTS FOR PERSONAL INJURY, DEATH OR PROPERTY DAMAGE SUSTAINED DURING TAILGATING. EACH TAILGATER SHALL INDEMNIFY AND HOLD HARMLESS NDSU, THE NORTH DAKOTA UNIVERSITY SYSTEM, FARGODOME, TEAM MAKERS CLUB INC. AND ALL OF THEIR RESPECTIVE EMPLOYEES AND AGENTS FROM ALL LIABILITY, LOSSES, CLAIMS, DEMANDS, COSTS AND EXPENSES TO WHICH THEY MAY BECOME SUBJECT BY REASON OF THE TAILGATER'S NEGLIGENT, GROSSLY NEGLIGENT OR INTENTIONAL ACT OR OMISSION.



FAN CODE OF CONDUCT

NDSU Athletics is committed to providing an exciting and safe game day atmosphere. Bison fans pride themselves on a long tradition of good sportsmanship and conduct. In support of this tradition, NDSU Athletics will proactively support a safe and fun experience for our fans and adhere to the following:

- Fans will be treated in a professional and courteous manner by all facility, event and team personnel.
- Fans will enjoy the game day experience free from disruptive behavior, including foul or abusive language and obscene gestures.
- Fans who chose to consume alcoholic beverages will do so in responsible manner. Intervention with an impaired, intoxicated or underage guest will be handled in a prompt and safe manner.
- Fans will sit only in their ticketed seats and show their tickets when requested.
- Fans who engage in fighting, throwing objects or attempting to interfere with the progress of the event will be immediately removed from the facility.
- Fans who choose to smoke (including electronic cigarettes) will do so only in designated smoking areas only. Designated smoking areas for FARGODOME posted throughout facility.
- Obscene or indecent messages on signs or clothing will not be permitted.

Fans who choose not to adhere to this Code of Conduct will be subject to penalties including, but not limited to, removal without refund, revocation of their season tickets, and/or prevention from attending future games. They may also be in violation of local ordinances resulting in possible arrest and prosecution.

FARGODOME event staff has been trained to intervene when necessary to help ensure that the above expectations are met. Ticket holders are responsible for their own conduct and the conduct of fans who may have purchased or been given their season tickets.

If someone is interfering with your enjoyment of the event or if any fans are demonstrating the behaviors listed above, please contact a FARGODOME event staff member.

FARGODOME uses ISS 24/7. If you need help or need to report an issue while attending an event, text "Fargo" to 69050.

GUEST SERVICE CENTERS

Fans needing assistance are encouraged to speak with one of our guest service representatives or visit our guest service center located in section 1 of the main concourse. The guest service center is staffed to handle questions and/or concerns and offer a wide variety of services. These centers also serve as the location for reporting lost fans and answering guest pages during the course of the game.



ALCOHOL MANAGEMENT PLAN

NDSU Athletics promotes responsible drinking, positive fan behavior, and an enjoyable fan experience at all NDSU athletic events as referenced in the Fan Code of Conduct above and the details of the NDSU alcohol management plan below.

- If you drink, drink responsibly and pace your drinking. Watch out for your friends and always designate a driver. Drinking laws, including underage drinking, are strictly enforced.
- Be respectful of your fellow Bison who are working on event day. They are there to provide a safe, fun-filled experience for everyone in attendance.
- Help us maintain a fun, safe, and secure experience. If you see something dangerous or disruptive, say something to a staff member.

IDENTIFICATION POLICY

In order to purchase alcohol during events at FARGODOME, an acceptable ID must be presented and the customer must be at least 21 years of age. Please be prepared to present a valid state or Canada issued ID such as a driver's license, permit or ID card. Passports may not be accepted for the purchase of alcohol.

Maximum Alcohol Drinks: 2/person/possession

Max Cup Size: 22 ounces

Cans: Yes

Liquor Sold: No

Cut-Off Policy: End of the 3rd quarter

PUBLISHED: AUGUST 17, 2022

SECTION 162

SEXUAL AND GENDER-BASED HARASSMENT AND SEXUAL MISCONDUCT POLICY

SOURCE: NDSU President

1. INTRODUCTION

- 1.1 North Dakota State University (NDSU) is committed to providing a safe, healthy, and non-discriminatory learning, living, and working environment for all members of its university community that is free from sex discrimination of any kind. Specifically, NDSU is committed to:
- 1) Defining conduct that constitutes prohibited sexual harassment, gender-based harassment and sexual misconduct;
 - 2) Providing clear guidelines for students, employees and third parties on how to report incidents of sexual harassment, gender-based harassment and sexual misconduct and a commitment that any complaints will be handled respectfully;
 - 3) Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual misconduct, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of complicity and retaliation;
 - 4) Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment and sexual misconduct;
 - 5) Providing awareness and prevention information on sexual harassment, gender-based harassment and sexual misconduct, including widely disseminating this policy, and implementing training and educational programs on sexual harassment, gender-based harassment and sexual misconduct to university constituencies; and
 - 6) Gathering and analyzing information and data that will be reviewed in order to improve gender equity and safety, reporting, responsiveness and the resolution of incidents.
- 1.2 Title IX of the Education Amendments of 1972 – No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

It is the policy of NDSU to fully comply with all aspects of Title IX of the Education Amendments of 1972 and the regulations promulgated under its authority. NDSU has adopted procedures to address Formal Complaints of Sexual Harassment occurring in its Educational Program or Activities within the United States. These procedures may be found at [Policy 156.1: Title IX Complaint Procedures](#) and are based off North Dakota University System Policy 520.

- 1.3 In accordance with Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Reauthorization Act of 2013 (VAWA), the Campus Sexual Violence Elimination Act (SaVE), the Jeanne Clery

Disclosure of Campus Security Policy and Campus Crime Statistics Act and other federal and state laws, NDSU prohibits discrimination based on sex or gender and other types of sexual misconduct in its employment decisions and educational programs and activities. Title IX protects any person from sex based discrimination, regardless of their real or perceived sex, gender identity, and/or gender expression. Female, male and gender non-conforming students and employees are protected from any sex-based discrimination, harassment, or violence.

- 1.4 NDSU prohibits all forms of sexual harassment, gender-based harassment, and sexual misconduct, including but not limited to, intimate partner violence, sexual assault, sexual exploitation, stalking, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any forms of misconduct or participation in any investigation or proceeding under this policy.
- 1.5 Examples of the types of sex discrimination that are covered under this policy include but are not limited to: the failure to provide equal opportunity in athletics; discrimination in any course or program, notably in science, technology, engineering, and math (STEM); and discrimination based on pregnancy or parental status.
- 1.6 Formal Complaints of Sexual Harassment occurring in NDSU Educational Programs or Activities within the United States (“Title IX Complaints”) shall be resolved by [Policy 156.1: Title IX Complaint Procedures](#). All other complaints of Sexual Harassment shall be resolved by [NDSU Policy 156, or other applicable policy](#).
- 1.7 Informal resolution (mediation) will not be used to resolve complaints of sexual harassment or sexual violence between an employee and a student. Participation in the informal resolution process is strictly voluntary – NDSU will not require the Parties to participate in an informal resolution process.

Informal resolution is not available for Title IX Complaints, unless a Formal Complaint has been filed.

For Title IX Formal Complaints, and all other complaints of Sexual Harassment, NDSU may facilitate an informal resolution process, that does not involve a full investigation and adjudication, provided that NDSU:

- a. Provides the Parties a 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;
- b. Obtains the Parties voluntary, written consent to the informal resolution process; and
- c. The informal resolution process will follow the process as outlined in Policy 156, Section 7, including the option that NDSU reserves the right to deny the Parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate.

- 1.8 This policy shall not be construed to restrict academic freedom, nor shall it be used to restrict constitutionally protected freedom of expression.
- 1.9 Violations of this policy may result in sanction against an employee (faculty and staff), up to and including termination. Violations of this policy may result in sanction against a student up to and including suspension and expulsion.

2. PROHIBITED CONDUCT

- 2.1 **Sexual Harassment, Gender-Based Harassment and Sexual Misconduct.** This policy prohibits sexual harassment, gender-based harassment and sexual misconduct by or against any student, employee or third party. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, written, graphic, physical or otherwise, that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University's education or employment programs and/or activities.

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities. Gender-based harassment does not necessarily involve conduct of a sexual nature,

Sexual misconduct is a broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, intimate partner violence, sexual violence, and other misconduct based on sex.

The complete definitions of these terms, as well as other key terms used in this policy, are set forth in 12.1-12.21 below.

- 2.2 **Retaliation** – This policy prohibits any adverse action taken against a person for making a good faith report of sexual harassment, gender-based harassment, or sexual misconduct, assisting someone making such a report, or participating in any proceeding under this policy.
- 2.3 **Complicity** – This policy prohibits any act taken with the purpose of aiding, facilitating, promoting or encouraging sexual harassment, gender-based harassment, or sexual misconduct by another person.
- 2.4 **Certain intimate relationships** – NDSU also prohibits certain intimate relationships when they occur between an employee and any student for whom they have a professional responsibility as set forth in [Policy 162.1](#).
- 2.5 **Interference with an investigation** – Any person who knowingly and intentionally interferes with an investigation conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the University. Interference with an investigation may include, but is not limited to:
 - 1) Attempting to coerce, compel, influence, or prevent an individual from providing testimony or relevant information;
 - 2) Divulging confidential information;
 - 3) Removing, destroying, or altering documentation relevant to the investigation; or

- 4) Providing false or misleading information to the investigator, or encouraging others to do so.
- 2.6 Violations of law – Behavior that violates this policy may also constitute a crime under the laws of the jurisdiction in which the incident occurred. For example, the North Dakota Century Code criminalizes and punishes some forms of sexual assault, domestic violence, stalking, and physical assault, which may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy.
- 2.7 Obligation to provide truthful information – All University community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of prohibited conduct is prohibited and subject to disciplinary action and sanctions under the appropriate disciplinary policy. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.
- 2.8 Amnesty for drug and alcohol use – NDSU strongly encourages all University community members to report instances of sexual harassment, gender-based harassment or sexual misconduct as soon as possible. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to report due to potential policy violations. To minimize hesitancy, an individual who reports sexual harassment, gender-based harassment or sexual misconduct, either as a complainant or as a witness, will not be subject to disciplinary action for any violation of NDSU’s [Policy 155](#) against alcohol and other drugs in connection with the reported incident.

3. TO WHOM THIS POLICY APPLIES

- 3.1 This policy applies to all University students who are registered or enrolled for credit or non-credit courses (“Students”); employees consisting of all full-time and part-time faculty, regular staff employees, and nonbanded, nonacademic staff (“Employees”); and visitors, guests, applicants for admission to or employment with the University, contractors, vendors, university affiliates and others conducting business on campus (“Third Parties”).
- 3.2 This policy applies to conduct by or against students, employees, and third parties of which the University is made aware, wherever the misconduct occurs:
 - 3.2.1. On property owned or controlled by NDSU;
 - 3.2.2. Off NDSU property, if
 - 1) The misconduct was in the context of a University employment or education program or activity, including, but not limited to, NDSU-sponsored study abroad, research, on-line, or internship programs; or
 - Outside the context of a University employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, employees or third parties while on campus or other property owned or controlled by NDSU or in any University employment or education program or activity.
- 3.3 Conduct under this policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression (real or perceived) of the Reporting Party or Responding Party.

4. TITLE IX COORDINATOR

- 4.1 The Title IX Coordinator oversees NDSU's compliance with Title IX; ensures appropriate education and training; coordinates the University's investigation, response, and resolution of all reports under this policy; and ensures appropriate actions to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. The name and contact information for the Title IX Coordinator can be found on the University's [Title IX website](#).
- 4.2 Concerns about NDSU's application of Title IX, VAWA, Title VII, or the Clery Act may be addressed to the Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at <http://www2.ed.gov/about/offices/list/ocr/addresses.html>, OCR@ed.gov or (800) 421-3481); and/or the Equal Employment Opportunity Commission (at <https://www.eeoc.gov/contact/>, info@eeoc.gov or (800) 669-4000).

5. IMMEDIATE ASSISTANCE IN CASES OF SEXUAL MISCONDUCT AND SUPPORT RESOURCES

- 5.1 Reporting to law enforcement – Students or employees who experience or observe any form of sexual assault or intimate partner violence on or off campus and third parties who experience sexual assault or intimate partner violence on NDSU grounds are strongly encouraged to report the incident immediately by:
- 1) calling 911,
 - 2) contacting the Fargo Police (701-235-4493),
 - 3) their local police precinct, or
 - 4) University Police (701-231-8998), who are available 24 hours a day, 7 days a week. University Police and safety officers can also assist the Reporting Party with filing a complaint both on and off campus, and in obtaining immediate medical attention, counseling and other services.
- 5.2 Obtaining immediate medical attention and emotional support – An individual who experiences any form of sexual assault or intimate partner violence is encouraged to seek immediate medical care to treat injuries, obtain preventive treatment for sexually transmitted diseases, and preserve evidence. In addition, individuals who have experienced or witnessed sexual violence are encouraged to seek emotional support as soon as possible, either on or off-campus. On-campus resources include:
- 1) Nurses and/or nurse practitioners at the [Student Health Service](#) (701-231-7331; hours of operation: Monday-Friday 8:00 a.m.-5:00 p.m. during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks.
 - 2) Counselors at the [NDSU Counseling Center](#) (701-231-7671; Monday-Friday 8:00 a.m. – 5:00 p.m. during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks. Counselors are trained to provide crisis intervention and provide referrals for longer-term care as necessary. 24-hour on call service at 701-231-7671; and
 - 3) Sexual Assault Prevention and Advocacy Coordinator at the Student Health Service (701-231-5733; Monday-Friday 8:00 a.m.-5:00 pm during the academic year and Monday-Friday 7:30 a.m. – 4:00 p.m. during breaks.

5.3 On campus resources, counselors, and health care providers:

Contact	Phone	Address
Title IX Coordinator	701-231-7708	Old Main 103
Student Affairs and Enrollment Management Office	701-231-7701	Old Main 100
Equal Opportunity and Title IX Compliance Office	701-231-7708	Old Main 201
NDSU Counseling Center*	701-231-7671	Ceres Hall 212
Sexual Assault Prevention & Advocacy*	701-231-7331	Wallman Wellness Center 102
NDSU Student Health Service*	701-231-7331	Wallman Wellness Center 102
Ombudsperson*	701-231-5114	Main Library, Lower Level, 20C
University Police	701-231-8998	1523 12th Avenue N., Fargo

*Confidential resources

5.4 Off-campus resources, counselors, and health care providers:

Contact	Phone	Address
F-M Rape & Abuse Crisis Center	701-293-7273	317 8th Street N, Fargo
Sanford Medical Center Fargo	701-234-2000	5225 23 rd Avenue S, Fargo
Essentia Health Emergency Center	701- 364-8000	32nd Avenue S, Fargo
Planned Parenthood	281-236-7145	803 Belsey Boulevard, Moorhead, MN
Southeast Human Services	701-298-4500	2624 9th Avenue S., Fargo
Fargo Police Department	701-235-4493	222 4th Street N, Fargo
Cass County Public Health	701-241-1360	1240 25 th Street S, Fargo

6. REPORTING SEXUAL HARASSMENT, GENDER-BASED HARASSMENT OR SEXUAL MISCONDUCT

- 6.1 All students, employees, and third parties are strongly encouraged to promptly report any incidents of sexual harassment, gender-based harassment, or sexual misconduct that they experience and/or observe to the Equal Opportunity and Title IX Compliance Office.
- 6.2 Any person (student, employee, or third party) having a complaint under this policy (NDSU Policy 162) should submit a completed complaint form available online at https://ndstate.co1.qualtrics.com/jfe/form/SV_cYXm01BTRKZi8HY or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office is available to assist with completing the Complaint Form as needed.
- 6.3 Anyone who would like to file a sexual harassment, gender-based harassment, or

sexual misconduct complaint against a student or student organization also has the option of filing the complaint with the Student Affairs and Enrollment Management Office, Old Main 100, NDSU Main Campus, 701-231- 7701. Complaints filed against a student or student organization will be resolved in coordination with the Student Affairs and Enrollment Management Office. If a complaint against a student or student organization will be resolved through formal resolution, a hearing, and any appeal, will be administered by the Student Affairs and Enrollment Management Office, in coordination with the Equal Opportunity and Title IX Compliance Office under the procedures found in Policy 601: Rights and Responsibilities of Community: A Code of Student Conduct.

- 6.4 All students, employees, and third parties may also report incidents of sexual misconduct to law enforcement, including on-campus and local police. Reporting parties who choose to notify law enforcement will be provided the assistance of the Equal Opportunity and Title IX Compliance Office in contacting these authorities if the individual wishes. Reporting Parties may also decline to notify law enforcement of incidents of sexual misconduct.
- 6.5 Reports of sexual misconduct made to University Police will automatically be reported to the Equal Opportunity and Title IX Compliance Office regardless of whether the individual who experienced the sexual misconduct chooses to pursue criminal charges.
- 6.6 Disclosures to licensed clinical and/or mental health professionals acting in their professional role in the provision of services are not subject to the mandatory reporting requirements stated in 7.1-7.3. These employees include physicians, psychologists, nurses, counselors, and those performing services under their supervision. These individuals are encouraged to provide students or employees with information and guidance regarding university reporting options and available resources but will not report or otherwise refer instances of sexual harassment/misconduct to university administrators without the student or employee's express permission. This does not preclude these individuals from their reporting responsibilities under the Clery Act.
- 6.7 Anonymous reporting - NDSU students and employees may report incidents of sexual harassment, gender-based harassment, or sexual misconduct anonymously. NDSU may be limited in its ability to respond to a report if it is submitted anonymously. Additionally, in very limited circumstances, NDSU may need to take action to learn the identity of an individual who submitted an anonymous report.

7. NOTICE OF MANDATORY REPORTING RESPONSIBILITIES

- 7.1 It is the responsibility of the entire university community to foster a safe, healthy, and non-discriminatory learning, living, and working environment that is free from sex discrimination of any kind. NDSU employees have specific responsibilities when they observe discrimination or receive a report of discrimination. NDSU employees must not dissuade an individual (or group) from providing them with a report of discrimination but should inform the individual (or group) of their mandatory reporting responsibilities as described below.

- 7.1.1. Observance of sexual misconduct – All NDSU employees who observe any form of sexual misconduct must notify the Equal Opportunity and Title IX Compliance Office.

- 7.1.2. Report of sexual misconduct – All NDSU employees who receive a report

of sexual misconduct *involving a student* must contact the Equal Opportunity and Title IX Compliance Office. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination *involving employees* must document the report and contact the Equal Opportunity and Title IX Compliance Office. The provisions of 11.1.1 do not apply to confidential support resources providing services as described in 9.3.

- 7.2 To comply with 7.1.1. or 7.1.2, NDSU employees must within three business days notify the Equal Opportunity and Title IX Compliance Office. Employees are encouraged to complete and submit an NDSU Sexual Misconduct Report Form (Report Form) to the Equal Opportunity and Title IX Compliance Office. The Report Form is available online at https://ndstate.co1.qualtrics.com/jfe/form/SV_cYXmO1BTRKZi8HY or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office can assist with completing the Report Form as needed. The Equal Opportunity and Title IX Compliance Office is the official university record holder for documentation under this policy.
- 7.3 Upon receipt of a report of a violation, NDSU will initiate its complaint procedures under either Policy 156 or Policy 156.1.

8. INTERIM MEASURES

- 8.1 Upon receipt of a complaint or as otherwise informed of sexual harassment, gender-based sexual harassment, or sexual misconduct NDSU will, where appropriate, take interim measures to stop, prevent, and remedy the harm to those affected by the prohibited conduct. Interim measures are intended to be protective and/or remedial for one or both parties, and may be temporary or permanent and may be modified by the University as circumstances change.

Interim measures may include, but are not limited to, a no contact directive, a safety plan, residence modifications, academic modifications and support, work schedule and/or location modifications, parking modifications, referral to counseling or other health services, administrative leave, temporary suspension, or any other measure deemed appropriate by NDSU.

- 8.2 Interim measures may be kept in place through the conclusion of any review, investigation, or appeal process.
- 8.3 Interim measures can be implemented regardless of whether or not the reporting party pursues formal university or criminal action.

9. PRIVACY AND CONFIDENTIALITY

- 9.1 Confidentiality will be maintained to the extent possible - NDSU will keep the complaint and its investigation confidential to the extent that it is possible without compromising NDSU's commitment and obligation to investigate allegations of sexual misconduct, to protect the university community, and to the extent allowed by law. As NDSU has an obligation to maintain an environment free of sex discrimination and sexual misconduct, most employees have mandatory reporting and response

obligations and may not be able to honor a reporting party's request for confidentiality. The Equal Opportunity and Title IX Compliance Director will evaluate requests for confidentiality. However, confidentiality cannot be guaranteed as NDSU may have an obligation to take specific actions once aware of alleged conduct.

- 9.2 NDSU is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. Information related to a report of prohibited conduct will be shared with a limited circle of NDSU employees who "need to know" in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in NDSU's response to reports of prohibited conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.
- 9.3 Confidential support resources - If seeking a confidential resource, NDSU students may contact the [NDSU Counseling Center](#) (212 Ceres Hall, NDSU Main Campus, 701-231-7671), the [Student Health Service](#) (Wallman Wellness Center, NDSU Main Campus, 701-231-7331), and the Sexual Assault Prevention and Advocacy Coordinator (Wallman Wellness Center, NDSU Main Campus, 701-231-7331). The Employee Assistance Program, as described in NDSU Section 134, is a confidential resource for NDSU employees. Additionally, graduate students and faculty may also contact the Office of the Ombudsperson (Library Room 20C, NDSU Main Campus, 701-231-5114).

10. TRAINING AND EDUCATION

- 10.1 This policy is published on the university's website and information on this policy and related policies is included in mandatory training for new students and employees.
- 10.2 **Mandatory training** - All new NDSU employees must complete in-person equal opportunity and non-discrimination training within 60 days of their employment start date. Additionally, all fulltime employees must complete in-person equal opportunity and non-discrimination training every three years.
- 10.3 Employees are encouraged to contact the Equal Opportunity and Title IX Compliance Office with any questions they may have related to sexual harassment, gender-based sexual harassment, or sexual misconduct at NDSU, including inquiries regarding their mandatory reporting responsibilities.
- 10.4 University employees and administrators responsible for implementing this policy, including the Title IX Coordinator, deputy coordinators, supervisors, managers, department heads, deans, directors, investigators, review committee members, and hearing officers, must receive annual training about offenses, investigatory procedures, due process requirements, and university policies related to or described in this policy.

11. FREE EXPRESSION AND ACADEMIC FREEDOM

NDSU is committed to free expression and principles of academic freedom. Vigorous discussion and debate, as well as free inquiry and free expression, are essential to NDSU's educational mission and are critical to diversity and intellectual life. NDSU is equally committed to providing a safe, healthy, and non-discriminatory learning, living, and working environment for all members of its university community. Discrimination, harassment, and retaliation against members of the University community are not protected expression or the

proper exercise of academic freedom. When resolving violations of this policy, NDSU will respond appropriately while respecting the principles of free expression and academic freedom.

12. DEFINITIONS

The terms and definitions used here are important components of University policy. The definitions are intended to give meaning to these terms in the context of the University community. Criminal and other applicable state laws may use different definitions. Section 13 provides North Dakota criminal law terms and definitions. For definitions specifically related to Title IX Complaints, please see [Policy 156.1: Title IX Complaint Procedures](#) and [State Board Higher Education Policy 520: Title IX - Sexual Harassment](#).

- 12.1 Complicity - Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.
- 12.2 Consent – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.

Consent must be all of the following:

- 1) **Knowing:** Consent must demonstrate that all individuals understand, are aware of, and agree to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- 2) **Active:** Consent must take the form of “clearly understandable words or actions” that reveal one’s expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual’s manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- 3) **Voluntary:** Consent must be freely given and cannot be the result of force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- 4) **Present and ongoing:** Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent may also be withdrawn at any time – provided the person withdrawing consent makes that known in clearly understandable words or actions.

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, due to age, physical condition, or disability that impairs the individual’s ability to give consent. Reasons why one could lack capacity to give consent due to a physical condition include, but are not limited to, incapacitation due to consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. Consent is not effective if it results from: (a) the use of physical violence, (b) threats, (c)

intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity. When determining whether consent was present, the University will consider whether a reasonable person in the same position should have known whether the other party could or could not consent to the sexual activity.

- 12.2.1. Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
- 12.2.2. Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
- 12.2.3. Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
- 12.2.4. Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.
- 12.2.5. Incapacitation is a state of being that prevents an individual from having capacity to give consent. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.
- 12.3 Discrimination Based on Pregnancy or Parental Status - Excluding persons from, denying them the benefit of, or discriminating against them due to their pregnancy or status as a parent. To ensure a pregnant student's access to their education, faculty and staff must make modifications that are reasonable and responsive to the student's temporary pregnancy status. Faculty that have their own policies about class attendance and make-up work must make sure their policies are not discriminatory.
- 12.4 Gender-Based Harassment – Verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities. For example, persistent disparagement of a person based on a perceived

lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

- 12.5 Intimate Partner Violence – Any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence is an offense that meets the definition of domestic violence or dating violence:
- 12.5.1. Domestic Violence – Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common or by a person with whom the Reporting Party is cohabiting (or has cohabited) with a spouse or intimate partner.
 - 12.5.2. Dating Violence – Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship will be determined based on the Reporting Party’s statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.
 - 12.5.3. Intimate Partner Violence may include any form of Prohibited Conduct under this policy, including Sexual Assault, Stalking, and Physical Assault (as defined below).
 - 12.5.4. Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Assault will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.
- 12.6 Public Indecency – Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to: 1) Exposing one’s genitals or private areas; 2) Public urination; 3) Defecation; and/or 4) Public sex acts.
- 12.7 Reporting Party – A person or entity (in the case of the university) who submits a complaint alleging a violation of this policy.
- 12.8 Responding Party – Generally, the Responding Party is the person who is alleged to be responsible for the Prohibited Conduct alleged in a complaint.
- 12.9 Retaliation – Any adverse action taken against a person for making a good faith report of Prohibited Conduct, assisting someone making such a report, or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not

include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

12.10 Sexual Assault – Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual assault includes nonconsensual sexual contact and nonconsensual sexual intercourse.

12.10.1. Nonconsensual Sexual Contact – Any intentional sexual touching, however slight, with any object or body part without consent. Sexual Contact includes:

- 1) Intentional contact with the breasts, buttock, groin, or genitals whether clothed or unclothed;
- 2) Touching another with any of these body parts;
- 3) Making another touch you or themselves with or on any of these body parts; or
- 4) Any other intentional bodily contact in a sexual manner.

12.10.2. Nonconsensual Sexual Intercourse – Any sexual penetration or intercourse, however slight, with any object or body part, by a person upon another person that is without consent and/or is effectuated by force. Sexual intercourse includes

- 1) Vaginal or anal penetration by a penis, tongue, finger, or object; or
- 2) Any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

12.10.3. The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.

- 1) 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 Reporting Party.
- 2) Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- 3) Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- 4) Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

12.10.4. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment.

12.11 Sex Discrimination – An act that deprives a member of the university community of their rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits, or opportunities with the university on the basis of the person's sex (including pregnancy, sexual orientation, and gender identity/expression) or having a policy or practice that has a disproportionately adverse impact on protected class members.

12.12 Sexual Exploitation - Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party, and that behavior does not otherwise fall within the definitions of Sexual Harassment, Non-Consensual Sexual Intercourse or Non-Consensual Sexual Contact. Sexual Exploitation includes, but is not limited to:

- 1) Recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person's consent;
- 2) Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- 3) Engaging in voyeurism (watching private sexual activity without the consent of the participants or viewing another person's intimate parts, including genitalia, groin, breasts or buttocks, in a place where that person would have a reasonable expectation of privacy);
- 4) Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity;
- 5) Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals or private areas;
- 6) Prostituting or trafficking another person; or
- 7) Exposing another person to a sexually transmitted disease (STD), infection (STI), or virus (HIV) without the other's knowledge.

12.13 Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, written, graphic, physical or otherwise, when:

- 1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (quid pro quo harassment); or
- 2) Such conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University's education or employment programs and/or activities (hostile environment).

12.13.1. Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute sexual harassment.

12.13.2. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

12.14 Sexual Misconduct – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, gender-based harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, intimate partner violence, sexual violence, and other misconduct based on sex.

12.15 Stalking – A course of unwelcome conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or would cause that person to suffer substantial emotional distress. Course of conduct means two or more acts, including but not limited to acts in which a person 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 similarly

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

12.15.1. Stalking includes “Cyber-Stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

12.16 Examples of inappropriate behavior that may constitute Sexual Harassment or Sexual Misconduct include, but are not limited to the following, when a part of conduct that meets the standard set forth above:

- 1) Sexual teasing, jokes, remarks, or questions;
- 2) Sexual looks and gestures;
- 3) Sexual innuendoes, humor, or stories;
- 4) Communicating in a manner with sexual overtones;
- 5) Inappropriate comments about dress or physical appearance;
- 6) Inappropriate discussion of private sexual behavior;
- 7) Gifts, letters, calls, emails, online posts, or materials of a sexual nature;
- 8) Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);
- 9) Sexual favoritism;
- 10) Pressure for dates or sexual favors or forced sexual activity;
- 11) Unwelcome sexual advances;
- 12) Unwelcome physical contact (touching, patting, stroking, rubbing);
- 13) Nonconsensual video or audio-taping of sexual activity;
- 14) Exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals or private areas;
- 15) Obscene gestures;
- 16) Sexual graffiti, pictures, or posters;
- 17) Sexually explicit profanity;
- 18) Domestic or dating violence;
- 19) E-mail, texting ("sexting") and Internet use that violates this policy;
- 20) Nonconsensual sexual intercourse, sexual assault, or rape; or
- 21) Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.

13. RESOURCE OF RELEVANT TERMS AND DEFINITIONS IN NORTH DAKOTA

Because some of the offenses in this Policy are also crimes under State law, the University provides this summary of relevant North Dakota terms and definitions as a resource. Community members who are involved in legal action related to a sexual crime or offense under North Dakota law should consider speaking with an attorney for specific information about relevant State law and legal advice.

13.1 The North Dakota Human Rights Act prohibits discrimination in employment on the basis of sex, including pregnancy, childbirth and related medical conditions (ND Cent. Code Sec. 14-02.4-01 et seq.). Sexual harassment is expressly included in the Act's definition of discrimination based on sex. The Act applies to all employers in the state. It is also unlawful under the state law to retaliate or threaten to retaliate against a person who files a complaint of sexual harassment, or testifies or assists in a proceeding or investigation.

13.2 Consent is defined in North Dakota as follows ([NDCC 12.1-17-08](#)):

1. When conduct is an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury by all persons injured or threatened by the conduct is a defense if:
 - (a) Neither the injury inflicted nor the injury threatened is such as to jeopardize life or seriously impair health;
 - (b) The conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
 - (c) The conduct and the injury are reasonably foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected to such conduct or injury, having been made aware of the risks involved, consent to the performance of the conduct or the infliction of the injury.

2. Assent does not constitute consent, within the meaning of this section, if:
 - (a) It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor;
 - (b) It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - (c) It is induced by force, duress, or deception.

13.3 Domestic violence is defined in North Dakota ([NDCC 14-07.1-01](#)) as physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self- defense, on the complaining family or household members. The code defines family or household member as a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court. As the State of North Dakota includes persons who are in a dating relationship under the state's domestic violence laws, any violence committed by dating parties would fall under domestic violence.

13.4 [NDCC 12.1-17-07.1](#) states that no person may intentionally stalk another person. The state defines "stalk" as engaging in an intentional course of conduct directed at a specific person which frightens, intimidates, or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation or harassment. The state defines course of conduct as a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity. The state defines immediate family as a spouse, parent, child, or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.

New	September 29, 1980
Amended	October 7, 1987
Amended	June 28, 1991
Amended	April 1992
Amended	October 1997
Amended	August 1999
Amended	September 2000
Amended	September 2007
Amended	January 2008
Amended	February 2009
Housekeeping	April 14, 2016
Amended	January 16, 2017
Housekeeping	June 22, 2017
Housekeeping	November 9, 2017
Housekeeping	April 26, 2019
Amended	August 14, 2020
Amended	December 14, 2020
Amended	March 29, 2022
Housekeeping	February 2, 2023

INTERFRATERNITY COUNCIL

CONSTITUTION AND BY-LAWS
NORTH DAKOTA STATE
UNIVERSITY

Established May 10, 1918



NORTH DAKOTA STATE
INTERFRATERNITY
COUNCIL

The Interfraternity Council Creed

We, the Interfraternity Council, exist to promote the shared interests and values of our member fraternities: leadership, service, brotherhood, and scholarship.

We believe in Fraternity and that the shared values of Fraternity drive the IFC to create better communities, better chapters, and better men.

We work to advance the academic mission of the host institution, to enable fraternal organizations to grow and thrive through collaboration and teamwork, to provide an outlet for self-governance and accountability, and to model and teach ethical leadership.

In a spirit of mutual support and betterment, we, the men of the Interfraternity Council, pledge to elevate the Ritual and the values of the member organizations.



INTERFRATERNITY **COUNCIL**

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Preamble

We, the undersigned fraternities of North Dakota State University, so hereby agree to organize on the basis of the Constitution and By-Laws here to attached. This Constitution and By-Laws shall govern all fraternities at North Dakota State University.

NDSU Interfraternity Council Member Organizations

Full Member Organizations

Alpha Gamma Rho 1913

Theta Chi 1917

Kappa Psi 1924

Alpha Tau Omega 1931

Sigma Chi 1934

Sigma Alpha Epsilon 1935

Farmhouse 1955

Tau Kappa Epsilon 1955

Sigma Nu 1962

Delta Tau Delta 2012

Phi Delta Theta 2020

Removed Organizations

Sigma Phi Delta 1928 – 2020

Delta Upsilon 1970 - 2021

Constitution

Article I. NAME AND OBJECTIVE

Section I. Name

The name of this organization shall be the NDSU Interfraternity Council (hereinafter referred to as IFC).

Last Ratified: April 29, 2024

Section II. Mission

The mission of the Interfraternity Council at NDSU shall be to promote and maintain the well-being of member chapters by accomplishing the following objectives:

Section III. Objective

The objective of IFC shall be to govern, develop, and maintain fraternity life and interfraternal relations within North Dakota State University and the Fraternity and Sorority Life community and thus will:

1. Facilitate responsible growth of member organizations and of the IFC fraternity community as a whole.
2. Facilitate opportunities for member organizations to improve academic success and thus overall community academic excellence.
3. Uplift and give back to the NDSU and Fargo-Moorhead community through philanthropy and community service.
4. Cooperate with member fraternities and NDSU administration maintain social and moral standards.
5. Establish more effective communication through discussion of issues and questions of interest in the collegiate and men's general fraternity worlds.
6. To continue to adhere and work towards the Fraternity and Sorority Life Initiatives.
7. To promote and improve the image of Fraternity and Sorority Life in the eyes of the Fargo-Moorhead community, University Administration, and students and faculty of North Dakota State University.
8. Create and allow for the fostering of leadership and lasting relationships
9. Continually work towards creating and maintaining a safe place of belonging for all members and affiliates of the IFC community.

Article II. DUTIES AND POWERS

Section I. Duties

The duties of the IFC shall be as follows:

1. It shall be the duty of the IFC to provide leadership and assume responsibility in accordance with NDSU policies.
2. The IFC shall administer all business related to the overall welfare of the men's general (social) fraternity community and North Dakota State University.
3. The IFC shall educate and abide by the Standards of the North-American Interfraternity Conference, a trade association that represents national and international fraternities on campuses in the United States and Canada.

Section II. Powers

The powers of the IFC shall be as follows:

1. The IFC shall have authority to compile and enforce policies governing, but not limited to, membership qualifications and requirements, recruitment, new member processes, initiation, membership development, membership standards and conduct, fines, and social events.
 - a. These rules and policies shall not violate the rights, privileges, and authority of member fraternities.
2. The IFC shall also create and enforce policies and rules necessary and proper for reaching the objectives outlined in the Constitution.
3. The IFC shall establish and secure from all members a compliance with policies for the direction and control of Fraternity relationships in the areas of recruitment, new member education, initiation, scholarship, social affairs, finance, membership standards and conduct, and all other areas not specified by NDSU or NIC policy.

Article III. MEMBERSHIP AND RESPONSIBILITY OF THE CHAPTERS

Section I. Classes of Membership

There shall be two (2) classes of membership: full and associate.

Section II. Full Membership

Chapters attaining full membership shall be those chapters that have received their official charter, are in current good standing with their inter/national organization, are in good standing with NDSU, are affiliated with the North American Interfraternity Conference, and are a social lettered fraternity.

Section III. Associate Membership

Chapters holding the title "Associate Member" shall be those groups that have been established by a national organization and have yet to receive an official charter. Associate members shall pay full dues and shall have representative privileges. A three-fourths vote of the total voting membership of the IFC is required to admit an associate member. Requirements for admission are as follows:

1. Achieve the official recognition of North Dakota State University.
2. Be in good standing with North Dakota State University.
3. Demonstrate an interest in IFC.
4. Prepare a formal petition for admittance.

Section IV. IFC Member Chapter Recognition

An emerging chapter or established chapter wishing to regain IFC membership may petition IFC for membership if the following criteria are met in one semester:

1. The chapter hosts one philanthropy event.
2. 75% of the chapter members complete at least 10 hours of service in one semester.
 - i. These service hours must be submitted and approved through myNDSU.
3. The chapter hosts one dry social event with one fraternity.
4. The chapter hosts one dry social event with a sorority.
5. The chapter delegate has attended the required number of IFC General Body meetings.
6. The chapter President has attended the required number of Presidents Council meetings.
7. All forms and other requirements are completed by all stated deadlines.
8. The chapter has attended all mandatory events and has met the attendance requirement for each event.
9. The chapter is recognized by CSO as an established organization and not a temporary organization.
10. The chapter has regained and/or maintained good standing and is no longer on any probationary status / bad standing with their inter/national organization.
11. The chapter has regained and/or maintained good standing with the University and CSO for at least 2 consecutive semesters.
12. The chapter has met and maintained a 2.50 minimum chapter GPA for two consecutive semesters.

The chapter wishing to petition IFC for membership must submit the portfolio with evidence of all the completed materials no later than the 6th general body meeting of the semester in addition to presenting a presentation answering the following questions:

1. How will the chapter advance the goals of the IFC?
2. What is the chapter's short term goals and long-term goals?
3. If the chapter was removed from the council:
 - i. What changes have been made operationally and culturally within the chapter since removal?

The chapter must submit petition materials and gain approval from the IFC general body to the semester prior to the desired semester of membership.

The vote to join / regain IFC council membership shall consist of a major majority vote by the delegates.

1. The IFC Executive Board does not receive a vote.
2. In the event of a tie, the delegates shall re-enter discussion and do a re-vote.
3. If there is a tie, the IFC Executive Board will enter deliberation to break the tie.

If the vote to rejoin does not pass, the chapter may petition the board again the following semester.

Section V. Voting

Member chapters shall observe the following protocols for voting privileges:

1. Full Membership
 - a. A chapter with full membership will have both a voice and a vote on all business of the Interfraternity Council.
2. Associate Membership
 - a. A chapter with associate membership shall have a voice, but not a vote on all business of the Interfraternity Council.
3. Voting Procedures
 - a. Each member chapter will have one vote at general body meetings.
 - b. Voting requirements are a simple majority unless otherwise stated in the Constitution.
 - c. Voting shall occur by voice and show of hands unless otherwise stated in the Constitution.
 - d. Voting can only be done by the chapter delegate or chapter proxy.

Section VI. Delegates

Each member organization is required to have an IFC delegate. The IFC delegate must be an elected position within the member chapter that is either an executive officer or a chair that reports directly to an executive officer.

Chapter delegates shall fulfill the following duties:

1. Attend all IFC meetings and other required meetings.
2. Read all IFC minutes to chapter members.
3. Communicate all pertinent information relevant to IFC member organizations.
4. Actively participate through discussion in all IFC meetings.
5. Serve as the voting delegate for their chapter.
6. Serve as the IFC Standards Board representative for their chapter.
7. Maintain confidentiality for official IFC business.

Chapter delegates must meet the following requirements:

1. Be an initiated active member of their fraternity.
2. Be in good standing with the University.
3. Meet at least a 2.50 semester GPA.
4. Be in good behavioral and financial standing with their chapter.

Chapter delegates may be removed at the discretion of the IFC Executive Board for failure to meet the aforementioned duties, attendance policy, or violation of other IFC policies listed in this document.

Section VII. Attendance

Delegates must meet the following attendance requirements:

1. It is the expectation that all chapters shall be represented at each IFC General Body.
2. Delegates shall be allowed only one (1) unexcused absence per semester before being fined.
3. Chapter delegates may only miss two (2) meetings for the semester with notification before being brought up for probation.
4. Notification of this absence and notification of proxy delegate must be made at least 24 hours before the IFC General Body to the IFC Director of Administration and Finance.
 - a. If the IFC Director of Administration and Finance has not been notified, the offending chapter may be eligible for probation as determined by the Executive Committee.
 - b. If that is the second unexcused absence from the chapter, they shall be fined.

Section VIII. Meetings

There shall be four (4) types of meetings:

1. General Body meetings:
 - a. All chapter delegates and IFC Executive Officers are required to attend these meetings.
 - b. These meetings shall take place twice monthly on Mondays at 4:00 pm in person or via Zoom.
 - c. These meetings shall take place on the off week of IFC Executive Board meetings.
2. IFC Standards Board meetings:
 - a. All standards delegates, IFC President, IFC Vice President, Director of Administration and Finance, IFC Advisor, and IFC Graduate advisor are required to attend these meetings.
 - b. These meetings shall take place upon the conclusion of the last general body meeting of the month.
3. Special meetings:
 - a. Special meetings are called by the IFC President with 24 hours' notice.
 - b. All chapter delegates, IFC executive officers, and other required audiences must attend.
4. IFC Executive Board meetings:

- a. All IFC Executive Officers are required to attend these meetings.
- b. These meetings shall be scheduled no later than the first week of each semester.
- c. These meetings shall be held on the off week of IFC General Body meetings.

All meetings must meet a quorum of simple majority (50% plus 1) of the representatives who are required to attend.

All meetings shall follow Roberts Rules of Order.

Section IX. Fines

All fines distributed to chapters shall abide by the following structure:

1. Unexcused absence: \$50.00
2. Per service hour under chapter requirement: \$10.00

Section X. Member Organization Probation

Probation for member organizations shall entail the following:

1. No events with alcohol for one semester.
2. An additional 3 service hours for each active initiated member for the semester in which the chapter is on probation.

All chapters of the IFC can be automatically placed on probation for any of the following reasons:

- a. Absences from full council meetings.
- b. Failure to cooperate with the IFC or its officers.
- c. Failure to pay semester dues by the designated date.
- d. If sanctioned by the IFC Standards Board.
- e. If motioned by the IFC executive board and approved by a two-thirds (2/3) vote of the IFC chapter delegates.
- f. Failure to meet a 2.70 semester GPA.

In the event none of the above apply, the following procedures will be followed in order to place a chapter on probation:

1. The chapter must be notified by the Director of Administration & Finance via email that the chapter has been placed on probation.
 - a. The email must dictate the reason for being placed on probation, the appropriate bylaw clause, the start and end date of the probation, as well as the appeals process.
 - b. The email must go to the following individuals:
 - i. Chapter delegate and chapter president
 - c. The following individual must be cc'ed on the email:

- i. IFC President
- ii. IFC Vice President
- iii. IFC Advisor
- iv. IFC Graduate Advisor

The IFC General Body may place a chapter on probation by a two-thirds (2/3) majority vote of the IFC chapter delegates.-The member organization making the motion must outline the following:

1. The reason for motioning probation.
2. The length of time for probation.

A two-thirds (2/3) majority vote of the IFC General Body is required to remove a chapter from probation that has petitioned. The chapter who petitioned for a review may not vote.

Section XI. Expulsion

Grounds for expulsion shall be consistent violation of any provisions of IFC's Constitution or other rules under IFC's jurisdiction.

Expulsion is approved by a three-fourths (3/4) vote of the total voting membership of the IFC.

In order to be expelled from IFC the following must be completed.

1. The chapter president, NDSU advisor, alumni advisor, and Inter/National Headquarters must be notified at least ten (10) days prior to the scheduled vote that the chapter faces the risk of being expelled.
2. A three-fourths (3/4) vote of the IFC general body is necessary to expel a chapter from the IFC.
3. At the time of voting, the IFC general body will decide when the chapter would be eligible for re-admittance into the IFC.
4. Upon expulsion from the Interfraternity Council, the IFC President will request to the Commissioner of Student Organizations that the chapter's status as a recognized student organization be revoked.
5. Upon expulsion from IFC, a letter shall be sent to the following individuals:
 - a. Chapter President
 - b. NDSU advisor
 - c. Alumni advisor
 - d. Housing Corporation President (if applicable)
 - e. Director of Student Activities
 - f. The chapter's Inter/National office.
6. The letter shall state when and why the fraternity was expelled. The letter shall be signed by the IFC President, Vice President, and the Coordinator for Fraternity and Sorority Life.

Section. XII. Appeals

The following processes shall be followed for appeals regarding probation or expulsion:

1. Probation
 - a. A chapter may appeal their probation from the IFC full council or the IFC Standards Board with a written statement.
 - b. The statement must be submitted to the Standards Board within two (2) weeks of the vote placing the chapter on probation.
 - c. The IFC Standards Board will hear the appeal no later than one (1) month following submission of appeal.
 - d. A two-thirds (2/3) majority vote of the IFC General Body is required to remove a chapter from probation that has petitioned.
 - e. The chapter who petitioned for a review may not vote.
2. Expulsion
 - a. A chapter may appeal the expulsion from IFC with a written statement to the IFC Standards Board. The statement must be submitted to the Standards Board Chair within two weeks of the vote for expulsion.
 - b. The IFC Standards Board will hear the appeal no later than one month following submission of appeal.
 - c. A two-thirds (2/3) majority vote of the IFC Standards Board is required to overturn an expulsion.
 - d. The chapter who petitioned for a review may not vote.

Article IV. EXECUTIVE OFFICERS

Section I. Officers

The following shall be the elected Executive Officer of the NDSU Interfraternity Council.

1. President
2. Vice President
3. Director of Administration and Finance
4. Director of Academic Initiatives
5. Director of Recruitment
6. Director of Philanthropy and Events
7. Director of Diversity, Equity, and Inclusion
8. Director of Public Relations

Section II. Term of Office

The following shall apply to the term of office:

1. The officers are elected for one-year term of office.
2. An individual is limited to two (2) consecutive terms in one office.

3. Term of office shall be the calendar year January 1 to December 31 inclusive.

Section III. Qualifications

The IFC President and IFC Vice President must have met the following criteria:

1. Been a delegate or an IFC Executive Officer.
2. Been chapter President or an executive officer of a member chapter.

All executive officers must meet the following criteria:

1. Be members in good behavioral and financial standing of a member chapter with full membership status in IFC.
2. Cannot be the president of their chapter or hold an executive officer position due to a conflict of interest.
3. Must be in good behavioral standing with the IFC and NDSU.
4. Must have a minimum cumulative grade point average of 2.50.
5. Must be an active, initiated member of a member chapter in good standing.

Section IV. Election Process

The following protocols shall be followed for elections:

1. IFC Executive Board elections will occur no later than the fourth Monday in November to ensure sufficient time for transitioning between outgoing and incoming boards.
2. Each member chapter shall send their IFC delegate or proxy to vote on the incoming board.
 - a. If a current IFC delegate is running for an executive office or they are unable to attend elections, they are required to send a proxy vote for the election of that office.
 - b. If a proxy is not present, that chapter shall not receive a vote in elections and will be subject to sanctions from the Interfraternity Council Standards Board.
3. Applications for Executive Team positions will be made available at least two weeks prior to elections.
4. Elections will occur during a scheduled IFC meeting or as a special meeting. It will be required that at least 2/3 of all chapters are represented.
5. In order to be elected, an individual must receive a simple majority vote of the delegates (50% plus one).
6. The IFC delegates may ask position-related questions of the candidates.
7. Current Executive Team members will be required to be present during elections to answer any questions and to help facilitate discussion.
8. Votes will be cast by written ballot and the IFC Advisor will tabulate the ballots.
9. In the event of a tie, the outgoing IFC President will cast the deciding vote.
 - a. If the IFC President is re-running for an office, the duty shall fall upon the IFC

Vice President, and so on.

10. The IFC delegates will vote on each Executive Team position individually in the following order:

- a. President
- b. Vice President
- c. Director of Administration and Finance
- d. Director of Academic Initiatives
- e. Director of Recruitment
- f. Director of Philanthropy and Events
- g. Director of Diversity, Equity, and Inclusion
- h. Director of Public Relations

11. Individuals that are unsuccessful candidates for a specific Executive Team position will be allowed the option of becoming a candidate for another position.

12. Once candidates formally accept their position, they shall be removed from other positions on the ballot.

13. Following elections, a transitional meeting will be required to assist the new officers in assuming their positions. The meeting must occur before the end of the Fall Semester.

Section V. Vacancy of Office

In the event of an office vacancy, the following process shall be followed:

1. If following the formal Executive Board elections, a vacancy occurs in one of the Executive Board positions, notification of open office will be made known to all fraternity members to allow time for interested individuals to contact the IFC Executive Team.
2. Notification shall occur via email at least 2 weeks in advance prior to the appointment of the new officer.
3. The IFC Executive Team, will appoint an eligible fraternity member to fill the position with the approval of the IFC delegates through a simple majority (50% plus one) vote.

Section VI. Removal of Officers

Grounds for removal of an officer include:

1. Violation of University Policy.
2. Failure to perform the duties of the office as set forth in the Constitution and bylaws of the IFC.
3. Failure to uphold the provisions of this Constitution and bylaws.
4. Failure to adhere to the IFC officer contract.

An officer may be removed by the following process:

1. A petition to remove the officer in question must be submitted to the Vice President for full council discussion.
 - a. If it's the Vice President in question, then the petition is given to the President.
2. Such a petition must contain the signatures of 25% of the IFC delegates. If such a petition is received, it will be announced at the next IFC general body.
3. The charges for removal are to be presented by the officer in charge of the meeting.
4. The officer in question shall be provided an opportunity to present a defense either in person or in writing.
5. A two-thirds (2/3) vote of the total voting membership of the IFC shall be necessary for removal.

The Coordinator for Fraternity and Sorority Life may remove an officer from their position:

1. If there are extenuating circumstances and the Executive Board has motioned, discussed, and approved the removal.
2. If university policy, local, or federal laws have been violated, the officer will automatically be removed from their position.
3. If the officer does not meet university academic or conduct standards.

Section V. Appeal of Removal of an Officer

An officer may appeal a removal within two weeks of the vote by requesting a special appeal meeting. The Vice President, or the President if the Vice President is the officer being removed, shall notify all representatives of this special meeting. The special meeting of the Standards Board shall occur no later than one (1) week but no more than four (4) weeks after the appeal request is received.

An officer may appeal the Coordinator for Fraternity and Sorority Life's decision for removal by requesting an appeal meeting with the Director of Student Activities.

The officer who has been dismissed must submit a printed and signed appeal letter to the Coordinator for Fraternity and Sorority Life, the IFC President, and the Director for Student Activities no later than 1 business day after the dismissal letter has been delivered to the dismissed officer.

The President, Vice President, and the officer who has been removed shall meet with the Director of Student Activities no later than 5 business days after the dismissal letter has been delivered. The Director of Student Activities shall provide written notice if the appeal was approved or denied to the dismissed officer, the IFC President, the Vice President, and the Coordinator for Fraternity and Sorority Life no later than 1 business day after the meeting has occurred.

Article V. IFC CODE OF STANDARDS

Member organizations shall adhere to all IFC Codes of Standards in addition to all:

1. NDSU Rights and Responsibilities of Community: A Code of Student Conduct policies
2. NDSU Fraternity and Sorority Life policies
3. NIC policies and guidelines
4. IFC Constitution and Bylaws
5. Inter/national policies and guidelines
6. Internal member organization guidelines and bylaws
7. Congress of Student Organizations policies
8. All local and federal laws

Section I. Alcohol

Member organizations shall adhere to the following Code of Student Conduct policies:

3.4 - Alcohol on NDSU Property

Regardless of a student's age, the manufacture, sale, transfer, purchase, transportation, possession, use or consumption of alcohol, and/or possession or display of empty alcohol beverage containers anywhere on NDSU owned or controlled property and/or sponsored or supervised events is prohibited.

3.5 - Off Campus Alcohol

Illegal use or possession of alcohol off campus is prohibited including minor in possession/consumption/under the influence of alcohol, driving under the influence of alcohol, and public consumption of alcohol.

3.8 – Alcohol at Student Organization Events

Sale of alcoholic beverages by students and student organizations is prohibited. This includes any action that can be remotely construed as an alcohol sale, such as charging admission to parties, passing the hat, selling empty cups, and selling drink tickets. Alcohol, if available, must be sold and served by licensed third party vendors.

Common sources or a bulk quantity of alcohol, such as cases or kegs, are not permitted at any student organization sponsored event, or in fraternity and/or sorority housing.

No activities or promotions shall encourage excessive and/or rapid consumption of alcoholic beverages. This includes contests, drinking games, and discounts or special pricing of alcoholic beverages. Use of alcohol at events is expected to be lawful and responsible.

Alcoholic beverages may not be used as awards or prizes in connection with events or activities. Prize coupons and/or gift cards donated by establishments with a liquor license must include the statement, "Not valid for purchase of alcohol."

Student organization or public funds may not be used for the purchase of alcoholic beverages or gift cards to alcohol establishments.

Recognized NDSU student organizations planning off campus events at a venue where

alcohol may be present must complete and submit an Alcohol Risk Management Form (ARMA) and a guest list to the Student Activities Office. Events involving alcohol must be closed events, intended only for organization membership and invited guests, and alcohol must be sold and served by a licensed third-party vendor.

3.9 – Advertising Related to Alcohol

Alcohol promotional activities, including advertising, shall not be associated with otherwise existing campus events, programs, or campus organizational functions on or off campus, and is prohibited. This includes novelty items, giveaways, and apparel associated with the event. Advertising of establishments that sell alcohol must adhere to the following guidelines:

1. Shall not include brand names, logos, prices, visual images, or verbal phrases that refer to consumption of alcoholic beverages;
2. Shall not encourage any form of alcohol abuse or promote alcohol specials such as two for ones, happy hour drink specials, or any ads that encourage rapid and extensive consumption of alcohol;
3. Shall not portray drinking as a solution to personal or academic problems or necessary for social, sexual, or academic success;
4. Shall not associate consumption of alcoholic beverages with performance of tasks that require skilled reactions such as operation of motor vehicles or athletic performance.
5. Shall include a statement of low-risk such as “know when to say when” or “please use our products legally and in a responsible manner.”

Member organizations shall adhere to the following NIC Alcohol Guidelines for any activity or event sponsored or endorsed by the member organization, including those that occur on or off chapter premises:

1. The chapter, members and guests must comply with all federal, state, provincial and local laws. No person under the legal drinking age may possess, consume, provide or be provided alcoholic beverages.
2. Alcoholic beverages must either be:
 - a. Provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
 - b. Brought by individual members and guests through a bring your own beverage (“BYOB”) system. The presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited on any chapter premises or at any event, except when served by a licensed and insured third-party vendor.
3. Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).

4. Alcoholic beverages must not be purchased with chapter funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).
5. A chapter must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.
6. A chapter must not co-host or co-sponsor an event with a bar, event promoter or alcohol distributor; however, a chapter may rent a bar, restaurant, or other licensed and insured third-party vendor to host a chapter event.
7. Attendance by non-members at any event where alcohol is present must be by invitation only, and the chapter must utilize a guest list system. Attendance at events with alcohol is limited to a 3:1 maximum guest-to-member ratio and must not exceed local fire or building code capacity of the chapter premises or host venue.
8. Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “big/little” events or activities, “family” events or activities and any ritual or ceremony.
9. The chapter, members or guests must not permit, encourage, coerce, glorify or participate in any activities involving the rapid consumption of alcohol, such as drinking games.

Section II. Drugs and Other Substances

Member organizations shall adhere to the following Code of Student Conduct policies:

3.6 - Drugs Other Than Alcohol

The manufacture, sale, transfer, purchase, transportation, possession, use or consumption of illegal drugs or any other controlled substance, including marijuana, is prohibited. The possession of drug paraphernalia is also prohibited.

Due to federal law, this prohibition applies to the use and possession of medical marijuana on campus.

3.7 - Conduct While Under the Influence of Alcohol or Other Drugs

Being under the influence of alcohol or other drugs is prohibited when the student causes a disturbance or endangers, or may endanger, the safety of others, property, or themselves.

3.10 - Smoking

Smoking, including vaping, is prohibited on NDSU grounds and in University

buildings, residence halls, apartments, and enclosed structures.

Member organizations shall adhere to the following NIC Drug Guidelines:

1. The chapter/organization, members, and guests must follow the federal law regarding illegal drugs and controlled substances. No person may possess, use, provide, distribute, sell and/or manufacture illegal drugs or other controlled substances while on chapter/organizational premises or at any activity or event sponsored or endorsed by the chapter/organization

Section III. Responsible Actions Policy

Member organizations shall adhere to the following Code of Student Conduct policies:

2.2 - Responsible Action Expectations

All students are encouraged to promote the well-being of themselves, fellow students, and others. If an individual needs emergency medical attention, particularly resulting from the use of alcohol or other drugs, it is critical that students take responsible action by calling an ambulance or other appropriate emergency response personnel (police, fire, etc.) to gain that assistance. Students/student organizations who fail to respond appropriately may be subject to serious University sanctions and may potentially be subject to additional civil and/or criminal liability.

Responsible action includes:

1. **CALL** for help: In medical emergencies, immediate action should be taken by calling 9-1-1 either off or on campus. In non-emergency situations, students can also contact NDSU Police (701-231-8998) or notify Residence Life staff.
2. **STAY** with the individual until help arrives and notice has been given that assistance is no longer needed.
3. **COOPERATE** with responding staff or emergency personnel, including all requests for information and assistance.

Students/student organizations who take such responsible action, or for whom such action is taken, will not be subject to the student conduct process for alleged policy violations related to alcohol or drug use or minor policy violations, nor will the incident become part of the student's conduct record. However, students [including the student(s) needing assistance and reporter(s)] may be required to have an educational meeting with University personnel and/or complete an educational program. This protection may not apply if other egregious conduct violations occurred within the same incident.

Section IV. Recruitment

A. Regulations

1. No use of sororities/women for advertisement (I.E. Shirts, Letters, etc.) or recruitment events during Recruitment week. Let it be made clear that if your sweetheart is a sorority woman, she is still not allowed to participate in any type of fraternal recruitment activity per National Panhellenic Council policies. If found in violation, her organization as well as your own will be sent to a standards board hearing.
2. All events must be submitted to the Director of Recruitment to be publicized in the recruitment PR materials. These documents must be submitted before a deadline of the Director of Recruitment's choosing. Chapters not meeting the deadline will not be publicized and those who submit incomplete information (no start times, no location, etc.) may risk the possibility of not being publicized for those specific events.

B. Advertisement/Distribution

1. Any promotional printed materials may be displayed at any time prior to, and following recruitment week. Respect will be shown to posters already being displayed.
2. All posting of printed material must follow the NDSU Posting Policy.
3. Promotional materials must be taken down within seven days of the completed recruitment event to avoid clutter.
4. Defacing any fraternity property, recruitment materials, or acts of fraternal misrepresentation will be subject to a Standards Board Hearing.

C. Alcohol Restrictions

1. The consumption of alcohol on any fraternity property from 12 am on the Sunday before recruitment through 12 am the Sunday after will be strictly prohibited.
2. Alcohol is prohibited at all recruitment events. This includes, but is not limited to, the chapter house, any off-campus location, or on-campus where the event is to be held.

D. Exploitation

1. All recruitment events, t-shirts, as well as any other advertising items must follow theme sensitivity. All fraternities are expected to adhere to common standards of decency and non-discrimination. Fraternities should be aware that their events are representative of their organization. Examples of theme sensitivity include, but are not limited to:
 - a. All event themes should be ethnically and/or racially sensitive in nature and not degrade the nationality of any individual or group.
 - b. All events must be sensitive to gender. Furthermore, no sexist behavior should be permitted. (I.E. Mud or Jell-O wrestling, Pimps and Ho's parties, etc.)

E. Bids

1. Bidding may be done at any time throughout the year; however, chapters must abide by Residence Hall rules and policies regarding resident escorts and quiet hours.
2. There is to be no entry into the Residence Halls without pre-approval by Residence Life for any recruitment event or Bid Day activities. If something is planned with Residence Life you are to comply with the rules and guidelines they set up.

F. Enforcement

1. Any individual or fraternity found to be in violation of this policy will be subject to a Standards Board hearing and/or sanctions through North Dakota State University with the decision reflecting the severity of the infraction.

Section V. Hazing

Member organizations shall adhere to the following Code of Student Conduct policies:

3.46 Hazing

Hazing, regardless of location, intent, or consent of participants, is prohibited. Hazing is defined as any action or situation that implicitly or explicitly is required for student admission or affiliation with an organization or group. Such activities and situations include paddling in any form; creating excessive fatigue; forced consumption of any substance; forced road trips; morally degrading, demeaning, unsanitary, humiliating games or stunts; and harassment, ridicule, or other activities prohibited by law or University policy. It is the responsibility of the organization and its leadership in conjunction with the (inter)national organization, if any, to protect potential members, members, or others associated with the organization from any hazing activity or practice conducted, condoned, or encouraged by the current members of the organization, alumni, or other associates.

Section V. Sexual and Power-Based Violence

Member organizations shall adhere to Policy 162 – Sexual and Gender-Based Harassment and Sexual Misconduct:

- 1.4 - NDSU prohibits all forms of sexual harassment, gender-based harassment, and sexual misconduct, including but not limited to, intimate partner violence, sexual assault, sexual exploitation, stalking, complicity in the commission of any act prohibited by this policy, and retaliation against a person for the good faith reporting of any forms of misconduct or participation in any investigation or proceeding under this policy.
- 1.5 - Examples of the types of sex discrimination that are covered under this policy include but are not limited to: the failure to provide equal opportunity in athletics; discrimination in any course or program, notably in science, technology, engineering, and math (STEM); and discrimination based on pregnancy or parental status.

Section VI. Anti-Discrimination Protections

All member organizations will not discriminate against existing organizations, future organizations, individual members, potential individual members, or non-affiliated individuals from membership or general activities on the basis of race, religion, national origin, age, or handicap.

NDSU does not discriminate in its programs and activities on the basis of age, color, gender expression/identity, genetic information, marital status, national origin, participation in lawful off-campus activity, physical or mental disability, pregnancy, public assistance status, race, religion, sex, sexual orientation, spousal relationship to current employee, or veteran status, as applicable. Direct inquiries to; Dr. Canan Bilen-Green, Vice Provost, Title IX/ADA Coordinator, Old Main 201, NDSU Main Campus, Fargo, ND, 58108, 701-231-7708, ndsu.eoaa@ndsu.edu.

Section VII. Chapter House Residency

Member organizations shall adhere to the following Code of Student Conduct policies:

4.9a - Residents of Greek Chapter Houses

Only initiated member(s) of that chapter currently enrolled at NDSU, or a house employee, may reside in the house during the fall and spring semesters without authorization from the Student Activities Office and chapter leadership.

4.9b - Summer Rules

Fraternity and sorority presidents are to furnish names of the summer house managers

to the Coordinator of Fraternity and Sorority Life, Student Activities Office. Chapter leadership is required to inform summer residents of university and fraternity/sorority life policies.

4.9c - Alcohol and Other Drugs

Fraternity Houses – No alcoholic beverages are permitted in common areas of chapter property at any time. Student members who are 21 years of age may consume alcohol that is less than 15% ABV in the privacy of their rooms/suites with no more than three others who are also 21 years of age or older. If multiple individuals live in one room/suite, all must be 21 years of age or older for alcohol to be present and/or consumed. Illegal drugs are not permitted on chapter or campus property at any time.

Sorority Houses – National Panhellenic Conference policy requires alcohol-free facilities for all housed chapters. Illegal drugs are not permitted on chapter or campus property at any time.

Section VIII. Membership Standards

All member organizations agree to hold their individual members accountable to the following values and standards:

1. Know and understand the ideals expressed in member fraternity rituals and strive to incorporate them into daily life.
2. Strive for academic achievement and practice academic integrity.
3. Respect the dignity of all persons; therefore, member organizations and individual members will not physically, mentally, psychologically, or sexually abuse or harm any human being.
4. Protect the health and safety of all human beings.
5. Respect member organization property and the property of others; therefore, member organizations and individual members will not abuse nor tolerate the abuse of property.
6. Meet all financial obligations in a timely manner.
7. Use nor support the use of illegal drugs; therefore, member organizations and individual members will neither misuse nor support the misuse of illegal drugs.
8. Maintain and continually enhance member organization property.
9. Hold member organizations and individual members accountable for violations of the
10. IFC Code of Standards.

Article X. STANDARDS BOARD

Section I. IFC Judicial Board Jurisdiction

The IFC shall be a peer-governing organization with an independent Judicial Board, which shall have jurisdiction over cases involving alleged member chapter violations, including but not limited to:

1. The IFC Constitution, Bylaws, Code of Conduct, and other policies.
2. The rules and regulations of North Dakota State University.
3. The general values-based conduct of fraternity men.

The IFC Judicial Board shall work with the campus to implement a comprehensive conduct program that enhances peer-governance; respects the authority of the campus to adjudicate alleged violations of the Student Code of Conduct; and avoids multiple, overlapping conduct processes.

1. The IFC shall develop an agreement with the campus that identifies the role of each judicial body in adjudicating allegations of chapter-level misconduct.
2. The IFC Standards Board shall defer to the campus to investigate and adjudicate hazing and sexual misconduct allegations, or any other allegation that is being investigated and/or adjudicated through the campus' conduct process.
3. For all other instances—outside of hazing and sexual misconduct—the Standards Board has the autonomy and responsibility to adjudicate chapter-level violations.

Section II. IFC Judicial Committee Composition

The IFC Judicial Board shall be composed of one IFC Justice from each full IFC member chapter, chosen by that member chapter at the time of chapter elections, and shall be chaired by the IFC Vice President.

Section III. IFC Justice Eligibility

To serve as the IFC Justice for a member chapter on the IFC Judicial Board, an individual must meet the following requirements:

- A. Be an active member, in good standing, of an IFC member chapter.
- B. Maintain good academic standing with the institution.
- C. Be devoted to the general ideals and principles of fraternity life and conduct himself in a professional manner consistent with the mission and purpose of the IFC, as defined within this Constitution.
- D. Have a working knowledge of the IFC Constitution and Bylaws, [**campus**] policies, NIC Standards, and the IFC Standard Operating Procedures.
- E. Not be a current member of the IFC Executive Board or serve as his member chapter's IFC Representative or Alternate Representative for the IFC General Body.

- F. Must complete training on the IFC Judicial Code prior to serving on an IFC Judicial Board hearing.

Section IV. Term of Office of IFC Justices

The term of office for IFC Justices shall be until their graduation, resignation, or replacement under the procedures determined by each member chapter; or upon his election to serve on the IFC Executive Board or as his member chapter's IFC Representative or Alternate Representative for the IFC General Body.

Section V. IFC Judicial Policy

The Judicial Board shall perform all duties and be subject to all regulations contained within the IFC Judicial Code in the Bylaws.

Section VI. IFC Judicial Board Hearing Justice Selection

The IFC Vice President of Judicial Affairs will select five (5) Judicial Board justices, as predetermined by an alphabetical rotation of the member chapters, to hear a case. In the event the IFC Judicial Board rotation for service on a hearing falls upon an IFC Justice whose member chapter is involved in any way, with the alleged violation, the rotation will skip to the next member chapter in the alphabetical rotation.

Section VII. IFC Judicial Board Hearing Attendance

All IFC Judicial Board hearings shall be conducted in accordance with the following requirements:

- A. All IFC Justices assigned to a hearing shall be present in order to conduct business on behalf of the IFC Judicial Board.
- B. Each IFC Justice assigned to a hearing is required to attend. Failure of an IFC Justice to attend a hearing for which he was assigned shall result in his member chapter being referred to the IFC Vice President of Judicial Affairs for potential judicial review.

Section VIII. IFC Judicial Board Hearing Voting Policies

All IFC Judicial Board hearings shall operate utilizing the following voting policies:

- A. Each IFC Justice serving on a hearing shall have one vote.
- B. A majority vote shall govern all actions of an IFC Judicial Board.

Article VII. PROVISION FOR BYLAWS

Section I. Bylaw Addition Procedure

The IFC Bylaws (standing rules) may be added by a two-thirds (2/3) majority vote of the total voting membership of the IFC. The Bylaws need a two-thirds (2/3) vote of the total voting membership to amend or rescind.

Section II. Record Keeping

The Vice President will keep on file all changes to the Bylaws.

Section III. Bylaw Review

Every three years the IFC Vice President will conduct a full council review of the Constitution and By-Laws beginning in 2012.

Article IX. RATIFICATION AND AMENDMENTS

Section I. Ratification

This Constitution shall be in effect when ratified by three-fourths (3/4) vote of the total voting membership of the IFC.

Section II. Amendments

This Constitution may be amended at any meeting by three-fourths (3/4) vote of the total voting membership of the IFC, providing that every proposal for amendment be submitted in writing and presented at full council one meeting prior to voting.

The IFC Bylaws may be amended or rescinded at any meeting with a two-thirds (2/3) vote of the total voting membership of the IFC.

Bylaws

Article I. FINANCE

Section I. Fiscal Year

The fiscal year of the North Dakota State University Interfraternity Council (IFC) shall be from January 1 to December 31 inclusive.

Section ~~I.~~ II. Checks

1. All checks issued on behalf of the IFC shall be signed by the President, ~~or the~~ Director of Administration and Finance, or the IFC Advisor.

Section III. Bank Account

1. The President and Director of Administration and Finance shall have explicit bank account access, and the Coordinator for Fraternity and Sorority Life shall have viewing and spending rights to the bank account. All members of the Interfraternity Council shall be given updates on council spending throughout the semester.

Section IV. Budget

1. All executive officers must create and present a budget by the second meeting of the semester to be voted on. The budget shall require a two-thirds (2/3) majority vote of the total voting membership of the IFC.

Section V. Payments

1. All payments due to the IFC shall be given to the Director of Administration and Finance who shall record them.
2. Checks for payments shall be made payable to the North Dakota State University Interfraternity Council.

Section VI. Membership Dues

1. The dues of each member fraternity shall be an assessment per member/new member listed on the myNDSU chapter roster. The amount of dues shall be as follows:
 - a. Each chapter shall be charged 20 dollars per active member
 - b. Each chapter shall be charged 5 dollars per new member

- i. A new member is defined as someone who has accepted a bid but has not yet been initiated
2. Dues must be paid in full within two (2) weeks of bills being sent to chapters.
 - a. The penalty for not paying in full by the due date will be an additional \$1.00 per member for each week payment is late.

Article II. OFFICER DUTIES

Section I. Officer Responsibilities

1. Attend all IFC meetings and IFC and FSL events.
2. Not be on the executive board of their respective fraternities during their terms of office with IFC.
3. The Recruitment Officer/Chair may not hold the Director of Recruitment position at the same time.
4. Not vote or second motions during regular or special meetings, except in case of a tie vote.

Section II. President

1. Schedule, attend, and conduct bi-weekly IFC Executive Team and bi-weekly Full Council meetings.
2. Call special meetings when necessary.
3. Prepare IFC meeting agendas and distribute prior to the scheduled IFC meeting.
4. Call and preside with the Panhellenic President at monthly meetings of the Panhellenic and IFC Executive Councils.
5. Represent the interests of the fraternal community on university committees and at events as needed.
6. Collaborate and work with the Panhellenic Council President to elevate and enhance the NDSU Fraternity and Sorority Life community.
7. Be knowledgeable of and educate the Fraternity and Sorority Life community on the following Interfraternity Council, Panhellenic Council, Congress of Student Organizations, and NDSU policies/procedures/documents.
 - a. IFC Constitution & Bylaws
 - b. IFC Standards Board Constitution & Bylaws
 - c. Panhellenic Council Constitution & Bylaws
 - d. North-American Interfraternity Conference
 - e. NDSU Fraternity and Sorority Life Initiatives
 - f. Overview of Fraternity and Sorority Life
 - g. Congress of Student Organizations Guidelines
 - h. Code of Student Behavior: Rights and Responsibilities of Community
8. Prepare and file all appropriate paperwork in order to keep the Interfraternity Council in good standing with the NIC, CSO, and NDSU.

9. Maintain the integrity and sound relationship of the IFC.
10. Perform any other duties pertaining to this office.
11. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office.

Section III. Vice President

1. Serve as the Chair of the IFC Standards Board. Schedule and conduct monthly Standards Board meetings for ongoing training and to address potential IFC Standards violations as they arise.
2. Be knowledgeable of and educate the IFC Council and member chapters of the IFC Standards Board Constitution & Bylaws.
3. Serve as the IFC Council Risk Manager. Become knowledgeable and educate the Fraternity and Sorority Life community of current and potential risk management issues.
4. Serve as the IFC Council Risk Manager. Become knowledgeable and educate the IFC community of current and potential risk management issues.
5. Assist the Coordinator of Fraternity and Sorority Life in ensuring that the Greek community is aware of, utilizing, and completing the NDSU Notification of Travel Form and Alcohol Risk Management Planning Notification Form.
6. Represent IFC on the President's Council for Campus Well-Being.
7. Remain proactive and diligent in addressing risk management issues within the NDSU Greek community as they arise.
8. Perform any other duties pertaining to this office.
9. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office.

Section IV. Director of Administration and Finance

1. Record IFC Executive Board and General Body meeting minutes and distribute within three (3) days following the scheduled meeting.
2. Collect member dues and fines.
3. Lead and oversee the annual budget process.
4. Approve and disperse expenditures and reimbursements.
5. Maintain accurate records through invoicing and receipts.
6. Make bank deposits when necessary.
7. File taxes in accordance with federal and state laws.
8. Submit a financial report at each Executive Team and Council meeting.
9. Manage costs efficiently to keep a positive balance in all IFC bank accounts.
10. Maintain the IFC Executive Board and General Body member roster.
11. Maintain accurate data in FS Central so officers and members stay up to date, including:
 - a. Contact lists
 - b. Group profile
 - c. Governing documents and important information
 - d. Chapter membership listing
12. Take, edit, and distribute IFC meeting minutes.
13. Maintain accurate contact information for the leaders and stakeholders of the community.
14. Record the events of the IFC chapters through a collective calendar.
15. Manage IFC files (online storage or binders) including:

- a. IFC Constitution, bylaws, and governing documents
 - b. Calendar of events
 - c. Contact information
16. Reserve and manage all room reservations for meetings.
 17. Maintain at least a level 3 status with CSO.
 18. Attend required CSO programs and events.
 19. Check the IFC mailbox and distribute mail on a consistent basis to Executive Team member's mailboxes within the Fraternity and Sorority Life Office.
 20. Perform any other duties pertaining to this office.
 21. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office.

Section V. Director of Academic Initiatives

1. Be knowledgeable of best practices for successful academic achievement within fraternity chapters.
2. Serve as a resource for member chapter's scholarship officers.
3. Become knowledgeable of university academic policies and procedures.
4. Identify and educate academic resources on campus for member chapters.
5. Work with chapters that are under the All-Fraternity grade point average to develop an academic progress plan.
6. Create and oversee the administration of IFC scholarships to member organizations and designated individuals.
7. Plan and execute Study a Thon each semester in collaboration with the Panhellenic Vice President of Academic Initiatives.
8. Work with the PHC VP of Academic Initiatives to chair the FSL Academic Officer Committee
9. Perform any other duties pertaining to this office.
10. Serve a minimum of five (5) hours per week in the Greek Life Office

Section VI. Director of Recruitment

1. Chair the IFC Recruitment Committee and report all committee activity to the IFC Executive Team.
2. Be knowledgeable of and educate the Fraternity and Sorority Life community on year-round values-based recruitment strategies.
3. Develop a recruitment budget.
4. Create and execute a timeline for recruitment.
5. Updates and maintains the IFC Recruitment Rules.
6. Promotes all recruitment events and member organization events on social media and on campus.
7. Plan and implement a minimum of one (1) IFC recruitment event prior to Recruitment Week.
8. The recruitment chairman shall have one (1) fall recruitment event for the year of the chair's elected term decided upon and completely planned by May 31st of the year of the chair's term in office.
9. The recruitment chairman shall have one (1) spring recruitment event planned for the year

- following their elected term by October 31st in the year of their term of office.
10. Have the recruitment dates set for the fall semester of their term by the first IFC meeting in March and the recruitment dates for the spring semester following their term in office by the second IFC meeting in October of their term in office.
 11. Respond to all interest forms on the Fraternity and Sorority Life website.
 12. Work with the Panhellenic Vice President of Recruitment to promote positive Fraternity and Sorority Life recruitment events.
 13. Attend and participate in summer orientation sessions and Welcome Week events if available.
 14. Perform any other duties pertaining to this office.
 15. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office-

Section VII. Director of Philanthropy & Events

1. Chair the Greek Week/Weekend Committee to plan and execute Greek Week/Weekend.
2. Co-Chair the Greek Programming Board with Panhellenic Vice President of Events and report all committee activity to the IFC and Panhellenic Executive Teams.
3. Develop and implement social and service programs for the Fraternity and Sorority Life community that enhances relationships through service, wellness, leadership, and personal development in partnership with existing programs on campus.
4. Develop service projects and philanthropic events for IFCs and member fraternities.
5. Promote interfraternal service by organizing annual community service projects.
6. Engage the fraternity community in a discussion about the importance of community service opportunities and events.
7. Collect and report member fraternity community service hours, philanthropic dollars, and activities.
8. Perform any other duties pertaining to this office.
9. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office.

Section VIII: Diversity, Equity, and Inclusion Chair

1. Promote a culture of inclusion where all individuals are welcome, able to thrive, and fully engaged in the fraternity/sorority experience.
2. Collaborate with campus/community offices and content experts to provide resources and in-depth discussions
3. Collaborate with other fraternal councils to provide a community-wide effort of DEI
4. Conduct annual needs assessment and analyze results to ensure the educational focuses align with membership needs.
5. Work alongside the inclusion committee to develop comprehensive and innovative strategies to be embedded in the chapter/council culture and ongoing operations.
6. Accelerate the creation of an equitable chapter/council experience by engaging in conversation and awareness of DEI focuses as it relates all areas of chapter and council operations:
 - a. Recruitment/Intake

- b. Education/Programming
 - c. Academic Development
 - d. Finances
 - e. Communication, Marketing, Branding
 - f. Health and Safety
 - g. Wellness
 - h. Civic Engagement
7. Effectively communicate and present DEI strategy and initiatives to executive leadership.
 8. Proposes and/or develops programming related to diversity and inclusion, including areas such as cultural competencies, implicit bias and intention vs impact.
 9. Convening community dialogue in response to campus, national and global events related to diversity and inclusion.
 10. Build and sustain community partnerships to support diversity and inclusion projects/plans/initiatives.
 11. Serve a minimum of five (5) hours per week in the Fraternity and Sorority Life Office.

Section IX: Director of Public Relations

1. Create and distribute marketing materials for both IFC and for Fraternity and Sorority Life.
2. Plan to coordinate a minimum of one social media campaign each semester.
3. Co-Chair the Fraternity and Sorority Life Public Relations Committee with the Panhellenic Vice President of Public Relations and report all committee activity to the IFC and Panhellenic Executive teams.
4. Distribute press releases about Fraternity and Sorority Life community events and positive recognition received by individual members and member chapters.
5. Work with the Panhellenic Vice President of Public Relations to assist the Coordinator of Fraternity and Sorority Life with maintaining and updating the Fraternity and Sorority Life website and Fraternity and Sorority Life calendar.
6. Perform any other duties pertaining to this office.
7. Serve a minimum of three (3) hours per week in the Fraternity and Sorority Life Office.

Article III. CHAPTER RESPONSIBILITIES

Section I. Academic Policy

1. Per the NIC, all member chapters of the Interfraternity Council are to hold a minimum Grade Point Average (GPA) of a 2.7 on a 4.0 scale.

2. The IFC will notify any chapter that falls below a 2.7 G.P.A. and that chapter will be placed on academic probation.
3. A chapter on academic probation will be subject to the following sanctions:
 - a. The chapter must devise an academic improvement plan, and present it to the IFC for approval.
 - i. The improvement plan must be presented to the IFC within 30 days of notification.
 - ii. If the chapter does not present an improvement plan within 30 days of notification, they will be issued a \$5 fine for each day past due.
 - iii. If the improvement plan is not approved by the IFC, the chapter shall have an opportunity to revise the plan.
 - iv. If a revised improvement plan is not approved by the IFC, the IFC will make necessary revisions to bring a chapter to compliance.
4. A chapter shall be alcohol-free for 16 consecutive academic weeks following the reception of a final grade report that indicates a chapter G.P.A. below 2.7 on a 4.0 scale.
 - a. The summer term is excluded from the 16 consecutive weeks.
 - b. If the 16-week sanction is not completed in an entire semester, the remaining weeks will be enforced from the beginning of the following semester.
5. A chapter that falls below the G.P.A. for a second consecutive semester shall be placed on social probation, in which they shall not participate in any events sponsored by the IFC council or member chapters.
 - a. All the sanctions outlined in III.I.C.a and III.I.C.b will be in effect.
6. A chapter that falls below a 2.7 G.P.A. for a third consecutive semester will lose IFC membership and recognition.
7.
 - a. If a chapter that is in bad standing with the IFC completes a satisfactory semester (a semester in which the chapter earns at least a 2.5 cumulative G.P.A), they may submit a request to be brought back into good standing.
 - b. A request to be brought back into good standing will be heard by the IFC at a business meeting and shall require a 2/3 affirmative vote to pass.
8. A chapter may submit an appeal to any decision made by the IFC Standards Board if there are extenuating circumstances.
 - a. These circumstances will be reviewed by the IFC Standards Board and a decision will be made at the next IFC Standards Board meeting.’
 - b. Any decision made by the Standards Board at this point will be final.

Section II. Individual Academic Policy

1. The following tiers of academic probation shall apply to all members of the fraternity community at NDSU:
 - a. If a member falls below a 2.5 GPA for one semester, they shall follow their chapter's protocol for academic probation.
 - b. If a member falls below a 2.5 GPA for a second semester:
 - i. they shall attend mandatory Fraternity and Sorority Life study tables for that semester in addition to chapter protocol.
 - ii. They will meet with the Vice President and the Coordinator for Fraternity and Sorority Life regarding to create a restorative success plan to raise their GPA to at or above a 2.5.
 - c. If a member falls below a 2.5 GPA for the third consecutive semester, that member shall no longer be recognized by the IFC council until their GPA is raised to a 2.5.
 - i. If their GPA is raised to a 2.5 they shall still attend mandatory study tables until their GPA is at a 2.5 for a second consecutive semester.

Section III. Individual Service Policy

1. Each NDSU IFC member fraternity shall complete at least 10 hours of community service per member per semester and log them on myNDSU.

Section IV. Chapter Recognition

1. All chapters must be in good standing with the Congress of Student Organizations (CSO) in order to be recognized by the Interfraternity Council.
 - a. If chapters fall below a status of 3, they will have one semester to regain good standing.
 - b. If a chapter fails to regain their status of 3, they will lose voting rights as an organization on IFC.
2. All member chapters must follow all CSO policies.
3. If a chapter loses CSO recognition, they will lose IFC recognition.
4. Chapters who repeatedly violate IFC bylaws and policies could be removed by the IFC General Body and/or NDSU.

Article IV. MEMBERSHIP ELIGIBILITY AND REQUIREMENTS

Section I. Membership Eligibility

1. Social fraternities and sororities are chartered with a single institution and therefore are ineligible for Tri-College students; membership is limited to students enrolled at NDSU.
2. Members of member organizations must be an enrolled student at NDSU.
3. Dual enrolled and/or high school students are ineligible for membership.
4. The following students are able to join fraternities:
 - A. Commuter students
 - B. Pathway students
 - C. Transfer students
 - D. Part-time students
 - E. Graduate students
 - F. International students
5. Member organizations will follow all inter/national organization guidance pertaining to membership eligibility.
6. IFC does not mandate a GPA requirement for members to be eligible to participate in recruitment.
7. Member organizations may stipulate additional requirements for membership eligibility in addition to the aforementioned requirements.

Section II. Membership Requirements

All individual members of member organizations will abide by the following requirements:

1. All members will pay financial obligations on time.
2. All members will abide by all the aforementioned policies and rules.

Article V. IFC JUDICIAL PROCEDURES

Section I. IFC Judicial Powers and Responsibilities

Per Article X, Section I of the IFC Constitution, the IFC shall be a peer-governing organization with an independent Judicial Board that shall have jurisdiction over cases involving alleged member chapter violations of IFC policy, including but not limited to:

1. The IFC Constitution, Bylaws, Code of Conduct, and policies;
2. The rules and regulations of North Dakota State University;
3. The general values-based conduct of fraternity men.

Section II. Due Process

In appearing before the Judicial Board, each member chapter shall be granted certain rights termed “due process.” Those rights are:

1. Right to be notified, in writing, of all charges, as outlined in the Bylaws;
2. Right to present a defense, including the calling of witnesses;
3. Right to question witnesses;
4. Right to be accompanied by an advisor for advisory purposes only, but not for representation;
5. Right to be notified, in writing, of all findings and sanctions imposed, as outlined in the Bylaws;
6. Right to appeal the decision, as outlined in the Bylaws.
7. Right to be free from double jeopardy.

Section III. Filing of Complaints

Any individual or group may file a complaint against a member chapter, specifying in writing the particular alleged acts of the accused. This must be done by submitting an IFC Judicial Complaint Form to the IFC Vice President of Judicial Affairs. The IFC Vice President of Judicial Affairs shall promptly review and investigate the allegation. Upon determination that an allegation contains information sufficient to warrant further adjudication, the IFC Vice President of Judicial Affairs may charge a member chapter with a violation.

Section IV. Notification of Charges

Once the IFC Vice President of Judicial Affairs has determined the filed complaint has merit, the member chapter and its inter/national organization are to be provided written notification of the charges at least two weeks in advance of the hearing. This written notification shall include the following:

1. Date, time, and location of their Informal Resolution Hearing;
2. Description of the alleged violation; and
3. Due process rights.

Section V. Investigatory Evidence

All evidence related to a complaint shall be compiled and presented to all parties at least one week prior to any informal Resolution Hearing or formal Judicial Board hearing. All evidence shall be directly related to the complaint(s) alleged against the member chapter and shall be approved by the IFC Vice President of Judicial Affairs prior to circulation.

Section VI. Informal Resolution Hearing

Upon a finding of the IFC Vice President of Judicial Affairs that a filed complaint contains information sufficient to warrant further adjudication, he may offer the charged member fraternity the opportunity to participate in an Informal Resolution Hearing unless he feels that potential sanctions could include suspension or loss of IFC recognition.

In cases in which the charged member chapter accepts an Informal Resolution Hearing, the IFC Vice President of Judicial Affairs shall meet with a representative of the charged member chapter to discuss the allegations of the complaint. Within three (3) business days of the Informal Resolution Hearing, the IFC Vice President of Judicial Affairs may dismiss the complaint with a finding of no violations, provide the charged member chapter with his finding of violations and recommendation for a resolution through disciplinary or corrective sanctions. The charged member chapter has three (3) business days to accept or reject the terms of resolution. If the charged member chapter accepts the resolution, the charged member chapter waives all rights of appeal and the outcome is final.

If the charged member chapter rejects offer of an Informal Resolution Hearing or the resolution, a Formal IFC Judicial Board Hearing will be convened to hear the case.

Section VII. Prohibited Sanctions for Informal Resolution Hearing

The IFC Vice President of Judicial Affairs shall not recommend suspension or loss of IFC recognition through an Informal Resolution Hearing. Should the IFC Vice President of Judicial Affairs believe suspension or loss of IFC recognition is warranted, the case shall automatically be referred to a Formal IFC Judicial Board Hearing.

Section VIII. Formal IFC Judicial Board Hearing

If:

1. The charged member chapter rejects having an Informal Resolution Hearing;
2. The charged member chapter rejects the findings and/or sanctions of the Informal Resolution Hearing;
3. The IFC Vice President of Judicial Affairs determines the allegation is egregious enough to warrant potential suspension or loss of IFC recognition; or
4. The IFC Vice President of Judicial Affairs chose not to offer an Informal Resolution Hearing;

The IFC Vice President of Judicial Affairs shall convene a Formal IFC Judicial Board Hearing.

The IFC Vice President of Judicial Affairs will select five (5) Judicial Board justices, as predetermined by an alphabetical rotation of the member chapters, to hear the case. In the event

the IFC Judicial Board rotation for service in a hearing falls upon an IFC Justice whose member chapter is involved in the alleged violation, the rotation will skip to the next member chapter in the alphabetical rotation.

The IFC Vice President of Judicial Affairs shall serve as a non-voting Chief Justice and preside over all formal Judicial Board hearings.

Section IX. Formal IFC Judicial Board Hearing Proceedings

For all IFC Judicial Board hearings, the following procedures shall be followed:

1. **Participants:** Attendance at all IFC Judicial Board hearings shall be limited to the member chapters involved, any witnesses, the IFC Justices assigned to serve on the Judicial Board for the hearing, and the IFC Vice President of Judicial Affairs. At the discretion of the IFC Vice President of Judicial Affairs, witnesses may be excluded from the hearing room until it is his or her turn to testify. Additionally, the charged member chapter may be accompanied by its chapter advisor during any Judicial Board hearing. The chapter advisor must be registered as the official chapter advisor of the member chapter. The chapter advisor shall only act in an advisory capacity and is not allowed to conduct any portion of the chapter's presentation.
2. **Confidentiality:** All individuals involved in a hearing are required to agree to a statement of confidentiality. Individuals shall not disclose information regarding the following:
 - a. Any individuals, member chapters, or IFC Justices involved.
 - b. Details of the proceedings.
 - c. Witness testimony.
3. **Hearing Process:**
 - a. **Initiation of the Hearing:** The IFC Vice President of Judicial Affairs shall inform all individuals present that the hearing will be conducted in an orderly manner and any person causing disruption will be asked to leave. Additionally, he shall advise the charged member chapter of the formality of the hearing and the necessity of all parties to be truthful.
 - b. **Overview of Judicial Hearing Process:** The IFC Vice President of Judicial Affairs shall outline the process for the remainder of the hearing as follows:
 - i. **Presentation of alleged charges, violations, and investigatory evidence against the charged member chapter shall be presented by the IFC Vice President of Judicial Affairs:**
 1. Charged member chapter may ask questions;
 2. IFC Justices may ask questions;
 - ii. **Presentation of charged member chapter:**
 1. IFC Justices may ask questions;
 - iii. **Calling of Witnesses**
 1. Charged member chapter may ask questions;

2. IFC Justices may ask questions;
- iv. Charged member chapter may give a final statement;
- v. IFC Justices deliberate in closed session to determine findings of responsibility and if necessary, appropriate sanction(s).

Section X. Conflicts of Interest

In the event the IFC Vice President of Judicial Affairs' member chapter is involved in the alleged violation, the highest ranking IFC Executive Board officer, starting with the IFC President, as listed in Article V, Section II of the IFC Constitution, shall serve in his stead.

Section XI. Prohibition on Recruitment Restrictions as a Sanction

The IFC Judicial Board may impose educational and punitive sanctions, as prescribed in the IFC Bylaws, but under no circumstances may it prohibit a Member Fraternity's ability to recruit.

Section XII. Non-Status Sanctions

The IFC Judicial Board may impose sanctions that are punitive and/or educational, but not solely financial and do not restrict recruitment. The following are sanctions that may be imposed by the IFC Judicial Board and/or IFC Vice President of Judicial Affairs (including, but not limited to):

1. Letter of apology
2. Fines
3. Restitution
4. Educational programming
5. Public service to the campus or community
6. Meetings with campus office/departments
7. Loss of social event and/or campus event privileges
8. Loss of eligibility for IFC Awards
9. Censure

Section XIII. Status Sanctions

In the event of an egregious violation, the following are sanctions that may be imposed by the IFC Judicial Board for a specified period of time:

1. Suspension: Loss of IFC voting rights and removal from good standing status, and any additional Non-Status Sanctions.
2. Loss of IFC Recognition: Loss of IFC recognition and its rights and privileges.

When adjudicating a potential violation that may result in suspension/loss of recognition from the IFC for the member chapter, the Judicial Board shall work collaboratively with the inter/national organization and campus.

Section XIV. Duration of Sanctions

Judicial action shall specify the duration and deadlines of any sanctions imposed. After such specified time, if the member chapter has fulfilled the requirements of the sanctions imposed, the member chapter shall return to good standing. In the event the member chapter does not fulfill all of the requirements of the sanctions imposed, the IFC Vice President of Judicial Affairs shall convene a Formal IFC Judicial Board Hearing to determine future course of action.

Section XV. Notification of Findings

Within three (3) business days of any Informal Resolution Hearing or Formal Judicial Hearing, the IFC Vice President of Judicial Affairs shall communicate in writing to the charged member chapter, its inter/national organization, and its chapter advisor, as well as any relevant NDSU administrators, the alleged violation, the findings of the hearing, and any sanction(s) imposed.

The IFC Vice President of Judicial Affairs shall notify the IFC General Body of any sanctions imposed upon a member chapter through any Informal or Formal Judicial Hearing.

Section XVI. Appeals

The IFC Judicial Board's decision is subject to appeal by a member chapter within two weeks of receiving written notification of the decision. Appeals shall be made in writing to the IFC President and shall be made solely on the following grounds or be dismissed:

1. Error in the charge and/or Judicial Board Hearing process that materially affected the outcome.
2. The severity of the sanction did not match the severity of the violation.
3. New information that could not have been discovered prior to the IFC Judicial Board Hearing through the exercise of reasonable diligence.

Sanctions imposed through the Judicial Process shall stand until an appeal is heard.

Section XVII. Non-Status Sanctions Appeals

The IFC Executive Board shall hear appeals for Non-Status Sanctions. The IFC Vice President of Judicial Affairs shall first present the IFC Judicial Board's decision and rationale for its actions.

The appealing member chapter shall then be afforded the opportunity to present its reasoning for seeking a reconsideration of the IFC Judicial Board's actions.

The appealing chapter must be given at least one week's notice of the time, place, and procedure of the appeal hearing.

Any individual from the appealing member chapter serving on the IFC Executive Board shall not participate in the appeal proceedings.

The IFC Executive Board may either dismiss the charge(s) with no sanctions or alter the sanctions imposed by the Formal IFC Judicial Board Hearing.

Any alterations must be approved by at least two-thirds (2/3) of the IFC Executive Board. The decision of the IFC Executive Board shall be final for Non-Status Sanctions.

Section XIX. Status Sanctions Appeals

The IFC General Body shall hear appeals for Status Sanctions. The IFC Vice President of Judicial Affairs shall first present the IFC Judicial Board's decision and rationale for its actions. The appealing member chapter shall then be afforded the opportunity to present its reasoning for seeking a reconsideration of the decision. The appealing chapter must be given at least one week's notice of the time, place, and procedure of the appeal hearing. Upon completion of the member chapter appeal presentation, all representatives of the Member Fraternity shall be dismissed from the meeting, including the member chapter's IFC Representative and Alternate Representative.

The IFC General Body shall first vote on whether to discuss dismissal or alteration of the status sanction, which shall require a two-thirds (2/3) vote. In the event the IFC General Body votes to discuss dismissal or alteration, the IFC General Body shall determine by a two-thirds (2/3) vote to either dismiss the charge(s) with no sanctions or to alter the sanctions imposed. If a two-thirds (2/3) majority cannot be achieved for dismissal or alteration of the sanctions, the initial sanctions will remain in place.

The decision of the IFC General Body shall be final with no further appeal rights.

2024-25 ANNUAL SECURITY REPORT

PERSONAL SAFETY + SECURITY

INCLUDING

ANNUAL FIRE SAFETY REPORT FOR NDSU
RESIDENCE LIFE HOUSING FACILITIES

+ FOR ANY EMERGENCY
REQUIRING IMMEDIATE
POLICE, AMBULANCE
OR FIRE DEPARTMENT
SERVICE—**DIAL 911.**

NDSU NORTH DAKOTA
STATE UNIVERSITY

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important phone numbers

Counseling Center:.....	231-7671
Dean of Students:.....	231-7701
Disability Services:.....	231-8463
Employee Assistance Program (The Village):.....	1-800-627-8220
Escort Service:.....	231-8998
Equal Opportunity and Title IX Compliance:.....	231-7708
Facilities Management:.....	231-7911
Fargo Police (non-emergency):.....	451-7660
Financial Counseling (The Village):.....	1-800-627-8220
Fire Department:.....	911
Hazardous Materials:.....	231-7759
Memorial Union (reservations and event services):.....	231-8241
Parking Office:.....	231-5771
Poison Control:.....	1-800-222-1222
Rape and Abuse Crisis Center:.....	293-7273 (available 24 hours)
Registration and Records:.....	231-7981
Residence Life:.....	231-7557
Safety Office:.....	231-7759
Student Health Service:.....	231-7331
Student Success Programs:.....	231-8379
University Police:.....	231-8998
University Relations:.....	231-1068
Workers Compensation Claims Specialist:.....	231-9587

TO NDSU STUDENTS, FACULTY, STAFF AND GUESTS



Whether you have been a part of North Dakota State University for many years or if you are new to our community, I hope you will take time to read this annual security report. It provides an understanding of our commitment and efforts to provide a safe and secure campus for you to learn, live, work, and be a guest, and, if needed, how to respond for your personal safety and security.

The NDSU University Police and Safety Office is the lead institutional unit responsible for providing the appropriate level of response on the campus for safety and security needs. The University Police Communications Call Center is staffed 24/7 to receive and dispatch calls for both armed law enforcement response and coordination of other local and regional emergency services.

Mass notifications are sent utilizing the NDSU Campus Emergency Notification Systems, designated to provide timely warnings and immediate notifications transmitted by the University Police Communications Call Center. These systems may include personal cell and home phones, campuswide email alerts, emergency alert service messaging on cable TVs operated within the NDSU system, and broadcast alerts to NDSU telephone voice mail.

Each of us also has a responsibility for our own personal safety and security on the NDSU campus. Your review of this annual security report information is one step you can take to help us all demonstrate a resolve on matters of safety and security. I encourage you to retain access to it and review it often.

Have a safe and successful year!

A handwritten signature in black ink that reads "D. Cook". The signature is stylized and written in a cursive-like font.

Dr. David Cook
NDSU President

ALCOHOL + DRUGS POLICY

University Policy on the Use of Alcohol and Other Drugs by Students and Employees

The ND State Board of Higher Education (SBHE Policy 918) prohibits the possession, sale, service, use or consumption of alcoholic beverages upon land or in buildings owned by the board or its institutions, except as authorized by the institution's president. NDSU complies with and supports the North Dakota State Board of Higher Education policy governing alcohol use on campus, the Drug Free Workplace Act of 1988, Public Law 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226 and 2 CFR § 182.215.

For the complete State Board of Higher Education policy see www.ndsu.edu/board/policies, policy number 918 "Alcoholic Beverages."

The university prohibits the unlawful or unauthorized use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in university buildings, any public campus area, in university housing units, in university vehicles, or at any university affiliated events held on or off-campus, which are sponsored by students, employees and their respective campus organizations (including all fraternities and sororities). For NDSU employees, compliance with this policy is a term and condition of employment. For NDSU students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational recognition. The University Police is responsible for enforcement of underage drinking laws and the enforcement of federal and state drug laws.

The university recognizes that chemical dependency and chemical abuse are concerns that can impact both academic success and work performance and there are assistance programs available to help individuals experiencing problems. When appropriate, NDSU personnel may refer students to the NDSU Counseling Center or to agencies outside of NDSU for evaluation and/or treatment for alcohol or other drug-related problems. As part of their benefit package, employees may access services through the Employee Assistance Program provided by The Village. Call The Village at 1-800-627-8220. Employees also can access online resources at villageeap.com.

Additional alcohol and other drug prevention information, including information on health risks of alcohol and other drug abuse and applicable federal, state and local laws, is available through Student Health Service Prevention Programming.

For the complete text of the policy see www.ndsu.edu/fileadmin/policy/155.pdf.

THE NDSU POLICE AND SAFETY OFFICE

The North Dakota State University Police Department is the official law enforcement authority for the University. The department's enforcement authority is authorized by North Dakota Century Code 15-10-17.2 and the State Board of Higher Education (SBHE Policy 916). The NDSU police staff of sworn officers complies with all standards established by the North Dakota Peace Officers Standards and Training (POST) Board, and as such are armed, licensed police officers with full arrest power. In addition to enforcing local, state, and federal laws, University Police Officers also enforce University Policy. NDSU has no current Memorandum of Understanding with the City of Fargo Police Department, but NDSU can contact Fargo PD for the investigation of criminal incidents if the situation warrants. NDSU

Police jurisdiction is limited to all property owned or leased by the State Board of Higher Education and property on and within the boundaries of the intersection of Nineteenth Avenue North and Dakota Drive North south to Eighth Avenue North, Eighth Avenue North east to Tenth Street North, Tenth Street North north to Nineteenth Avenue North, Nineteenth Avenue North west to Dakota Drive North. The University Police and Safety Office also employs two full time Public Safety Officers (PSOs). The primary duties of the PSO's are to conduct security checks on NDSU buildings and grounds, report suspicious activity to law enforcement, and to provide safety and security assistance to students, faculty, and staff.

REPORTING CRIME OR EMERGENCIES

Community members, students, faculty, staff, and guests are encouraged to accurately and promptly report all crimes and public safety related incidents occurring on the core NDSU campus and all properties owned or leased within the City of Fargo including Renaissance Hall, Barry Hall, and Klai Hall to the University Police in a timely manner by calling 701-231-8998 or by stopping at the University Police and Safety Office located at 1523 12th Avenue N. Crimes should be reported if the victim elects to, or is unable to make such a report, such as the victim is unconscious or otherwise incapacitated. In addition, there are numerous Blue Light phones around the campus (see map on back inside cover for locations) that automatically ring to the University Police Communications Call Center when the emergency button on the phone is activated. Users can communicate directly with a Call Center operator and their location is digitally displayed to the operator. Crime tips can be text messaged to the University Police Communications Call Center using the Text-a-Tip line at 701-526-6006. All crime victims and witnesses are strongly encouraged to immediately report the crime to the University Police. Prompt reporting will assure timely warning notices on-campus if warranted and timely disclosure of crime statistics. Victims of sexual misconduct or people who wish to report sexual misconduct may contact the Title IX Coordinator, Laura Oster-Aaland, at 701-231-7708 or ndsu.eoaa@ndsu.edu. Please note that these individuals cannot guarantee confidentiality. For a list of confidential resources, please refer to the Confidential Reporting section below.

In response to a call, the University Police Communications Call Center will take the required action, either by dispatching an officer to the caller's location or asking the caller to report to the University Police Department to file an incident report. The University Police may conduct an investigation and, if applicable, forward the information to the Title IX Coordinator or approved deputy. If assistance is required from the Fargo Police Department or the Fargo Fire Department, the University Police Communications Call Center will contact the appropriate unit. Off-campus crimes in Fargo should be reported to the Fargo Police Department at 701-451-7660. In emergency situations, law enforcement agencies can be reached by dialing 911.

CONFIDENTIAL REPORTING

The NDSU Police encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Due to North Dakota open records laws, reports made to the University Police cannot be guaranteed to be kept confidential. Confidential reports for the purposes of inclusion in the annual disclosure of crime statistics can generally be made to other NDSU campus

security authorities. Confidential reports without any individually identifying information are included in the university's annual crime statistics. Confidential access to resources, reporting options, services, and advocacy is available on campus through:

NDSU COUNSELING CENTER | 701-231-7671
(available by phone 24 hours a day)
Ceres Hall 212

STUDENT HEALTH SERVICE | 701-231-7331
Wallman Wellness Center 102

**SEXUAL ASSAULT PREVENTION AND ADVOCACY
COORDINATOR (SAPA) | 701-231-5733**
Wallman Wellness Center 114

OMBUDSPERSON | 701-231-5114
Library 20C

RELATIONSHIP WITH LOCAL LAW ENFORCEMENT

The NDSU Police Department maintains a close working relationship with other state, local, and regional law enforcement agencies in North Dakota and Minnesota, and are part of formal and informal meetings with these agencies. Members of the University Police formally serve on the board of directors of the Red River Regional SWAT and Bomb Squad, the board of the Fargo Regional Law Enforcement Training Center, and meet regularly with the local/regional law enforcement agency heads including law enforcement officials and prosecutors from state, city, county, and federal law enforcement jurisdictions.

MONITORING AND RECORDING CRIMINAL ACTIVITY OF NON-CAMPUS STUDENT ORGANIZATIONS

NDSU does not have any officially recognized non-campus student organizations other than fraternities and sororities. If local law enforcement is called to one of these locations, NDSU Police may be notified and asked to assist, or NDSU Police may be notified after the other agency has responded. However, local law enforcement notification to the NDSU Police is done out of courtesy and is not required. The Fargo Police Department also shares information with the University Police regarding incidents occurring off campus in the areas surrounding NDSU. NDSU also may be provided copies of Fargo Police reports involving non-campus student behavior from anywhere in the City of Fargo when the individuals involved have been identified as NDSU Students. If NDSU interests are involved, student conduct processes may be

initiated through Dean of Students Office and/or Department of Residence Life. Inappropriate/criminal student behaviors that occur off campus in association with university-sponsored, or university-affiliated group sponsored events will be reported and processed the same as incidents occurring on the NDSU campus. In addition, the university routinely processes off-campus reports involving alcohol, drugs, and violence when reported to NDSU by any area law enforcement agencies or other North Dakota University System colleges or universities.

SECURITY AND ACCESS OF UNIVERSITY FACILITIES

The central campus of NDSU encompasses 2,100 acres. There are more than 80 major buildings at NDSU open to students, faculty, staff, and the public during normal working hours. Access is limited in the evenings, on holidays and weekends. With the exception of events that are open to the general public, the University's facilities and programs are generally reserved for accomplishing the objectives and programs of the University. Visitors and non-University affiliated groups seeking to utilize University facilities are expected to make prior arrangements with the appropriate University office. NDSU reserves the right to deny access to facilities, services, and campus grounds to people or groups who do not meet/or comply with appropriate guidelines.

SECURITY ANNEX: SECURITY AND ACCESS IN UNIVERSITY HOUSING

NDSU has a number of residence halls as well as single and family student apartments. Each residence hall is staffed by a professional hall director and student resident assistants (RAs) who reside on each floor. The ratio of RAs to students is approximately one for every 35 students. University apartments are staffed with complex managers.

All university residence life staff receive training on security measures and emergency/crisis management. Residence hall staff inform residents of safety and security information via handbooks, floor meetings, and programming in the halls. Staff members work closely with University Police in maintaining security in all residence halls and apartment units and in dealing with situations that affect the safety of residents.

Residence hall outside doors are locked 24 hours a day. Residence hall offices are staffed three hours a day. All guests must be escorted by a resident of the hall at all times. Staff members check the residence halls each evening to ensure the security of the buildings and residents.

Each individual room/suite door in the residence halls is equipped with a dead bolt or anti-pick lock. Dead bolt locks have been installed in university apartments. Apartments are equipped with door viewers. Key security is a high priority. Residents are encouraged to report lost or missing keys immediately so that a cylinder change can be initiated.

All residence halls are equipped with NDSU ID Card access. Residents are encouraged to report lost NDSU Cards immediately. A new picture ID should be obtained as soon as possible.

MAINTENANCE OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. NDSU PD regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management (701-231-7911) for correction. Other members of the university community are helpful when they report equipment problems to University Police (701-231-8998) or Facilities Management. A safety walk is conducted annually with members of the University Police Department, Facilities Management, and Student Government where lighting and landscape issues as well as other safety concerns are identified.

SAFETY EDUCATION/CRIME PREVENTION PROGRAMS

NDSU is committed to providing a reasonably safe and secure campus environment in conjunction with individuals exercising reasonable personal safety and security practices. Educational programs and procedures are utilized at NDSU to support individuals in this effort. These programs encourage students and employees to be responsible for their own security and the security of others.

In 2023, the University Police conducted training sessions in personal safety and multi-hazard response, alcohol risk and mitigation, active shooter response, and narcotics. The University offers Rape Aggression Defense (RAD) training yearly. This is a comprehensive self-defense course for women that begins with awareness, prevention, risk reduction, and avoidance, while progressing on to the basics of hands-on defensive training. Members of the NDSU Police will present programs on safety awareness, crime prevention and general security when requested by student, staff or faculty groups. Other topics for presentations include harassment, violent behavior, suspicious mail or packages, bomb threats, evacuations plans, and fire safety. To request a presentation please call 701-231-8998.

The Sexual Assault Prevention and Advocacy Coordinator and the NDSU Title IX Coordinator offer training each year in sexual violence prevention, sexual assault prevention and awareness, and sexual harassment. All new students are required to attend the "We Take A Stand" workshop, which focuses on sexual assault, relationship violence, stalking and how all NDSU students can take part in making the campus community safer. Equal Opportunity and Title IX training are required of all NDSU employees.

The Safe Zone program also educates people about sexual orientation and gender identity/expression. They offer three levels of training.

Level 1: Becoming an Ally provides basic information about sexual orientation and how to become an ally for someone who identifies as lesbian, gay, bisexual, transgender or queer.

Level 2: Gender Identity/Expression explores in greater depth the experiences of those who identify as transgender.

Level 3: Upstander helps allies to further their skills as allies and encourages allies to move from being passive bystanders to Upstanders within our campus and community.

Community of Respect seminar's objective is to teach individual participants about cultural differences and to encourage them to think critically about the impact of their cultural values in their relationships with others. The curriculum is organized into four separate modules with distinct learning outcomes outlined in each.

Module 1: Cultural and Cultural Diversity is a self awareness learning experience that explores the fact that everyone has cultural values. The learning outcomes of Module 1 will lead participants to:

- Identify their own culture
- Be able to articulate how their culture differs from others
- Understand the trouble with stereotypes
- Learn about how to overcome unconscious bias.

Module 2: Redefining Diversity is an interactive session that focuses on three primary learning outcomes:

- Increasing awareness of one's unconscious biases
- Looking at diversity through a new lens
- Exploring one's own identity through self-reflection.

Module 3: Microaggressions is focused on the following learning outcomes:

- Understanding microaggressions and their impact
- Relating personal experiences about microaggressions
- Recognizing and addressing microaggressions.

Module 4: Confronting Bias addresses the ways in which people can positively confront bias when they see it, including:

- Bystander effect
- How to be an Upstander
- Examples and scenarios for being an Upstander.

CAMPUS SAFETY ESCORT SERVICE

The campus safety escort service is provided by the University Police and Safety Office as a personal safety and security service for NDSU students and employees. Escorts are conducted by NDSU police officers and/or public safety officers on duty. This service is available 24 hours a day, 7 days a week by calling 701-231-8998, and serves NDSU facilities and locations in the immediate vicinity of NDSU's responsibilities.

CAMPUS EMERGENCY NOTIFICATION SYSTEMS (CENS)

FOR TIMELY WARNING AND IMMEDIATE NOTIFICATIONS

NDSU utilizes a number of redundant emergency notification systems that comprise NDSU CENS. These methods of communication include the *NDSU-CAMPUS-ALERT@LISTSERV* for official email notification to all current students and employees, communications sent through the Assurance NM system to registered cellphone and/or landline phones, and website homepage messages.

NDSU CENS is an essential tool employed to comply with the federal Clery Act requirements for "Timely Warnings" and "Immediate Notifications." Monthly testing of the systems is conducted by the University Police Communications Call Center the first Wednesday of each month at 2 p.m.

Using the National Incident Management System (NIMS) of response and command in conjunction with local and regional emergency response services, NDSU Crisis Management Response Plan (NDSU CMRP) provides written authorization for the 24/7 University Police and Safety Office Emergency Response Team (UP&SO ERT) personnel to make decisions and act on behalf of NDSU. This authorization also includes confirmation of a timely warning or immediate notification communication, preparation, and approval of communication to be sent by the 24/7 University Police Communications Call Center.

Timely Warnings are usually issued for Clery Act reportable UCR/ NIBRS crimes occurring in the NDSU reportable geographic area, but may be issued for other crime classifications deemed appropriate and meeting the following criteria:

- Reported by the public, campus security authorities or law enforcement agencies to the NDSU University Police,
- Are considered by the director, University Police and Safety Office, or designated department command authority in director's absence, to represent a confirmed serious or continuing threat to students, employees and/or property, and
- Information release will not compromise law enforcement efforts.

Reports are considered on a case-by-case basis, and, depending on the facts of each case and information reported, a Timely Warning may be issued.

NDSU PERSONAL SAFETY AND SECURITY ASSIST

Connect to NDSU Police with Personal Safety and Security Assist. The service is available 24/7 on or off campus so we can help you reach your destination safely.

NDSU Personal Safety and Security Assist is a service of the University Police and Safety Office that uses a smartphone security app called Pathlight®. With the app on your smartphone, you can enhance your safety by entering your destination and estimated travel time. The app allows NDSU Police to quickly respond to you in the event of an emergency, or it will alert a dispatcher if you don't arrive within the time you allotted. You also can send a silent alarm to the dispatcher with the swipe of a finger if you feel threatened. The app only monitors you when you want it to; if you don't open and activate Pathlight, it cannot be used to determine your location. Regardless of what you're doing, a responding officer's primary concern will be your safety.

NDSU Personal Safety and Security Assist complements NDSU's in-person Campus Safety Escort Service. Details are available at www.ndsu.edu/besafe.

Timely Warnings issued under this procedure will be handled using the *NDSU-CAMPUS-ALERT@LISTSERV* email system. If deemed appropriate by the director, or designated department command authority in absence of the director, other redundant systems of the NDSU CENS also may be utilized, along with other information means such as calling trees, postings on facilities, website postings, etc.

As available pertinent information permits, the timely warning may identify date and time of the incident plus location, nature of crime and suspect descriptions. Information promoting safety that may aid individuals to protect themselves will be included in the warning. If not all pertinent information is available at the warning time, additional warnings may be issued as information becomes available.

Timely Warnings issued under the Clery Act do not require maintaining confidential reporting of crimes. Although personally identifiable information is generally precluded from disclosure under the Family Educational Rights and Privacy Act (FERPA), this information may be released in an emergency situation. The names of all victims will be held confidential.

Upon expiration of the notification of a Timely Warning, or when deemed by the university that the notification may be discontinued, a campus wide follow-up notification may be sent through the NDSU CENS utilizing the *NDSU-CAMPUS-ALERT@LISTSERV* email system.

Immediate Notifications are issued for a confirmed emergency or dangerous situation posing an immediate threat to health or safety of someone on campus or significantly disrupting programs and activities.

An emergency or dangerous situation may be reported by a variety of means to the 24/7 University Police Communications Call Center, with the initial report established as the "incident," and triggering response operations of the University Police to include NDSU CMRP when appropriate.

Confirmation of a significant emergency or dangerous situation must be made by either the director, University Police and Safety Office or the designated department command authority in absence of the director in conjunction with activation of the 24/7 UP&SO ERT.

Upon confirmation of an emergency or dangerous situation requiring an Immediate Notification, the director, University Police and Safety Office, or designated department command authority will, without delay, and taking into account the safety of the campus, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency or dangerous situation.

Approval of the message must be authorized by the NDSU president, or a member of the president's cabinet, director of University Police and Safety Office, designated representative of these officials, or as authorized in the NDSU CMRP.

An Immediate Notification will only be transmitted through the 24/7 University Police Communications Call Center. All segments of the campus will be notified when there is at least the potential that a very large segment of the campus will be affected by a situation or when a situation threatens operation of the campus as a whole. Immediate Notification also may be sent to only a segment of campus, or by some of the NDSU CENS systems, if in the professional judgment of responsible authorities these actions will provide for safety and security of the campus, while meeting objectives of notification requirements. Isolated situations and/or time of day for notifications are examples of using only a segment of campus and/or some of the NDSU CENS in these situations.

If an event occurring on the NDSU campus may impact the community surrounding the campus NDSU officials will work with local law enforcement and media to notify the larger community when deemed appropriate.

EMERGENCY RESPONSE

The NDSU community is encouraged to notify the NDSU Police at 701-231-8998 of any situation or incident on campus that may involve a significant emergency or dangerous situation that poses an immediate or ongoing threat to the health and safety of university members. The University Police and Safety Office is charged with responding to reported incidents in order to determine whether the incident, in fact, presents a threat to the community and requesting other resources necessary to investigate, mitigate or document the situation. NDSU works in close collaboration with agencies and departments both on and off campus to gather and assess information related to events that may pose an immediate threat or hazard to the University.

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, NDSU will immediately notify the campus community to communicate vital information as quickly and efficiently as possible in order to provide the greatest safety for our students, faculty, staff, and visitors.

In all cases, University emergency responses shall place primary emphasis on the protection of human life, and all reasonable efforts shall be made to protect and preserve University property.

As part of the NDSU CMRP process, assessment of the situation and changes in notifications plus follow-up information also may create need for additional activation of part or all of NDSU CENS, to all or some segments of campus. NDSU also may utilize other means of disseminating information on the emergency or dangerous situation to include NDSU's Web page. In certain circumstances, such as inclement weather, the clearance date/time may be included as part of the initial message.

Once an emergency or dangerous situation has been cleared, an Immediate Notification to all segments of the campus involved in the notification will be sent by the University Police Communications Call Center via the NDSU CENS as appropriate.

CENS PARTICIPATION

NDSU Policy 721 mandates that all NDUS employees (including all student employees, both undergraduate and graduate) must participate in the emergency notification system. All students must also participate in the emergency notification system and are required to do so during registration or as otherwise provided under an institution's emergency notification system policy or procedure.

Employees who need to update their emergency contact information can do so in PeopleSoft HRMS Self Service. Once logged in to Self Service, open the Personal Details section, then the Contact Details section. Once you have authenticated the log in request, you can update and save changes to your personal contact number(s). At least one phone number must be populated in either the home, personal cellular, or work cellular field. All numbers populated in any of those three fields will be called in the CENS process.

Students, including student employees needing to update their emergency contact information can do so on Campus Connection. Once logged on, choose the profile tab, then select Emergency Notification. Only one contact number, whether home or cellular phone, is available for student entry.

INDIVIDUAL RESPONSIBILITIES

In addition, every member of the NDSU campus community also has a role and responsibility in prevention, protection, mitigation, response, and recovery components of an inclusive emergency management plan. All students, staff, and faculty are expected to be familiar with emergency procedures required by campus or department policies.

STUDENTS

GENERAL RESPONSIBILITIES:

Students are responsible for being situationally aware of their surroundings and familiar with building evacuation routes, exits, and the nearest faculty, staff, and/or residence hall personnel. In the event of an emergency, they are responsible for watching and/or listening for and following directions provided by the emergency responders and/or university staff and providing any information that may be useful in dealing with an incident.

If students have functional needs that can prevent them from safely responding to a hazard, it is their responsibility to identify themselves prior to an emergency to the NDSU Disability Services as an individual who will require additional assistance during an emergency. Students with functional needs are also encouraged to inform faculty and/or classmates of their needs to ensure they have the support necessary during an emergency.

STUDENT ROLES IN AN EMERGENCY:

Students involved in an emergency should assess a situation quickly and thoroughly, and use their best judgment when determining how to respond. If directly involved in an incident, students should contact the University Police and Safety Office as soon as possible, show officers or other emergency responders where the incident occurred, and provide an requested information. If an evacuation of a campus building or area is necessary, students should evacuate the building in an orderly fashion and follow directions from emergency responders, department safety coordinators, faculty and staff.

FACULTY/STAFF

GENERAL RESPONSIBILITIES:

University faculty and staff are considered leaders and must be prepared to provide leadership in emergency situations. Faculty and staff should understand department emergency and building evacuation procedures in areas where they work and teach. Faculty and staff may be the first at the scene of an incident and are responsible for following standard response procedures and contacting the appropriate individuals.

FACULTY/STAFF ROLES IN AN EMERGENCY:

Faculty and staff involved in an emergency should assess a situation quickly and thoroughly, and use their best judgment when determining how to respond. Faculty and staff should follow campus and department emergency procedures to report emergencies as required. If evacuation of a campus building or area is necessary, faculty and staff are expected to exercise authority and provide assistance as needed to facilitate the evacuation.

Faculty and staff must be aware of anyone who may need additional assistance during an emergency, and should assist the individual if they can safely do so. If they cannot safely assist the individual with functional needs, then they must inform first responders of the situation in a timely manner.

EMERGENCY EVACUATION PROCEDURES

It is recommended that all employees and students review and become familiar with the emergency evacuation procedures annually, or whenever there are plan or facility design/occupancy use changes. It is recommended that departments pre-determine designated assembly points, direct occupants to those locations and prevent re-entry to the facility (prevention of re-entry to anyone except emergency personnel ensures the protection of life and property – university and personal property). Evacuation plans in residence halls are tested each semester in the form of a fire drill. All Group A Assembly buildings, as identified by the International Fire Code, on the NDSU campus also test their evacuations plans in the form of a fire drill annually. The University conducts or participates in an emergency response exercise each year, such as a table top exercise or a live test, and tests the emergency notifications systems on campus. Tests of the systems may be announced or unannounced and are designed to assess and evaluate the emergency plans and capabilities of the university. Information about the emergency response and evacuation procedures are publicized yearly via an email message to the campus in conjunction with at least one test per calendar year.

EVACUATION PROTOCOL

- Building evacuations will occur when an alarm sounds continuously and/or upon notification by emergency personnel or by University Police.
- If necessary or if directed to do so by a designated emergency official, activate the building alarm. Call 911 and University Police at 231-8998.

- Do not use elevators during an emergency evacuation. Emergency response personnel may use an elevator for evacuation after review of the circumstances.
- Everyone must exit the building quickly and proceed in an orderly manner to the designated emergency assembly point as predetermined by each department. Be alert and pay attention to what is happening around you. If the first designated area of evacuation is inaccessible, proceed to a designated secondary location as predetermined by each department.
- Check doors for heat before opening. Do not open door if it is hot.
- Choose an assembly location comprised of an open space, with easy access from your building and/or capable of holding all of your department's occupants safely.
- Emergency assembly points should be at least 50 feet from buildings.
- Avoid assembly locations where emergency personnel will respond, such as roadways, parking lots, near fire hydrants, or obstructing fire department connections.
- Remain at the designated assembly point until someone takes roll call and further instructions are provided by emergency personnel or University Police. Do not leave the area.
- Do not re-enter an evacuated building until instructed to do so by an official or selected monitor.
- Assist individuals with disabilities:
 - Be aware of persons in the building who may need assistance. Be prepared to render assistance if necessary or as the situation warrants. If unable to directly assist a person with disabilities, ask the individual to wait at the nearest exit for assistance from official emergency personnel.
 - Individuals with disabilities are responsible for knowing how they want to be helped during an evacuation. They are asked to convey this information to their instructors within the first week of each semester or to their work supervisors within the first week of employment.
 - Guests of the university and campus visitors should also inform the university employee/student with whom they are dealing of their need for evacuation assistance.

SHELTER-IN-PLACE PROCEDURES

During certain emergency situations and some weather emergencies, you may be advised to “shelter-in-place” rather than evacuate or leave the building. If there is an emergency that is a risk to the public, your local officials will notify you by radio, TV, or telephone. The outdoor warning sirens may be activated. If you hear the sirens, go inside and tune to a local radio or TV station. Shelter-in-place is likely to be used in circumstances in which there is not enough time for evacuation to occur, or evacuation creates an increased safety risk. Examples may include a hazardous material release or a public health issue. The safest action in these situations is to shelter-in-place while listening for further instructions.

The following are guidelines to be followed:

- Listen to the local radio, television stations, or CENS for detailed information and instructions. Follow the instructions carefully. Stay away from the area to minimize risk of injury or contamination.
- Stay inside the building.
- Do not go outside to investigate.
- Bring pets/animals inside if practical.
- Close and lock all exterior doors and windows. Close vents, fireplace dampers, and as many interior doors as possible.
- Turn off air conditioners and ventilation systems to 100 percent recirculation so that no outside air is drawn into the building. If this is not possible, ventilation systems should be turned off (including heating and air conditioning).
- Seal the room by covering each window, door and vent using plastic sheeting and duct tape.

- Use material to fill cracks and holes in the room, such as those around pipes.
- Gather essential disaster supplies, such as nonperishable bottled water, battery powered radios, first aid supplies, flashlights, batteries, duct tape, plastic sheeting, and plastic garbage bags.
- If in a vehicle:
 - Close all windows and shut all manual vents.
 - Turn off ventilation system.
 - Tune in the radio for emergency information.

There may be times when there has been no notice but you still need to take action. Take immediate action if you:

- Hear a strange sound like an explosion.
- See a vapor cloud.
- Smell a strange odor.
- Feel nauseous or have burning eyes.

FIRE SAFETY

Preparing for emergencies well in advance is one of the most effective ways to deal with potential disasters. In the case of a fire, knowing the steps to take can minimize problems.

STEPS TO FOLLOW IF YOU SEE A FIRE:

- Activate the nearest fire alarm.
- Alert the fire department by calling 911 from a safe phone. Give your name, address, location, and the extent of the fire.
- Calmly alert people in the building and evacuate the building by following exit signs. Do not use elevators. Non-ambulatory individuals needing assistance with evacuation should wait for professional assistance at designated areas in the building (see Evacuation Protocol section).
- Remain outside the building at a safe distance.
- Meet police or fire personnel upon arrival to direct them to the fire.
- Remain at the designated assembly point until someone takes roll call and further instructions are provided by emergency personnel or University Police. Do not leave the area.

STEPS TO FOLLOW IF YOU ARE CAUGHT IN A FIRE:

- Remain calm.
- Before opening the door, feel it with the back of your hand. If it is hot:
 - Do not open the door.
 - Open the windows. If possible, lower the top half of the window to let out heat and smoke and raise the lower half to let fresh air in.
 - Seal cracks around the door with towels, linens, or clothes. Soak these items in water if possible.
 - To attract attention, hang objects out of the window and shout for help.
 - Keep low to the floor. Take short breaths to avoid inhaling smoke. Place a wet towel over your nose and mouth. Keep your head six to eight inches off the floor.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

North Dakota State University does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, North Dakota State University issues this

- If the door is not hot, brace yourself against the door and open it slowly. If hot air or fire rushes in, close the door and follow the steps above.
- If you can leave, close all doors behind you and proceed to the nearest safe exit. Leave the building and stand clear of the fire. Help direct police and fire personnel when they arrive.

NDSU offers online fire extinguisher training (in Vector LMS in the General Safety section of the Extra Training link located in the main menu of the Vector homepage), and fire extinguisher training is provided to Resident Assistants annually. Other fire safety training can be provided upon request to the Safety and Compliance Specialist with the University Police and Safety Office by calling 701-231-5637.

The NDSU Emergency Action Guide is a poster that can be printed and hung in any room to offer guidance in a possible evacuations situation. The guide can be found online at www.ndsu.edu/fileadmin/policesafety/docs/Emergency_Action_Guide_Poster.pdf.

MISSING STUDENT NOTIFICATION

If a member of the NDSU community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify University Police at 701-231-8998. The University Police will initiate an investigation and generate a missing persons report. A missing student is defined as a person currently enrolled at NDSU, whose whereabouts have been unaccounted for by law enforcement for more than 24 hours. When a student becomes the subject of a missing persons report, NDSU will initiate the Missing Persons Notification (NDSU Policy 610) in accordance with the student's designation. Contact will be made no more than 24 hours after the student is determined by University Police or other appropriate law enforcement agency to be missing.

Students residing in NDSU owned and operated facilities have the option to designate an individual to be contacted in the event the student is determined by NDSU Police or appropriate law enforcement agency to be missing. This contact may be the same or different than the emergency contact information provided in the student's Campus Connection account. Students may register this confidential contact information with the Department of Residence Life. In the event a student is eligible to, but has not previously identified a missing person's contact, NDSU will notify the individual identified in the student's Campus Connection account as the emergency contact. If the student is under the age of 18 and an emancipated adult, NDSU is required to notify a custodial parent or guardian, in addition to any contact person specifically designated by the student.

statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, North Dakota State University prohibits the offenses of domestic

violence, dating violence, sexual assault, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of North Dakota State University's policy governing sexual and gender-based harassment and sexual misconduct, visit www.ndsu.edu/fileadmin/policy/162.pdf.

A. EDUCATION AND PREVENTION PROGRAMS

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

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Educational programming consists of primary prevention and ongoing awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of North Dakota and the definition of consent found in NDSU Policy 162.
- Provides a description of safe and positive options for bystander intervention. 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;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations and distribution of educational materials to new students, including We Take a Stand training. NDSU also offers online VAWA training for all new employees and Equal Opportunity/Title IX training.

B. PROCEDURES FOR REPORTING A COMPLAINT

The University has procedures in place that serve to be sensitive to those 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 the NDSU Police or local law enforcement.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at the NDSU Student Health Service, or at Sanford or Essentia Hospitals where they offer physical evidence recovery collection and have sexual assault nurse examiners. In North Dakota, evidence may be collected even if you chose not to make a report to law enforcement. 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 disease. 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 hearing processes/investigators or police. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying the University Police or the local police if they so desire. The University Police may also be reached directly by calling 701-231-8998, or in person at the University Police and Safety building, 1523 12 Ave N. The Fargo Police Department may be reached by calling 701-451-7660, or in person at 105 25 St N. Additional information about the Fargo Police Department may be found online at: fargopolice.com.

REPORTING SEXUAL HARASSMENT, GENDER-BASED HARASSMENT OR SEXUAL MISCONDUCT

All students, employees, and third parties are strongly encouraged to promptly report any incidents of sexual harassment, gender-based harassment, or sexual misconduct that they experience and/or observe to the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office.

Any person (student, employee, or third party) having a complaint under this policy (NDSU Policy 162) should submit a completed complaint form available online at www.ndsu.edu/equity/filing_a_report_or_complaint/ or by contacting the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office is available to assist with completing the Complaint Form as needed.

Anyone who would like to file a sexual harassment, gender-based harassment, or sexual misconduct complaint against a student or student organization also has the option of filing the complaint with the Dean of Students Office, Old Main 100, NDSU Main Campus, 701-231-7701. Complaints filed against a student or student organization will be resolved in coordination with the Dean of Students Office. If a complaint against a student or student organization will be resolved through formal resolution, a hearing, and any appeal, will be administered by the Dean of Students Office,

in coordination with the Equal Opportunity and Title IX Compliance Office, under the procedures found in Policy 601: Rights and Responsibilities of Community: A Code of Student Conduct.

All students, employees, and third parties may also report incidents of sexual misconduct to law enforcement, including on-campus and local police. Reporting parties who choose to notify law enforcement will be provided the assistance of the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office in contacting these authorities if the individual wishes. Reporting Parties may also decline to notify law enforcement of incidents of sexual misconduct.

Reports of sexual misconduct made to University Police will automatically be reported to the Title IX Coordinator regardless of whether the individual who experienced the sexual misconduct chooses to pursue criminal charges.

Disclosures to licensed clinical and/or mental health professionals acting in their professional role in the provision of services are not subject to the mandatory reporting requirements. These employees include physicians, psychologists, nurses, counselors, and those performing services under their supervision. These individuals are encouraged to provide students or employees with information and guidance regarding university reporting options and available resources but will not report or otherwise refer instances of sexual harassment/misconduct to university administrators without the student or employee's express permission. This does not preclude these individuals from their reporting responsibilities under the Clery Act.

Anonymous reporting - NDSU students and employees may report incidents of sexual harassment, gender-based harassment, or sexual misconduct anonymously. NDSU may be limited in its ability to respond to a report if it is submitted anonymously. Additionally, in very limited circumstances, NDSU may need to take action to learn the identity of an individual who submitted an anonymous report. For more information, see www.ndsu.edu/equity/filing_a_report_or_complaint/.

NOTICE OF MANDATORY REPORTING RESPONSIBILITIES

It is the responsibility of the entire university community to foster a safe, healthy, and non-discriminatory learning, living, and working environment that is free from sex discrimination of any kind. NDSU employees have specific responsibilities when they observe discrimination or receive a report of discrimination. NDSU employees must not dissuade an individual (or group) from providing them with a report of discrimination but should inform the individual (or group) of their mandatory reporting responsibilities as described below.

- Observance of sexual misconduct – All NDSU employees who observe any form of sexual misconduct must notify the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office.
- Report of sexual misconduct – All NDSU employees who receive a report of sexual misconduct involving a student must contact the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office. NDSU supervisors, managers, department heads, deans, directors, or administrators who receive a report of discrimination involving employees must document the report and contact the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office.

To comply, NDSU employees must within three business days notify the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office. Employees are encouraged to complete and submit an NDSU Sexual Misconduct Report Form (Report Form)

to the Title IX Coordinator or the Equal Opportunity and Title IX Compliance Office. The Report Form is available online at ndsu.edu/equity/filing_a_report_or_complaint/ or by contacting the Equal Opportunity and Title IX Compliance Office in Suite 201, Old Main, NDSU Main Campus, 701-231-7708, ndsu.eoaa@ndsu.edu. The Equal Opportunity and Title IX Compliance Office can assist with completing the Report Form as needed. The Equal Opportunity and Title IX Compliance Office is the official university record holder for documentation under this policy.

Upon receipt of a report of a violation, NDSU will initiate its complaint procedures under either Policy 156 or Policy 156.1.

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. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with University Police or other law enforcement to preserve evidence in the event that the victim changes his/her mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, on the next page are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report.

C. ASSISTANCE FOR VICTIMS: RIGHTS AND OPTIONS

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, dating violence, domestic violence, and stalking and will provide each victim with a written explanation of their rights and options.

INTERIM MEASURES

Upon receipt of a complaint or as otherwise informed of sexual harassment, gender-based sexual harassment, or sexual misconduct NDSU will, where appropriate, take interim measures to stop, prevent, and remedy the harm to those affected by the prohibited conduct. Interim measures are intended to be protective and/or remedial for one or both parties, and may be temporary or permanent and may be modified by the University as circumstances change.

Interim measures may include, but are not limited to, a no contact directive, a safety plan, residence modifications, academic modifications and support, work schedule and/or location modifications, parking modifications, referral to counseling or other health services, administrative leave, temporary suspension, or any other measure deemed appropriate by NDSU.

Interim measures may be kept in place through the conclusion of any review, investigation, or appeal process.

Interim measures can be implemented regardless of whether or not the reporting party pursues formal university or criminal action.

North Dakota State University complies with North Dakota law in recognizing valid protection orders issued not only by the state of North Dakota, but those of any other state in the United States, the District of Columbia, Puerto Rico, the US Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States. This also includes an Indian tribe or band that has

jurisdiction to issue protection orders. Any person who obtains a protection order from any of these entities should provide a copy to NDSU Police, the Title IX Coordinator, or the Sexual Assault Prevention Coordinator, and meet with the NDSU Police to develop a Safety Action Plan, which is a plan for the university and the victim to reduce risk of harm while on campus or coming and going from campus.

The University cannot apply for a legal restraining order for a victim. The Rape and Abuse Crisis Center of Fargo-Moorhead operates a 24-hour crisis line and offers in person-assistance, emergency housing, and advocacy and assistance with legal, medical,

social service, and other systems. They can assist victims of abuse file the necessary paperwork with the Cass County District Court to obtain Domestic Violence Protection and Disorderly Conduct Restraining Orders. The hotline number is 701-293-7273, or they can also be reached by phone at 800-344-7273. For more information you can visit their website at www.raccfm.com.

However, you may choose to get an attorney or seek an order by yourself. This is always your right. If you choose to seek the order yourself you will need to visit the Clerk of Court Office at East Central District Court. They are located in the Cass County Courthouse at 211 9 St S and their phone number is 701-241-5645.

UNIVERSITY PROCEDURES BY INCIDENT

SEXUAL ASSAULT	STALKING	DATING VIOLENCE	DOMESTIC VIOLENCE
<ol style="list-style-type: none"> Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care Institution will assess immediate safety needs of complainant Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police department Institution will provide written information to complainant on how to preserve evidence Institution will provide complainant with referrals to on and off campus mental health providers Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" order between both parties Institution will provide a "No Trespass" order to accused party if deemed appropriate Institution will provide written instructions on how to apply for a Protective Order Institution will provide a written copy of the Sexual Assault and Gender-based Harassment and Sexual Misconduct guide as well as NDSU policies 162 (Sexual and Gender-based Harassment, and Sexual Misconduct) and 156 (Discrimination, Harassment, and Retaliation Complaint Procedures) to complainant and inform the complainant regarding time frames for inquiry, investigation and resolution Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation 	<ol style="list-style-type: none"> Institution will assess immediate safety and well-being needs of complainant Institution will assist complainant with contacting local police if complainant requests AND complainant will be provided with contact information for local police 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EVIDENTIARY STANDARD			
Sexual assault cases are referred to the Title IX Coordinator. Adjudication processes use the preponderance of the evidence standard.	Stalking cases are referred to the Title IX Coordinator. Adjudication processes use the preponderance of the evidence standard.	Dating violence cases are referred to the Title IX Coordinator. Adjudication processes use the preponderance of the evidence standard.	Domestic violence cases are referred to the Title IX Coordinator. Adjudication processes use the preponderance of the evidence standard.

Forms for Domestic Violence Protection Orders, Disorderly Conduct Restraining Orders and Sexual Assault Restraining Orders can be found at www.ndcourts.gov/legal-self-help. To see if you qualify for low/no cost legal assistance you can call Legal Services of ND at 800-634-5263 Monday, Tuesday, or Thursday 9 a.m. – 3 p.m.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. Upon the victim's request and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim with their health, physical safety, work and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local 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 park in a different location, assisting the student with a safety escort, etc.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for

purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 USC 13925 (a) (20)) .) Further, 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 nor house identifiable information regarding victims in the campus police departments Daily Crime Log, Timely Warnings, or online. Victims may request that directory information on file be removed from public sources by request to the Office of Registration & Records 110 Ceres Hall, 701-231-8959.

PRIVACY AND CONFIDENTIALITY

Confidentiality will be maintained to the extent possible - NDSU will keep the complaint and its investigation confidential to the extent that it is possible without compromising NDSU's commitment and obligation to investigate allegations of sexual misconduct, to protect the university community, and to the extent allowed by law. As NDSU has an obligation to maintain an environment free of sex discrimination and sexual misconduct, most employees have mandatory reporting and response obligations and may not be able to honor a reporting party's request for confidentiality. The Title IX Coordinator will evaluate requests for confidentiality.

However, confidentiality cannot be guaranteed as NDSU may have an obligation to take specific actions once aware of alleged conduct.

TYPES OF ORDERS IN THE STATE OF NORTH DAKOTA			
TYPE OF ORDER	WHO CAN FILE FOR ONE	COURT	BASED ON
Domestic Violence Protection Order May be issued for one month, one year, or indefinitely	Family or household members including: -Spouse or former spouse -Parent -Child -Other family member -Person related by blood or marriage -A person you are dating -A person who is living with you or has lived with you before -Your child's other parent, even if you were never married or lived together -Any other person with a "sufficient relationship" to the abusing person as determined by the court.	The ND District Court where the victim lives, where the abuser lives, or where the incident(s) occurred. In Fargo that is East Central District Court located in the Cass County Courthouse at 211 9 St S. A list of all ND District Courts can be found at www.ndcourts.gov/court-locations .	Actual or imminent domestic violence. This includes physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by force, or assault, not committed in self-defense, on the complaining family or household members.
Disorderly Conduct Restraining Order May be issued up to two years	Anyone who is a victim of disorderly conduct can file for a disorderly conduct restraining order. You do not need to have a specific relationship with the abuser. It may be a neighbor, acquaintance, intimate partner, family member, etc.	The ND District Court where the victim lives, where the accused lives, or where the incident(s) occurred. In Fargo that is East Central District Court located in the Cass County Courthouse at 211 9 St S. A list of all ND District Courts can be found at www.ndcourts.gov/court-locations .	The order offers protection for someone who is the victim of disorderly conduct, which is defined as intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person. Disorderly conduct does not include constitutionally protected activity.
Order Prohibiting Contact May be issued up to one year	The victim of a crime of violence or threat of violence, stalking, harassment, or a sex offense, if an individual who is charged with or arrested for the crime is released from custody before arraignment or trial.	The court authorizing the release of the individual may issue, if there is no outstanding restraining or protection order prohibiting the individual from having contact with the victim, an order prohibiting contact with the victim.	Court discretion.
Sexual Assault Restraining Order May be issued up to two years	Any adult (18 years or older) who is a victim of sexual assault; or the parent, step-parent, or guardian of a minor child (under 18 years of age) who the parent, step-parent, or guardian reasonably believes is a victim of sexual assault.	The ND District Court where the victim lives, where the abuser lives, or where the incident(s) occurred. In Fargo that is East Central District Court located in the Cass County Courthouse at 211 9 St S. A list of all ND District Courts can be found at www.ndcourts.gov/court-locations .	The Judge or Judicial Referee reviews the petition to determine if the information included is enough to find there are reasonable grounds to believe the sexual assault was committed by the Respondent.



RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

ON CAMPUS		
Counseling Center	212 Ceres Hall	701-231-7671
Student Health Service	102 Wallman Wellness Center	701-231-7331
University Police	Police and Safety	701-231-8998
Sexual Assault Prevention and Advocacy (SAPA)	114 Wallman Wellness Center	701-730-5733
Title IX Coordinator	201 Old Main	701-231-7708
International Student and Study Abroad Services	116 Memorial Union	701-231-7895
Dean of Students	100 Old Main	701-231-7701
Financial Aid and Scholarships	176 Memorial Union (One Stop)	701-231-6200 (local) 866-924-8969 (toll free)
Legal Assistance	NDSU does not offer any legal assistance to students or employees	

OFF CAMPUS		
Fargo Police Department	105 25 St N	701-451-7660
Sanford Medical Center	5225 23 Ave S	701-417-2000
Family HealthCare	301 NP Ave N and 4025 9 Ave S	701-271-3344
Fargo Cass Public Health	1240 25 St S	701-241-1383
Essentia Health	3000 32 Ave S	701-364-8000
VA Medical Center	2101 Elm St N	701-232-3241
Rape and Abuse Crisis Center	317 8 St N	701-293-7273
Firstlink Hotline		701-235-7335
Legal Services of North Dakota (for ND residents)	112 University Drive N Suite 220	701-232-4495 or 800-634-5263
Legal Services of Northwest Minnesota (for MN residents)	1015 7 Ave N, Moorhead	218-233-8585 or 800-450-8585
Cass County State's Attorney's Office	211 9 St S	701-241-5850
Southeast Human Service Center	2624 9 Ave S	701-298-4500

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include:
www.raimn.org – Rape, Abuse and Incest National Network
www.justice.gov/ovw/sexual-assault - Department of Justice

NDSU is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. Information related to a report of prohibited conduct will be shared with a limited circle of NDSU employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in NDSU’s response to reports of prohibited conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

Confidential support resources - If seeking a confidential resource, NDSU students may contact the NDSU Counseling Center (Ceres Hall 212, 701-231-7671), the Student Health Service (Wallman Wellness Center, NDSU Main Campus, 701-231-7331), and the Sexual Assault Prevention and Advocacy Coordinator (Wallman Wellness Center, NDSU Main Campus, 701-231-7331). The Employee Assistance Program, as described in NDSU Section 134, is a confidential resource for NDSU employees. Additionally, graduate students and faculty may also contact the Office of the Ombudsperson (Library Room 20C, NDSU Main Campus, 701-231-5114).

HOW TO BE AN ACTIVE BYSTANDER

Bystanders play a critical role in preventing violence, including 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.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence. We may not always know what to do even if we want to help. These are sometimes called barriers. We all have barriers that can make it harder to step in and help. Barriers could include being shy, being unsure of the situation, not liking conflict, fear that people will judge you, or not feeling confident intervening. When we encounter barriers to intervention it is important to remember we also have options that can help us get around those barriers. Some options include directly addressing the situation, or delegating to someone you trust to address concerning behaviors. Below is a list² of some ways to be an active bystander.

- 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 okay. Remember, you may know the person who is doing the concerning behavior, the person who is the target of the behavior, or both.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up 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.
- If you see someone who looks uncomfortable, like they may be in trouble, or is too drunk to consent, talk to them. Ask if they are okay. If you can help them find their friends or call someone to help them.
- If you are unsure of the situation or don’t feel comfortable intervening yourself, delegate to someone you trust to help out.
- Create a distraction to diffuse the situation. A distraction could include changing the subject, asking for directions, pretending you know the target, or whatever distraction feels most comfortable and natural.
- Trust your instincts if you see concerning behavior.

If you or someone else is in immediate danger, dial 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.

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, 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.
- 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 if you 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.
- 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 him or her 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/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/family can then come to get you or make up an excuse for you to leave.

¹Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

²Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

- 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.

D. ADJUDICATION OF VIOLATIONS

Whether or not criminal charges are filed, the university or a person may file a complaint under Policy 100, Equal Opportunity and Non-Discrimination; or Policy 162, Sexual and Gender-Based Harassment, Sexual Misconduct, alleging that a student or employee violated the University's policy on discrimination, harassment, retaliation or sexual misconduct. Reports of guests, vendors, or contractor violating these policies should be reported to the Title IX Coordinator. Reports of all domestic violence, dating violence, sexual assault, and stalking made to the University Police will automatically be referred to the Title IX Coordinator regardless of if the complainant chooses to pursue criminal charges.

As provided in Policy 162, NDSU is committed to providing a safe, healthy, and nondiscriminatory learning, living, and working environment for all members of its university community that is free from sex discrimination of any kind. Specifically, NDSU is committed to:

- Defining conduct that constitutes prohibited sexual harassment, gender-based harassment, and sexual misconduct;
- Providing clear guidelines for students, employees, and third parties on how to report incidents of sexual harassment, gender-based harassment, and sexual misconduct and a commitment that any complaints will be handled respectfully;
- Promptly responding to and investigating allegations of sexual harassment, gender-based harassment and sexual misconduct, pursuing disciplinary action when appropriate, referring the incident to local law enforcement when appropriate, and taking action to investigate and address any allegations of complicity and retaliation;
- Providing ongoing assistance and support to students and employees who make allegations of sexual harassment, gender-based harassment, and sexual misconduct;
- Providing awareness and prevention information on sexual harassment, gender-based harassment and sexual misconduct, including widely disseminating this policy, and implementing training and educational programs on sexual harassment, gender-based harassment, and sexual misconduct to university constituencies; and
- Gathering and analyzing information and data that will be reviewed in order to improve gender equity and safety, reporting, responsiveness and the resolution of incidents.

Formal Complaints of Sexual Harassment occurring in NDSU Educational Programs or Activities within the United States ("Title IX Complaints") shall be resolved by Policy 156.1: Title IX Grievance Procedures.

All other complaints of Sexual Harassment shall be resolved by NDSU Policy 156, or other applicable policy.

Informal resolution (mediation) will not be used to resolve complaints of sexual harassment or sexual violence between an employee and a student. Participation in the informal resolution process is strictly voluntary – NDSU will not require the parties to participate in an informal resolution process.

Informal resolution is not available for Title IX complaints, unless a formal complaint has been filed.

For Title IX formal complaints, and all other complaints of sexual harassment, NDSU may facilitate an informal resolution process, that does not involve a full investigation and adjudication, provided that NDSU:

- Provides the parties a 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 as 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
- The informal resolution process will follow the process as outlined in Policy 156, Section 7, including the option that NDSU reserves the right to deny the parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate.

SECTION 156.1

TITLE IX COMPLAINT PROCEDURES

SOURCE: SBHE

It is the policy of NDSU to fully comply with all aspects of Title IX of the Education Amendments of 1972 and the regulations promulgated under its authority. These procedures are based off North Dakota University System Policy 520. In the event of direct conflict between these procedures and NDUS Policy 520, NDUS Policy 520 shall prevail. Similarly, any conflict between NDUS Policy 520 and any existing NDSU or NDUS policy or procedure shall be resolved in favor of NDUS Policy 520.

DEFINITIONS

For the purposes of NDSU's Title IX Complaint Procedures, the listed terms shall have the following definitions pertaining to the 2020 Title IX regulations and NDUS Policy 520:

Actual Knowledge Notice of sexual harassment or allegations of sexual harassment to NDSU's Title IX Coordinators, Chairs, Heads, Deans, Directors, or any NDSU official with authority to institute corrective measures on the behalf of NDSU.

Complainant An individual who is alleged to be the receiver of conduct which could, after investigation, constitute sexual harassment.

Dating Violence Violence committed by the Respondent:

- Who is or has been in a romantic or intimate relationship with the Complainant; and;
- Where the existence of such a relationship shall be determined by considering the length of the relationship, the type of relationship, and the frequency of interactions between the Complainant and Respondent.

Deliberate Indifference When NDSU's response to sexual harassment is clearly unreasonable considering the information known to NDSU at the time.

Domestic Violence Violence committed by the Respondent, who is:

- a current or former spouse or intimate partner of the Complainant;
- a person with whom the Complainant shares a child in common;
- cohabiting with or has cohabited with the Complainant as a spouse or intimate partner;
- similarly situated to a spouse of the Complainant; or
- any person against whose acts the Complainant is protected by N.D.C.C. ch. 14-07.1.

Educational program or activity Includes locations, events, or circumstances over which NDSU exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, as well as in any building owned or controlled by a student organization that is officially recognized by NDSU.

Fondling The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Formal Complaint A document filed by a Complainant (which either contains the Complainant's signature or indicates that the Complainant is the one filing the complaint) or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that NDSU investigate.

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

Rape Penetration, no matter how slight, of the vagina or anus of the complainant with any body part or object by the Respondent, or oral penetration of the Complainant by a sex organ of the Respondent, without the consent of the Complainant.

Respondent An individual who has been reported to be responsible for the conduct that could constitute sexual harassment.

Sexual Assault Either rape, fondling, incest, statutory rape, or any of the sexual offenses listed in N.D.C.C. ch. 12.1-20 or by the FBI's Uniform Crime Reporting system.

Sexual Harassment Conduct, on the basis of sex, constituting one (or more) of the following:

- An employee of NDSU conditioning the provision of an aid, benefit, or service of NDSU on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to NDSU's educational program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking, as defined in this section.

Stalking Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.

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

Supportive Measures Non-disciplinary, non-punitive individualized services offered as appropriate (as reasonably available) and without fee or charge to the Complainant or Respondent.

PRE-GRIEVANCE PROCESS

Timing This grievance process shall be carried out using reasonably prompt time frames, including time frames for filing and resolving appeals, and for informal resolution processes if offered. The informal resolution process will follow the process as outlined in Policy 156, Section 7, including the option that NDSU reserves the right to deny the Parties the option of using the informal resolution process if it is deemed to be inappropriate or inadequate. Notwithstanding, temporary delays or extensions of the time frames must be offered for good cause, with written notice to the parties setting forth the cause for the action.

- Good cause. May include considerations such as the absence of a Party, a Party's advisor, or a witness; concurrent law enforcement activity; or the need for accommodations for language or disability.

Actual Knowledge of Sexual Harassment With or without the filing of a formal complaint, once NDSU has actual knowledge of sexual harassment within its educational program or activity in the United States, NDSU must respond promptly and without deliberate indifference pursuant to these Procedures and any applicable NDSU policies.

- Once NDSU has actual knowledge of sexual harassment, the Title IX Coordinator must contact the Complainant and:
 - Discuss the availability of supportive measures;
 - Consider the Complainant's wishes regarding supportive measures;
 - Inform the Complainant that supportive measures are available with or without the filing of a formal complaint; and
 - Explain the process of filing a formal complaint.
- No disciplinary sanctions or other actions which are not supportive measures may be imposed against any Party prior to the conclusion of the grievance process. Exceptions are Emergency Removal (section 1d) and Administrative Leave (section 1e).

Supportive Measures NDSU shall offer supportive measures designed to restore or preserve equal access to the educational program or activity without unreasonably burdening the Parties, including measures designed to protect the health and safety of all Parties or the educational environment, or to deter further sexual harassment.

- Supportive Measures may include but are not limited to:
 - 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; and
 - Increased security or monitoring of certain areas of campus.
- NDSU must maintain confidentiality with respect to supportive measures unless disclosure is required to implement the supportive measures.
- The Title IX Coordinator or other designee shall coordinate the effective implementation of supportive measures.
- Supportive measures may not restrict any Party's rights under the United States Constitution.

Emergency Removal NDSU may remove a Party from the educational program or activity on an emergency basis, provided that NDSU determines, based on an individualized safety and risk analysis, 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.

- NDSU will provide the Respondent with notice and an opportunity to challenge the Emergency Removal decision immediately following the removal. In challenging the Emergency Removal decision, the Respondent shall have the burden to show why removal should not be implemented or be modified. While this challenge process may produce facts and evidence relevant to the grievance process, this challenge process need not follow all of the requirements of the grievance process. As such, this meeting is not a hearing on the merits of the allegation(s) but rather is an administrative process intended to determine solely whether the emergency removal is justified.

Administrative Leave NDSU may place a non-student employee on administrative leave during the pendency of a grievance process.



GRIEVANCE PROCESS

Formal Complaint and Notice of Allegations

Once a formal complaint is received by NDSU, NDSU must provide the following written notice to the known Parties:

- Notice of the grievance process, including any informal resolution process as delineated in Policy 156, Section 7;
- Notice of the allegations of sexual harassment, including:
 - Sufficient details known at the time and with enough time to prepare a response, including, but not limited to, the names of the Parties, the conduct allegedly constituting sexual harassment, as defined by Title IX, and the date and location of the alleged conduct.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the Parties may have an Advisor of their choice, who may be an attorney, and may inspect and review evidence. At the onset of the complaint resolution, an Advisor will be offered to each Party. The statement should also indicate that if the Party does not have an Advisor of choice, NDSU will appoint an Advisor to assist with cross-examination for the live hearing.
- Notice of any provisions in NDSU's Code of Conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If during the grievance process, additional allegations are added to the investigation which were not included in the initial notice, NDSU must provide notice of the additional allegations to the Parties.

There is no deadline on when a Complainant may file a complaint.

Advisors Parties to a grievance proceeding must be afforded the opportunity to select the Advisor of their choice to assist them during the proceeding, including during the live hearing.

If a Party does not choose an Advisor, NDSU shall provide the Party with an Advisor free of charge. At minimum, NDSU shall provide an Advisor to conduct the Party's cross-examination at the hearing. However, nothing in this policy or the Title IX regulations should be read to prohibit NDSU from providing an Advisor for the full duration of the grievance process, provided that the Parties are treated equally as to timing if NDSU appoints Advisors for all Parties.

NDSU is not required to provide attorneys to Parties to act as Advisors, but appointed Advisors should be provided with access to appropriate training to ensure an understanding of the grievance process, though the same training provided to Title IX Coordinators, decision-makers, and Investigators is not required.

NDSU is not required to attempt to create equality of Advisors between the Parties, particularly where one Party selects an outside Advisor, but will endeavor to seek parity of Advisors where NDSU provides Advisors to all Parties.

Investigation

- NDSU is required to investigate every filed formal complaint unless the complaint is subject to dismissal, as outlined in Section D.
- At all times, the burden of proof and the burden of gathering evidence sufficient to make a determination regarding responsibility rests on NDSU, and NDSU may not seek to shift that burden to the Parties.
 - Notwithstanding, NDSU may not restrict the Parties' ability to discuss the allegations or to gather or present relevant evidence.

- At all times, NDSU shall observe a presumption that the Respondent is not responsible for the alleged conduct until and unless there is a determination of responsibility at the conclusion of the grievance process. Investigators will avoid prejudgment of the facts presented by the Parties.
- NDSU may not access, consider, disclose, or otherwise use a Party's medical records made or maintained in connection with the provision of treatment to the Party, unless voluntary, written consent to do so is provided by the Party (or the Party's parent, if the Party is not eligible to provide consent).
- NDSU may not require, allow, rely upon, or otherwise use evidence that constitutes, or questions that seek disclosure of, information protected under a legally recognized privilege, unless that privilege is waived.
- NDSU must provide to the Parties written notice of the date, time, location, participation, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare. Dates and times of other interviews not involving the Party will not be provided beforehand.
- The Parties must be afforded an equal opportunity to have others present during any grievance proceeding. This includes up to two Advisors, one who conducts the cross examination, and one who provides support. NDSU may establish restrictions regarding the extent to which the Advisors may participate in the proceedings, so long as the restrictions apply equally to all Parties and comply with this policy.
- All Parties must have an equal opportunity to inspect and review any evidence obtained as part of the investigation related to the allegations raised in a formal complaint, including any evidence upon which NDSU does not intend to rely in reaching a determination of responsibility and any inculpatory or exculpatory evidence, from whatever source.
- At least 10 calendar days prior to the preparation of the Preliminary Investigative Report, NDSU must provide each Party and the Party's Advisor the evidence obtained in the investigation in an electronic format or hard copy. The Parties may submit a written response to the evidence, which the Investigator shall consider prior to completion of the Preliminary Investigative Report.
- At the conclusion of the investigation, the Investigator must create a Preliminary Investigative Report that summarizes the relevant evidence in an adequate, impartial, and reliable manner. At least 10 calendar days prior to the hearing, the Investigator must send a copy of the Preliminary Investigative Report to each Party and the Party's Advisor, if any, for review and written response.

Dismissal of the Complaint under Title IX

Mandatory Dismissal

- NDSU must dismiss the Formal Complaint if, at any time during the investigation or hearing:
 - The alleged conduct would not constitute sexual harassment or sexual violence as defined in these procedures;
 - The alleged conduct did not occur in an Educational Program or Activity; or
 - The conduct alleged did not occur against a person in the United States.
- If the formal complaint is subject to mandatory dismissal, NDSU may act under another policy, including but not limited to Policy 100: Equal Opportunity and Non-Discrimination, without that action constituting retaliation under this Policy. The procedures would then follow Policy 156: Discrimination, Harassment, and Retaliation Complaint Procedures, or any other applicable NDSU policy.

Permissive Dismissal

- NDSU may dismiss the formal complaint 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 contained in the formal complaint;
 - The Respondent is no longer enrolled or employed by NDSU; or
 - Circumstances prevent NDSU from gathering evidence sufficient to reach a determination as to the formal complaint or allegations in the formal complaint.
- If a formal complaint is permissively dismissed, NDSU may consult with its legal counsel prior to acting under another policy to avoid taking actions constituting retaliation.

Notice of Dismissal Upon a dismissal pursuant to this section, NDSU must promptly send written notice of the dismissal under Title IX and reason for the dismissal to all Parties simultaneously.

Consolidation of Formal Complaints NDSU may consolidate formal complaints against more than one Respondent, by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment or sexual violence arise out of the same facts or circumstances.

Live Hearing The grievance process must provide for a live hearing after the completion of the Preliminary Investigative Report. All evidence obtained by the Investigator as part of the investigative process must be made available to the Parties and the decision-maker at the live hearing.

The live hearing will be presided over by the decision-maker, who will be free of all conflicts of interest, and who may not be the Investigator or the Title IX Coordinator.

- Decision-maker for student Respondents
 - In cases involving a student Respondent, the decision-maker will be the Assistant Dean of Students or the Dean of Students. In the event a conflict of interest precludes the participation of the Asst. Dean of Students or the Dean of Students, NDSU shall assign a properly trained individual to serve in the role of decision-maker.
- Decision-maker for non-student employees
 - In cases involving a non-student employee, the decision-maker will be a three-person panel of non-student employees. The three-person panel will be chosen out of the pool of trained

individuals. These individuals will consist of full-time faculty and staff.

- Notwithstanding the foregoing, if the need arises, NDSU reserves the right to contract or utilize the services of a properly trained third party to perform the role decision-maker. The need for such a third-party shall be in the sole discretion of NDSU.

At the request of either Party, the hearing must be conducted with the Parties located in separate rooms with technology enabling the decision-maker and Parties to simultaneously see and hear the Party or witness answering questions. Hearings may be conducted with all Parties physically present in the same geographic location, or, any Parties, witnesses, and other participants may appear at the live hearing virtually, so long as the participants are able to simultaneously see and hear each other.

At the live hearing, the decision-maker must permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those regarding credibility. This cross-examination must be conducted directly (the questions may not be asked by the decision-maker), orally, and in real time by the Party's Advisor and never by a Party personally.

- Prior to a Party or witness answering a question, the decision-maker must rule on the relevance of the question and explain any decision to exclude a question as not relevant.
- Decision-makers may request, but may not require, that questions by the Parties be submitted in advance, to permit the decision-maker to rule on the relevance of questions.
- NDSU may otherwise limit the extent to which the Party's Advisor may participate in the hearing.

Rape Shield Questions and evidence about the Complainant's sexual predisposition or sexual history are not relevant, unless such questions are offered to prove that someone other than the Respondent committed the alleged conduct, or regard specific incidents of the prior sexual behavior with respect to the Respondent, and are offered to prove consent. These questions may be submitted prior to the start of the live hearing.

Cross-Examination If a Party or witness does not submit to cross-examination at the live hearing, the decision-maker must not rely on any statement of that Party or witness in reaching a determination regarding responsibility. Decision-makers may not draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence or refusal to answer cross-examination or other questions. There are no exceptions to this exclusion as there are in legal proceedings.



Hearing Decorum Decision-makers may enforce rules to ensure hearing decorum, such as requiring respectful treatment, specifying any objection process, governing timing of hearing and length of breaks, etc.

NDSU must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Determination Regarding Responsibility In all cases, the applicable standard of proof for determining responsibility for an alleged violation is “preponderance of the evidence” meaning, in order for Respondent(s) to be held responsible it must be determined that it is more likely than not that the Respondent(s) violated these procedures.

After the conclusion of the live hearing, the decision-maker must issue a written determination regarding responsibility, which must include:

- Identification of the allegations potentially constituting sexual harassment under these procedures;
- Description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the Parties, interviews with Parties and witnesses, site visits, methods used to gather evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of any other institution’s policy;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies will be provided to the Complainant; and;
- The procedures, timelines, and permissible bases for the Complainant and Respondent to appeal.

The written determination must be provided to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that notice of the result of any appeal is provided to the Parties, if an appeal is filed; or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator shall be responsible to implement any remedies provided by the written determination.

DISCIPLINARY SANCTIONS

Disciplinary sanctions imposed after the conclusion of the grievance process shall be assessed pursuant to Policy 151: Code of Conduct; Policy 601: Code of Student Conduct, or any similar documents which set possible disciplinary sanctions for violations of Title IX and shall be proportional to the determination of responsibility.

Remedies Remedies offered after the conclusion of the grievance process on a finding of responsibility must be designed to restore or preserve equal access to the educational program or activity. Remedies may be disciplinary or punitive and may create a burden for the Respondent.

APPEALS

Regardless of the finding (responsible, not responsible, dismissal) all Parties have the right to file an appeal. The following may form the basis for an appeal:

- Procedural irregularity that affected the outcome of the grievance process;

- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could have affected the outcome of the matter; or
- 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 for or against the individual Complainant or Respondent, that affected the outcome of the grievance process.
- Other basis set forth in the campus-level processes, but which must be offered equally to all Parties (for example, an appeal based on the severity of the sanctions).

Upon filing of an appeal, NDSU must:

- Notify the non-appealing Party in writing when an appeal is filed and implement appeal procedures equally for all Parties.
- Ensure that the appeal’s decision-maker is not: the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the Investigator, or the Title IX Coordinator.
- Give all Parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Issue a written decision describing the result of the appeal and the rationale for the result; and
- Provide the written decision simultaneously to all Parties.

If a disciplinary sanction of suspension or expulsion for students or termination for employees is imposed by the decision-maker, NDSU shall provide a method of reviewing an appeal from a determination regarding responsibility or dismissal for a period of at least one year following the original decision. For sanctions other than suspension, expulsion, or termination, an appeal must be submitted within five business days of receipt of the sanctions.

TRAINING

All persons involved in the grievance process, including, but not necessarily limited to, Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the following areas:

- The definition of sexual harassment;
- The scope of the educational program or activity;
- How to conduct an investigation and understanding of the grievance process, including hearings, appeals, and informal resolution processes, as applicable;
- How to serve impartially, including by avoiding prejudgment of the facts at issue; conflicts of interest, and bias.

Additionally, decision-makers must receive training on the following areas:

- Any technology to be used at a live hearing; and
- Issues of relevance or questions and evidence, including when questions about the Complainant’s sexual predisposition or prior sexual behavior are not relevant;

Investigators must also be trained on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

All materials used to train the foregoing individuals must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.

All training materials used to train the foregoing individuals must be made available to the public by posting on NDSU’s website.

RECORDKEEPING

NDSU shall retain, for a period of seven years, records of:

- Each sexual harassment investigation, including any determination regarding responsibility; any audio or audiovisual recording or transcript; any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom;

All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, which the institution must make available on its website; and NDSU must create and maintain for seven years, records of any actions, including records of supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, NDSU must document the basis for its response was not deliberately indifferent, and document that it took supportive measures, or, if supportive measures were not provided, an explanation of why such a response was not clearly unreasonable considering the known circumstances.

CONFIDENTIALITY

Notwithstanding Chapter 44-04 of the North Dakota Century Code, the identity of any individual who has made a report or complaint of sex discrimination or sexual harassment, any Complainant, any Respondent, and any witness, including the conduct of any investigation, hearing or judicial proceeding arising thereunder, shall be confidential.

RETALIATION

NDSU or any other person may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this part, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part.

Intimidation, threats, coercion, or discrimination, including charges against an individual for Code of Conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a Code of Conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, although a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement in bad faith.

Complaints alleging retaliation may be filed pursuant to the grievance procedures for sex discrimination under Title IX.

REPORTING/CONFIDENTIALITY

NDSU faculty, staff and students are encouraged to report incidents or information related to sexual misconduct as soon as possible. If criminal activity is involved, victims or witnesses are encouraged to contact NDSU Police or your local law enforcement. Victims of sexual misconduct or people who wish to report sexual misconduct may contact Laura Oster-Aaland, Title IX Coordinator, at

701-231-7708 or ndsuoaaa@ndsu.edu. Please note, confidentiality cannot be guaranteed. For a list of confidential resources, please refer to the Confidential Reporting section below.

The guiding principal in accepting reports of sexual misconduct is to avoid re-victimizing the recipient of the behavior by forcing them into any plan of action. NDSU will make every attempt to safeguard the privacy of the reporting party and/or recipient of the behavior; however, it is important that reporting parties recognize that NDSU cannot ensure confidentiality in all cases. NDSU must weigh the request for confidentiality against its obligation to protect the safety and security of the entire campus. Depending on the circumstances of the offense (the severity of the offense, the number of victims involved, etc.), NDSU may be required to respond to an incident, even if confidentiality has been requested. Therefore, NDSU employees cannot guarantee absolute confidentiality. Individuals desiring confidentiality should be encouraged to contact one of the following:

SEXUAL ASSAULT PREVENTION AND ADVOCACY (SAPA) COORDINATOR | 701-231-5733

NDSU COUNSELING CENTER | 701-231-7671 (Available 24 hours)

STUDENT HEALTH SERVICE | 701-231-7331

OMBUDSPERSON | 701-231-5114

Resolution of Alleged Code Violations

The Code resolution process generally includes the following steps:

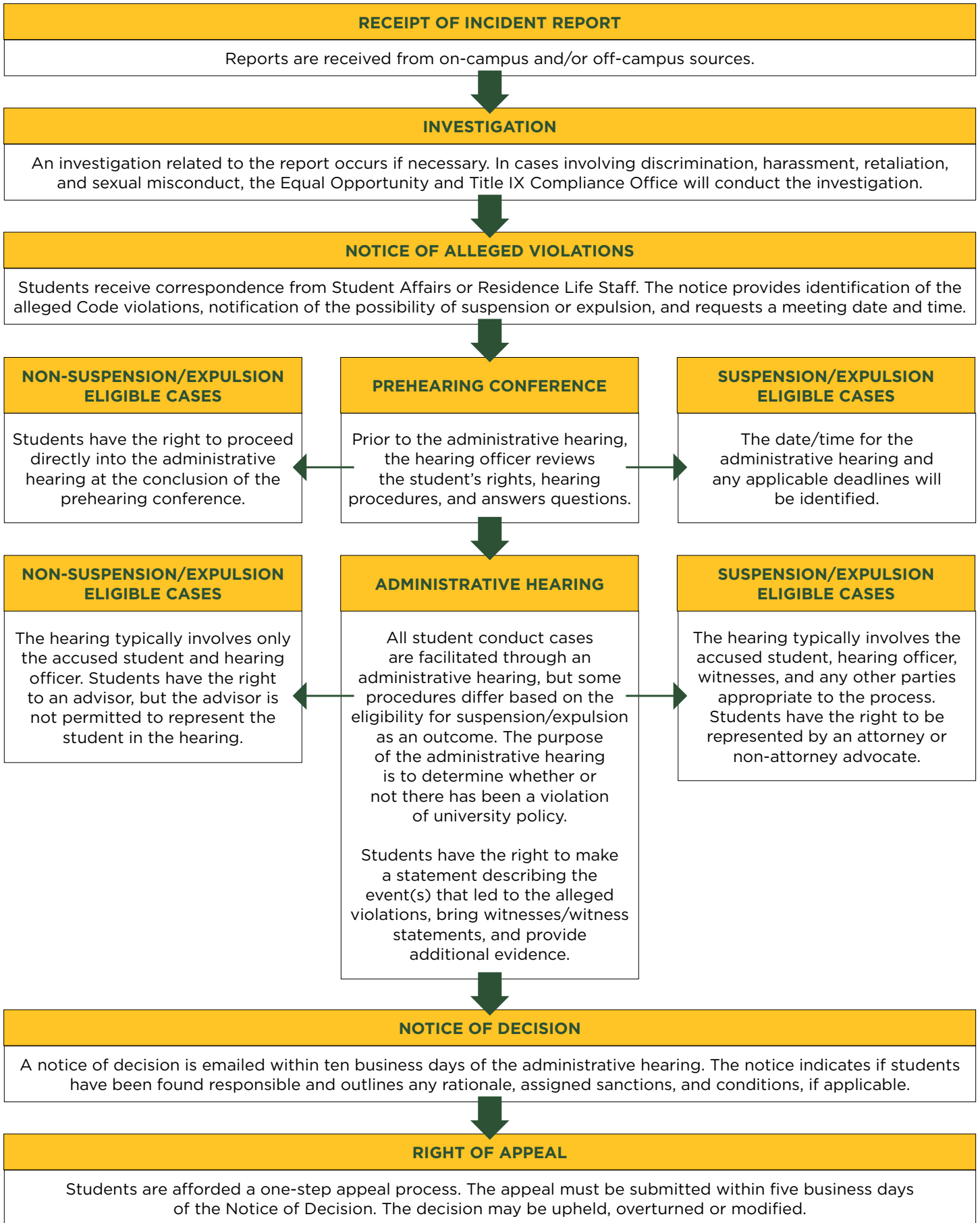
- Receipt of an incident report;
- Creation of a conduct file;
- Investigation of incident, if necessary;
- Implementation of interim or remedial measures, if necessary;
- Notice of alleged violations;
- Prehearing conference;
- Administrative hearing;
- Notice of decision;
- Right of appeal; and
- Notice of appeal decision.

This process is designed to:

- Provide for the education of students;
- Promote the health, safety, and well-being of University community members;
- Provide for fair inquiries concerning alleged violations of University policies;
- Determine whether or not any individual student has violated a University policy;
- Allow for consideration of extenuating or mitigating factors when a violation has been found to exist;
- Determine a resolution; and
- Assist the student in reflecting upon and growing from their personal experiences.

A detailed description of these steps is provided below. Cases related to discrimination, harassment, retaliation, and sexual misconduct may require some modification of the resolution process, as approved by the NDSU Title IX Coordinator. For additional information, see NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures.

RESOLUTION OF CODE OF STUDENT CONDUCT VIOLATIONS FLOWCHART



Reports and investigations are used to determine whether a student is responsible for alleged violations of the Code of Student Conduct.

Reporting Alleged Code Violations

Alleged Code violations should be reported as soon as possible following the discovery of alleged prohibited conduct. Reports may be initiated by law enforcement, any member of the NDSU community, or other interested parties. An alleged violation should be reported to one of the following:

Dean of Students Office
Old Main 100
701-231-7701
nds.srr@nds.edu

Department of Residence Life
West Bison Court
701-231-7557
nds.residence.life@nds.edu

Equal Opportunity and Title IX Compliance Office
Old Main 201
701-231-7708
nds.eoaa@nds.edu

Student Advisor Options

Students have the right to have an individual present who may act in an advisory capacity. Hearing advisors may not serve as witnesses, unless otherwise allowed by Title IX regulations. If a student would like an advisor but needs assistance in identifying an appropriate individual, the Dean of Students Office will identify a trained staff or faculty member to work with the student.

If a student chooses to have an attorney present as his or her hearing advisor, NDSU may request legal representation be present as well. In cases that do not involve potential for suspension or expulsion, the role of an attorney shall be to advise his or her client, not to participate in the hearing, unless otherwise allowed by Title IX regulations.

Any advisor, attorney, or non-attorney advocate who does not respect this provision may be cautioned by the hearing officer and, if they persist, may be asked to leave and the hearing will proceed. In cases that could result in suspension or expulsion, attorneys or non-attorney advocates may fully participate, which means they may make opening and closing statements, examine and cross-examine witnesses present during the hearing, and provide the student with support, guidance, and advice throughout the process. In Title IX cases, regardless of the potential of suspension or expulsion, the advisor will conduct the cross-examination.

Investigation

If an investigation is to take place, the student(s) will receive notice from the office conducting the investigation. The purpose of the investigation is to gather the facts, details and circumstances associated with a complaint. The investigation may include interviewing witnesses, reviewing documents to be considered, or completing other steps that will assist in determining whether action under the Code is warranted. Written findings of the investigation along with a recommendation for dismissal of the complaint or a recommendation of pursuing action under the Code will be produced by the investigator(s) and provided to the Dean of Students Office. If the report indicates reasonable cause to believe that a violation occurred, then the hearing officer may proceed with a Notice of Alleged Violations.

Upon receipt of notice, the University may investigate an allegation of Code violation, and may also initiate an investigation at the

request of any member of the NDSU community or affected party. Designated, trained University personnel are authorized to investigate alleged violations of the Code.

All cases of discrimination, harassment, retaliation, and sexual misconduct involving a potential violation by a student shall be investigated by the Equal Opportunity and Title IX Compliance Office utilizing the procedures set forth in Sections 1 through 8.8 of NDSU Policy 156.

Any individual believed to have information relevant to an investigation may also be contacted and requested to make an appointment to discuss the matter. All information/evidence needs to be provided during the investigative phase in order to be considered for determining if a case will be dismissed or whether action will be pursued and in determining findings under the Code.

Interim or Remedial Measures

In the interest of safety and security, upon receipt of notice, interim or remedial measures may be implemented prior to a completed investigation or conduct hearing. Specific actions will be based on the circumstances of the allegations and may include no contact orders, housing/workplace changes, loss of privileges, and/or restricted access to campus.

Right to Entry

University policy on the privacy of student rooms stipulates that entry and search of University residences by University officials will be permitted only in one or more of the following instances:

- The student consents to the search;
- University officials responsible fear an imminent danger to health, safety, life, or property;
- The Vice Provost or designee provides a written administrative authorization specifying reasons for the search, objects of information sought, and area to be searched; or
- University officials fear imminent destruction of evidence relevant to a suspected violation of University policies.

When students are suspected of violating NDUS or NDSU Acceptable Use Policies, student computers, associated peripheral devices, and media storage devices may be taken into temporary custody on authority of the Information Technology Security staff to collect and preserve evidence of possible violations of local, state, or federal laws (NDSU Policy 158, Acceptable Use of Electronic Communications Devices). If additional questions remain, contact the Information Technology Security Officer (ITSO).

The University will not intervene between students and searches authorized under law by any law enforcement agencies. The University requires that University officials notify the Vice Provost for Student Affairs and Institutional Equity and/or designee of searches when they become aware of searches by law enforcement.

The right to inspect residence hall rooms and university apartments without notice is reserved by the University for purposes of maintenance, cleaning, fire, personal safety and administering provisions of the license agreements. The University will provide reasonable notice, when possible. Such entry by the University shall not be regarded as a search, but is separately agreed to and authorized by the student through provisions in the residence hall or university apartment license agreements. Items that pose an imminent danger to health, safety, life, or property may be taken into temporary custody by residence life staff, university police, or other emergency personnel.

Notice of Alleged Violations

A written notice will be sent via authorized University email, to the responding student to arrange a prehearing conference.

The notice will include:

- Nature of the alleged violation;
- Date, time, and place of the alleged violation;
- Source of the information;
- Maximum sanction applicable if found in violation of the Code of Student Conduct;
- The student's right to be represented by an attorney or non-attorney advocate, at the student's expense, if suspension or expulsion are identified as potential sanctions; and
- Notice that a decision may be made in the student's absence based on the information currently available.

The student must be given notice in writing of a summary of the alleged violations and evidence to be presented in sufficient time to ensure an adequate opportunity to prepare for the hearing. The University will provide the student written notification of the hearing at least three business days prior to the hearing date. Students may consent to a shorter notice period, if they so choose.

Prehearing Conference

During the prehearing conference, the hearing officer will discuss the:

- Student's rights and responsibilities,
- Nature of the complaint and how the Code of Student Conduct may have been violated, and
- Process for resolution of alleged violations.

The student may request to proceed with an immediate hearing, except in cases that may result in suspension or expulsion.

Conduct Hearings

The Code of Student Conduct resolution process will be facilitated through an administrative hearing to determine whether or not there has been a violation of University policy. Although all cases are heard administratively, some procedures differ between cases that are or are not eligible for suspension/expulsion. The University reserves the right to determine procedures and appropriate individuals to include in the process. In an administrative hearing, the responding student has a right to make a written and/or oral statement describing the event(s) that lead to the alleged violations, bring witnesses or witness statements, and present evidence.

In all cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, both reporting and responding students shall have equal procedural rights as detailed in NDSU Policy 156, Discrimination, Harassment, and Retaliation Complaint Procedures.

University administrators will process conduct cases related to fraternities, sororities, and student organizations. Individual organizational boards will only address violations of organizational standards, not violations of this Code.

Non-Suspension/Expulsion Conduct Hearings

A non-suspension/expulsion conduct hearing is an administrative hearing that generally involves only the responding student and the hearing officer. The hearing officer is the individual appointed by the University to process an alleged violation of University policy. The hearing officer shall typically be a University employee; however, the University may, at its discretion, retain a non-employee to serve as a hearing officer at the University's expense.

Following the hearing, all applicable parties will receive a written notice of decision within 10 business days.

Suspension/Expulsion Conduct Hearings

A suspension/expulsion conduct hearing is an administrative hearing that involves the responding student, hearing officer, and any other individual(s) appropriate to the process. The hearing officer is the individual appointed by the University to process an alleged violation of University policy. The hearing officer shall typically be a University employee; however, the University may, at its discretion, retain a non-employee to serve as a hearing officer at the University's expense.

The hearing will be recorded and retained as part of the student's conduct file. The reporting (if applicable) and responding parties may access the recording, including for the preparation of an appeal. Requests for access should be directed to the Dean of Students Office. Following the hearing, all applicable parties will receive a written notice of decision within 10 business days.

Default Proceedings and Unresolved Alleged Code Violations

When a student/organization fails to appear for a hearing appointment without advance notice, or leaves the University with unresolved alleged violations, the hearing officer may make a decision in the student/organization's absence, providing the student/organization was issued adequate written notice of the date, time, and place of the scheduled hearing.

In certain cases, a registration hold may be placed on the student's records and the case will be archived until such time the student requests reactivation or a resolution of the pending matter.

Student Organizations in Default

In the event a student organization becomes inactive rather than appearing for a hearing, the default decision will typically be withdrawal of recognition granted by the Congress of Student Organizations. In addition, officers of the organization at the time of the incident may face conduct proceedings individually and may also be noticed with one or more of the original alleged violations of the Code arising from the alleged misconduct by the organization.

If the organization requests reactivation at a later date, the Dean of Students or designee will assign a hearing officer to meet with the student organization leadership to determine responsibility for the alleged violations, determine or recommend the appropriate sanction, and if that sanction is less than suspension or expulsion, will assess the need for any remedial measures.

Conflicts of Interest

Any hearing officer who has a conflicting interest in the particular case may not participate. Any party has the right to challenge the appointment of a hearing officer. Challenges must be submitted in writing to the Vice Provost or designee at least three business days prior to the hearing. If a party fails to raise an actual or reasonably perceived conflict by objecting three business days in advance, any objection is deemed to be waived. A hearing officer may not be disqualified solely based on his or her position in the University community.

Standard of Proof

The standard of proof is a "preponderance of the evidence" Which means the greater weight of the evidence indicates that a violation did occur. A student is found to have violated this Code when:

- The student admits to the violation, or
- Preponderance of the evidence indicates the student is in violation of the Code.

Witnesses/Witness Statements

Prior to the hearing, names of witnesses being called to the hearing must be submitted to the Student Affairs and Institutional Equity Office by a deadline set during the prehearing conference. All parties will be given reasonable opportunity to present witnesses and/or witness statements and will be allowed to address questions to any witnesses participating in the hearing. All questions will be addressed through the hearing officer; however, the hearing officer may allow for direct questioning of non-party witnesses. Witnesses will be given reasonable latitude to respond fully to questions and will only remain for the duration of their own testimonies.

Character witnesses are not permitted. The hearing officer will exclude any information from the hearing documentation that appears to be a character statement rather than facts or evidence related to the case.

Evidence

In cases that involve an investigation, all evidence is to be provided during the investigation. All parties will be given reasonable opportunity to present any written or oral information, documentation, or other evidence that is relevant in determining responsibility.

Due to the hearing being an educational process, formal rules of evidence do not apply. For this reason, hearsay evidence may be permitted. Hearsay evidence refers to testimony given by a witness who speaks about information received from others, rather than information given directly by that witness. The value of such evidence is left to the discretion of each hearing officer.

Self Incrimination

Parties shall not be compelled to incriminate themselves by being obligated to testify that they engaged in conduct constituting a violation of this Code and/or local, state, or federal law.

Closed Hearings

All hearings are generally closed except to those who are part of the proceedings. The Vice Provost or designee may permit a limited number of NDSU personnel to be present as observers for the purpose of training. Other exceptions may also be made as deemed appropriate by the Vice Provost or designee.

Appeals

Students sanctioned for violations of any part of this Code of Student Conduct or relevant University policies may appeal. Reporting (if applicable) and responding students are limited to one appeal and that decision is final (see Section 8. Appeal Procedures).

HEARING PROCEDURES FOR SUSPENSION OR EXPULSION CASES

Introduction

With all parties present, the hearing officer will call the meeting to order and ask all parties participating in the hearing to introduce themselves and identify their role in the proceedings. The hearing officer will describe the general outline of the hearing and read the following honesty statement:

Honesty Statement

The University expects that all information presented in this hearing will be true and correct to the best of each participant's knowledge. If students willfully provide false information, they will be in violation of NDSU's Code of Student Conduct. As a result, they may also be subject to additional disciplinary action. Dishonest behavior by any faculty or staff members will be reported to supervisors for any necessary disciplinary action.

If a student is represented by an attorney or non-attorney advocate, the representative has the ability to fully participate in the hearing. Hearing advisors, attorneys, and/or non-attorney advocates will be required to sign a confidentiality statement pertaining to information about all parties involved in the hearing. The hearing officer will dismiss witnesses until they are called to speak.

Case Presentation and Response

The hearing officer or designee will outline the process for presentation of the case. The responding and/or reporting parties will be permitted to respond to the alleged violations and present information that is relevant in determining whether the student violated one or more sections of the Code. The hearing officer is responsible for determining relevancy.

Questioning of Witnesses and Parties

All parties will be allowed to present witnesses who may be asked questions by any of the other parties. All questions will be directed to the hearing officer who will determine reasonableness and relevancy to the hearing. The hearing officer will seek clarification if necessary and request a response. As appropriate, the hearing officer may allow direct questioning of witnesses and parties, with the right to rescind the permission at any time.

Closing Statements

The reporting and/or responding parties (and investigator if applicable) will have an opportunity to make a closing statement.

Notice of Decision

The hearing officer will provide written notice of decision to the responding student (and reporting party if applicable). The written notice will include the findings, rationale, sanctions, and conditions for continued enrollment or re-enrollment, if any. The notice will generally be provided within 10 business days following the hearing. The Vice Provost may grant time extensions, if necessary.

SANCTIONS AND CONDITIONS

A sanction is a consequence placed upon any student for violations of specified University policies. Sanctions help define the student's relationship with the University in the context of current and potential future conduct, including a notice that further violations may lead to more severe conduct sanctions.

If a student is found not responsible for the alleged Code violation(s), no disciplinary action will be taken against the responding student. If a student is found responsible for one or more alleged Code violations, a sanction may be imposed. Sanctions may not include suspension or expulsion unless the student receives prior written notice that the case was serious enough to warrant suspension or expulsion. The sanctions listed below are assigned based on the severity of the incident and/or past conduct history:

- Written warning,
- Conduct probation,
- Supervised conduct probation,
- Conduct suspension, or
- Conduct expulsion.

The hearing officer will issue the written decision within 10 business days from the date of hearing. Sanctions of suspension are noted in the student's transcript throughout the duration of the suspension period, while sanctions of expulsion remain permanently.

When certain mitigating circumstances exist, such as an extended period of time between the incident and reenrollment, a finding of responsibility may result in no sanctions imposed.

With each sanction, conditions may be assigned. In addition, notification may be given to other University officials as necessary. Conditions include:

- Alcohol or other drug programming, evaluation, and/or testing;
- Written assignments;
- Participation in a specific activity or project;
- Restricted access;
- Loss of privileges;
- No contact orders; and/or
- Restitution.

In assigning a sanction and/or conditions for inappropriate student conduct, the hearing officer, in consultation with the Vice Provost designee, will consider factors, including:

- Facts of the case as presented from all relevant sources, including the parties;
- Existence of any physical evidence or written or oral information provided by the parties;
- Type and severity of the offense;
- Impact on the reporting party (if applicable), the educational community, and its members;
- Previous incidents of prohibited conduct committed by the responding student; and
- The ability and/or willingness of the responding student to accept responsibility.

Any Code violation that is determined to have been motivated by bias based on a protected class may result in enhanced sanctions above those typically assigned for the same violations when not motivated by bias. See NDSU Policy 100, Equal Opportunity and Non-Discrimination Policy.

Repeated violations of this Code are relevant in determining a student's continued membership in the University community. Progressively more severe sanctions, including suspension or expulsion from the University, may be assigned, depending on the nature of the violation(s).

Parents or guardians of students under 21 may be contacted by an NDSU administrator following alcohol and/or other drug related incidents.

Sanctions

• **Written Warning**

A warning is written notification that subsequent Code violations will typically result in more severe sanctions.

• **Conduct Probation**

Conduct probation is written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with University policies; local, state, and federal laws; and any other conditions that have been assigned in writing. The specific terms of the probation will be determined on a case-by-case basis. Further Code violations may result in additional sanctions, including suspension or expulsion.



• **Supervised Conduct Probation**

Supervised conduct probation is written notification of a specified period of review and observation during which the student must demonstrate the ability to comply with University policies and local, state, and federal laws. Supervised conduct probation requires meetings with a designated NDSU employee to monitor progress in behavioral, academic, social, vocational, and other areas of the student's life. The supervisor may assign educational tasks and/or projects as deemed necessary and appropriate to assist the student in personal growth. Further Code violations may result in additional sanctions, including suspension or expulsion.

• **Conduct Suspension**

Conduct suspension is written notification that status as an enrolled student or registered student organization has been terminated. This termination is for a specified period of time not to exceed two academic years. In cases of crimes of violence, hate crimes, and/or Title IX related violations, the Vice Provost may specify a longer period of suspension.

- A student may not re-enroll at NDSU during the period of conduct suspension.
- The student's eligibility for any refund of tuition/fees will be subject to the University's normal withdrawal policy.
- The notice of conduct suspension will include the conditions for readmission that must be met prior to application for readmission. Students may obtain information regarding reactivation from Registration and Records or online through One Stop. A meeting with a member of the Dean of Students staff may be required prior to acceptance of the student's application for readmission.
- The student's transcript will carry a notation "may not register for nonacademic reasons <effective date range>" without further explanation. Upon completion of the suspension, the notation will be removed by the University.
- A student who has been suspended must vacate residence life facilities within the time frame established in the written notice of the conduct suspension.
- In addition to being ineligible for enrollment, a student is also ineligible for employment with NDSU.
- A student who has been suspended is restricted from the NDSU campus during the specified period of suspension. The student will also be required to obtain prior written permission from the Vice Provost or designee, before being on any portion of the NDSU campus during the period of suspension. Approval is generally granted only to permit a student to conduct business related to the University.
- Conduct suspension is a permanent conduct record, which means it may be retained indefinitely at the discretion of the Vice Provost, but not less than seven (7) years.
- Student organizations placed on suspension may have all rights and privileges provided by CSO revoked for the duration of their suspension. In order to regain all rights and privileges, the student organization is required to comply with and complete any and all sanctions and conditions.

• **Conduct Expulsion**

Expulsion is written notification that the student is permanently ineligible to return to the University. The expulsion will be recorded on the student's transcript as "may not register for nonacademic reasons" and is a permanent record.

Conduct expulsion is a permanent conduct record, which means it will be retained indefinitely at the discretion of the Vice Provost, but not less than seven (7) years. A student who has been expelled is restricted from the NDSU campus indefinitely. Written requests for exceptions to this restriction may be directed to the Vice Provost or designee; however, approval is generally only granted for the purpose of conducting official University business. Requests for readmission will not be approved.

Conditions Written Assignments

Students may be required to complete written assignments as a means of reflecting and/or learning more about a particular topic.

Participation in a Specific Activity or Project

A student may be required to participate in a specific activity or project, such as public service, an educational class, meeting with a designated University official, and/or other assignment.

Loss of Privileges

A student may be denied various privileges associated with being a student at NDSU. Such privileges may include residing in, visiting, or accessing University property and facilities and participating in University events and/or student organizations.

No Contact Order

Students may be prohibited from direct or indirect physical and/or verbal contact with another individual or group. Reasonable restrictions to protect the safety and welfare of others may also be imposed. These include any and all forms of communication, access to University owned or controlled locations, and specified minimum distances.

Restitution

A student may be required to repair, pay the cost for repair, or pay for cost of replacement of any university or state property damaged by the student. In each case, the goal will be to return the damaged property to its existing condition at the time of damage. The determination of the method used to calculate restitution shall be the responsibility of the hearing officer, taking into consideration the fair market value or cost to repair the damaged item(s).

Alcohol / Drug Evaluation and/or Testing

The University reserves the right to require alcohol/drug evaluation and/or testing as a condition of enrollment or continued enrollment when:

- A student's conduct endangers or may endanger the safety of themselves, others, or property, and/or
- A pattern of misconduct has been demonstrated by a student.

APPEAL PROCEDURES

Students sanctioned for violations of this Code may make one appeal. Cases resulting in suspension or expulsion are appealed to the Vice Provost or designee. All other appeals are addressed to the Vice Provost or designee, or an administrator of Residence Life, depending upon who served as the hearing officer.

In all cases involving an allegation of discrimination, harassment, retaliation, or sexual misconduct, the reporting party is also allowed to file an appeal within the same parameters identified in Appeal Documentation listed below. In these cases, an appeal could result in a different decision regarding the finding of responsible or not responsible and/or stronger, the same, or lesser sanctions than originally imposed.



Deadline for Appeals

An appeal of any conduct process decision must be made in writing within five business days following the date the sanction notice is provided to the student. In extraordinary circumstances, the Vice Provost may grant time extensions. The University reserves the right, however, to reduce the time allowed for a student appeal in cases that may have the potential to result in harm to an individual and/or property. The reduced time for appeal will be specified in the decision letter along with the rationale for allowing reduced time for an appeal. The appeal must be written by the student and shall contain the student's name, date of the decision or action, and reason(s) for the appeal.

Appeal Documentation

Appeals must be submitted to the appeal officer specified in the decision letter using the designated appeal form. The documentation must specify in detail one or more of the following bases of appeal:

- The severity of the sanction was not consistent with the severity of the offense,
- The finding of the Code having been violated or not was not substantiated by the evidence, and/or
- The student's due process rights as outlined in this Code were violated, which materially or substantially impacted the decision. Those rights believed to be violated must be specified.

A copy of an appeal will be given to the other party who will have the opportunity to respond. Students will have no more than five business days to submit their response to the other party's appeal; however, the response cannot include an appeal if the time period for appeal has already expired. In cases that only involve a responding student, the appeal officer may not increase the sanctions/actions imposed by the hearing officer.

Emergency Provisions

Normally a properly filed notice of appeal suspends the imposition of sanctions until the appeal is decided; however, some emergency provisions may be maintained throughout the appeal to protect an individual and/or property. Such provisions will be explained in the original letter to the student outlining the decision, along with the rationale for maintaining those emergency provisions throughout the appeal.

Review

The appeal officer will review the written appeal documentation/response to appeal from the student(s) and materials from the original hearing, including the recording. In reviewing the appropriateness of sanctions, the student's entire conduct file may be considered.

Appeal Advisory Board

The appeal officer reserves the right to appoint an appeal advisory board to review appeals. In such instances, the appointed advisory board will make a recommendation that the appeal officer may accept or reject. The decision of the appeal officer will generally be issued within 10 business days of receiving the recommendation from the advisory board and that decision will be final.

Decision/Sanction

After reviewing appeal materials, the appeal officer may decide to do one of the following:

- Uphold the decision,
- Remand the case back to the original hearing officer,
- Adjust the sanction, or
- Assign a new hearing officer.

The decision on the appeal will generally be made within 10 business days of receipt of the appeal but may take longer during University recesses or in the event of complex cases.

SPECIAL CIRCUMSTANCES AND CONDITIONS

Registration/Graduation Hold

If a student (new, current, or returning) fails to respond to a request to meet to discuss an alleged violation of this Code, or fails to comply with sanctions and conditions assigned as a result of being found responsible for a violation of this Code, a hold may be placed on the student's eligibility to register or the student's current registration may be canceled. If registration is canceled, eligibility for any refund of tuition/fees will be subject to the University's withdrawal policy.

Students may not be permitted to graduate or officially withdraw from NDSU while disciplinary action is pending. If the student withdraws before NDSU becomes aware of the potential violation of this Code, the student's educational records may be placed on hold and the allegations must be resolved prior to the student's readmission.

Returning and/or New Students

If a student, during a period of non-enrollment, commits an act that violates this Code, a registration hold may be placed to prevent the student's registration until a hearing may be held on that matter. The student may be notified about the hold at the time the University is first notified about the incident, or notice may be provided when the student subsequently requests enrollment. In addition, a hearing officer, in consultation with the Vice Provost or designee, may place a registration hold to deny a student the eligibility to register. Reasons may include the student's arrest or when criminal charges are pending against the student, serious concerns arise about the health or safety of the student or others in the University community, and/or as otherwise provided by NDSU Policy 607, Admission & Re-Enrollment Safety Risks; Background Checks.

Rehearing Requests for Cases Resulting in Suspension or Expulsion

Any student who is suspended or expelled has the right to request a reconsideration of the case based on new or contradictory evidence that was not available at the time of the original hearing, and/or evidence that the student was not afforded due process as outlined in this Code. A request for reconsideration of the case should be submitted to the Vice Provost. Information that may be considered may include police reports, transcripts of legal proceedings, and the outcome of any civil or criminal proceeding directly related to the appeal. Student grievance proceedings based on allegations of Title IX violations are governed by NDSU Policy 156.1.

Temporary Emergency Suspension

A student may be temporarily suspended by the Vice Provost, pending a hearing, when the student's actions or threats of action indicate a serious threat to the welfare and/or safety of an individual or property. No hearing will be required before a temporary suspension is imposed; however, one will be convened within five business days following the suspension. In unique circumstances, any alteration to this timeline will be at the discretion of the Vice

Provost. If the suspension is upheld, the suspension remains subject to the rules outlined in Conduct Suspension and remains a matter of permanent conduct record.

Administrative Withdrawal

A student may be subject to administrative withdrawal if it is determined by compelling evidence that the student's actions or threats of action indicate a serious threat to the welfare and/or safety of persons or property.

Students wishing to return to the University may obtain information regarding reactivation from Registration and Records or online through One Stop. A meeting with a member of the Student Affairs staff also will be required prior to acceptance of the student's application for readmission.

Negotiated Withdrawal

In rare circumstances, a student may be allowed to negotiate a mutually agreed upon withdrawal for a specified period of time. Other conditions may also need to be met prior to application for reenrollment. Such conditions will be provided to the student in writing at the time of the negotiated withdrawal.

A student requesting readmission will be required to meet with the Vice Provost or designee prior to approval of the student's petition for readmission. The student must be academically eligible for readmission to NDSU and may be required to pass a criminal background check at the student's expense prior to readmission.

Crimes of Violence

The term "crime of violence" means:

- An offense that has an element of use, attempted use, or threatened use of physical violence against an individual 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 an individual or property of another may be used in the course of committing the offense.

Examples include arson, auto theft, assault, aggravated assault, burglary, kidnapping/abduction, manslaughter, murder, resisting arrest through the use or threat of physical force, robbery, vandalism, and sexual offenses.

In cases of crimes of violence, the Vice Provost may increase, but not decrease, timelines stated in the Code and may determine by whom the case is heard.

Individuals who are victims of crimes of violence have a right to be notified of the outcome of complaint resolution procedures, upon written request to the Vice Provost. If the victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Notification shall be limited to the responsible student(s), part(s) of the Code violated, and assigned sanction(s). Individuals in receipt of this information may assume personal civil liability for releasing this information to others.

SEX OFFENDER REGISTRATION

The Adam Walsh Child Protection and Safety Act of 2006 (AWCPSA) is a federal law that provides for the tracking of convicted sex offenders. The Sex Offender Registration and Notification Act which is Title I of the AWCPSA requires that registered sex offenders register and keep their registration current in each jurisdiction in which they reside, work, or go to school.

The federal Campus Sex Crimes Prevention Act, enacted Oct. 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It requires sex offenders already registered in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries a vocation, volunteers services or is a student.

Offenders must register in North Dakota if they have pled guilty to or been convicted of certain criminal offenses. A person must also register if that person has pled guilty or "nolo contendere" to, or been found guilty of, an offense in another court in the United States, a tribal court or court of another country, which is equivalent to those offenses. The registration statute is found in N.D.C.C. §12.1-32-15. When required to register, the offender receives registration forms and instructions from the "originating agency." The originating agency is the agency that informs the offender of the need to register as a "sex offender" or "offender against children."

The registration forms contain instructions directing the offender to register in person with the law enforcement agency in the city or county where the offender will reside. The offender signs the acknowledgment portion of the registration form. The originating agency then sends copies of the registration form the offender has signed to the Bureau of Criminal Investigation (BCI). BCI enters the information into the registration database and forwards copies of the signed acknowledgement to the law enforcement agency at which the individual is expected to register.

BCI maintains a master database of all persons registered in the state and monitors that database for any violations of the registration statutes by offenders. This list can be accessed at sexoffender.nd.gov.

DAILY CRIME LOG

University Police must create, maintain and make available a daily crime log. Log entries must include all crimes reported to the University Police, not just Clery crimes. The crime log for the most recent 60 day period is open to public inspection, upon request, during normal business hours at the University Police Office. Any portion of the log that is older than 60 days must be made available within two business days of request for public inspection.

CLERY CRIME DEFINITIONS

There are numerous terms used by North Dakota State University in our policy and procedures.

CONSENT is defined in North Dakota as (NDCC 12.1-17-08):

- When conduct is an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury by all persons injured or threatened by the conduct is a defense if:
 - Neither the injury inflicted nor the injury threatened is such as to jeopardize life or seriously impair health;
 - The conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
 - The conduct and the injury are reasonably foreseeable hazards of an occupation or profession or of medical or scientific experimentation conducted by recognized methods, and the persons subjected to such conduct or injury, having been made aware of the risks involved, consent to the performance of the conduct or the infliction of the injury.
- Assent does not constitute consent, within the meaning of this section, if:
 - It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor;
 - It is given by a person who by reason of youth, mental disease or defect, or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - It is induced by force, duress or deception.

SEXUAL ASSAULT “Sexual assault” means an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any 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 his/her age or because of his/her temporary or permanent mental incapacity.

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

STATUTORY RAPE is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

The state of North Dakota defines the statutory age of consent in North Dakota Century Code 12.1-20-01:

- When the criminality of conduct depends on a child’s being below the age of 15, it is no defense that the actor did not know the child’s age, or reasonably believed the child to be older than 14.
- When criminality depends on the victim being a minor, it is an affirmative defense that the actor reasonably believed the victim to be an adult.
- When criminality depends on the victim being a minor 15 years of age or older, the actor is guilty of an offense only if the actor is at least three years older than the minor.

The state of North Dakota has numerous sex offenses defined in North Dakota Century Code. They are as follows:

12.1-20-03 GROSS SEXUAL IMPOSITION:

- A person who engages in a sexual act with another, or who causes another to engage in a sexual act, is guilty of an offense if:
 - That person compels the victim to submit by force or by threat of imminent death, serious bodily injury or kidnapping, to be inflicted on any human being;
 - That person or someone with that person’s knowledge has substantially impaired the victim’s power to appraise or control the victim’s conduct by administering or employing without the victim’s knowledge intoxicants, a controlled substance as defined in chapter 19-03.1, or other means with intent to prevent resistance;
 - That person knows or has reasonable cause to believe that the victim is unaware that a sexual act is being committed upon him or her;
 - The victim is less than 15 years old; or
 - That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders him or her incapable of understanding the nature of his or her conduct.
- A person who engages in sexual contact with another, or who causes another to engage in sexual contact, is guilty of an offense if:
 - The victim is less than 15 years old;
 - That person compels the victim to submit by force or by threat of imminent death, serious bodily injury or kidnapping, to be inflicted on any human being; or
 - That person knows or has reasonable cause to believe that the victim is unaware that sexual contact is being committed on the victim.

12.1-20-03.1. CONTINUOUS SEXUAL ABUSE OF A CHILD

- An individual in adult court is guilty of an offense if the individual engages in any combination of three or more sexual acts or sexual contacts with a minor under the age of 15 years during a period of three or more months. The offense is a class AA felony if the actor was at least 22 years of age at the time of the offense. Otherwise, the offense is a class A felony. The court may not defer imposition of sentence.
- If more than three sexual acts or contacts are alleged, a jury must unanimously agree that any combination of three or more acts or contacts occurred. The jury does not need to unanimously agree which three acts or contacts occurred.
- No other felony offense under this chapter involving the same victim may be charged in the same proceeding with a charge under this section unless the other charged offense occurred outside the time period charged under this section or the other offense is charged in the alternative. A defendant may be charged with only one count under this section, but a separate count may be charged for each victim if more than one victim is involved.

12.1-20-04. SEXUAL IMPOSITION

- A person who engages in a sexual act or sexual contact with another, or who causes another to engage in a sexual act or sexual contact, is guilty of a class B felony if the actor:
- Compels the other person to submit by any threat or coercion that would render a person reasonably incapable of resisting; or
 - Engages in a sexual act or sexual contact with another, whether consensual or not, as part of an induction, initiation, ceremony, pledge, hazing or qualification to become a member or an

associate of any criminal street gang as defined in section 12.1-06.2-01.

12.1-20-07. SEXUAL ASSAULT

- A person who knowingly has sexual contact with another person, or who causes another person to have sexual contact with that person, is guilty of an offense if:
 - That person knows or has reasonable cause to believe that the contact is offensive to the other person;
 - That person knows or has reasonable cause to believe that the other person suffers from a mental disease or defect which renders that other person incapable of understanding the nature of that other person's conduct;
 - That person or someone with that person's knowledge has substantially impaired the victim's power to appraise or control the victim's conduct, by administering or employing without the victim's knowledge intoxicants, a controlled substance as defined in chapter 19-03.1, or other means for the purpose of preventing resistance;
 - The other person is in official custody or detained in a hospital, prison or other institution and the actor has supervisory or disciplinary authority over that other person;
 - The other person is a minor, 15 years of age or older, and the actor is the other person's parent, guardian or is otherwise responsible for general supervision of the other person's welfare; or
 - The other person is a minor, 15 years of age or older, and the actor is an adult.

12.1-20-11. INCEST

A person who intermarries, cohabits or engages in a sexual act with another person related to him within a degree of consanguinity within which marriages are declared incestuous and void by section 14-03-03, knowing such other person to be within said degree of relationship, is guilty of a class C felony.

(14-03-03 Void marriages. The following marriages are incestuous and void:

- Marriage between parents and children, including grandparents and grandchildren of every degree.
- Marriage between brothers and sisters of the half as well as the whole blood.
- Marriage between uncles and nieces of the half as well as the whole blood.
- Marriage between aunts and nephews of the half as well as the whole blood.
- Marriage between first cousins of the half as well as the whole blood.

This section applies to illegitimate as well as legitimate children and relatives.)

DOMESTIC VIOLENCE The term "domestic violence" means

- Felony or misdemeanor crimes 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.

- 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.

The State of North Dakota Defines Domestic Violence in North Dakota Century Code 14-07.1-01 as physical harm, bodily injury, sexual activity compelled by physical force, assault, or the infliction of fear of imminent physical harm, bodily injury, sexual activity compelled by physical force, or assault, not committed in self-defense, on the complaining family or household members. The code defines family or household member as a spouse, family member, former spouse, parent, child, persons related by blood or marriage, persons who are in a dating relationship, persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they are or have been married or have lived together at any time, and, for the purpose of the issuance of a domestic violence protection order, any other person with a sufficient relationship to the abusing person as determined by the court.

DATING VIOLENCE The term "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 and
- 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 section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

As the State of North Dakota includes persons who are in a dating relationship under the state's domestic violence laws, any violence committed by dating parties would fall under domestic violence, not dating violence.

STALKING The term "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 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.
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
- 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.

The State of North Dakota Century Code 12.1-17-07.1 states that no person may intentionally stalk another person. The state defines

stalk as engaging in an intentional course of conduct directed at a specific person which frightens, intimidates or harasses that person, and that serves no legitimate purpose. The course of conduct may be directed toward that person or a member of that person's immediate family and must cause a reasonable person to experience fear, intimidation or harassment. The state defines course of conduct as a pattern of conduct consisting of two or more acts evidencing a continuity of purpose. The term does not include constitutionally protected activity. The state defines immediate family as a spouse, parent, child or sibling. The term also includes any other individual who regularly resides in the household or who within the prior six months regularly resided in the household.

ARSON To unlawfully and intentionally damage or attempt to damage any real or personal property by fire or incendiary device.

AGGRAVATED ASSAULT An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

BURGLARY The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

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 negligence.

MOTOR VEHICLE THEFT The theft of a motor vehicle.

ROBBERY The taking or attempting to take anything of value under confrontational circumstances from the control, custody or care of another person by force or threat of force or violence and/or by putting the victim in fear of immediate harm.

HATE CRIMES A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude, actual or perceived, toward a group of persons based on their real or perceived race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or nation of origin.

For Clery purposes, hate crimes include any offense in the following categories that is motivated by bias:

- Murder and non-negligent manslaughter
- All sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

WEAPONS 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, or other weapons used in a deadly manner.

DRUG ABUSE VIOLATIONS Violation 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 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.

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.

NDSU DEFINITIONS

The terms and definitions used here are important components of University policy. The definitions are intended to give meaning to these terms in the context of the University community. Criminal and other applicable state laws may use different definitions. Section 13 provides North Dakota criminal law terms and definitions. For definitions specifically related to Title IX Complaints, please see Policy 156.1: Title IX Grievance Procedures and State Board Higher Education Policy 520.

Complicity – Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

Consent – Mutually understandable words or actions, actively communicated both knowingly and voluntarily, that clearly conveys permission for a specific activity.

Consent must be all of the following:

- **Knowing:** Consent must demonstrate that all individuals understand, are aware of, and agree to the “who” (same partners), “what” (same acts), “where” (same location), “when” (same time), and “how” (the same way and under the same conditions) of the sexual activity.
- **Active:** Consent must take the form of “clearly understandable words or actions” that reveal one's expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a “no”) should not – in and of themselves – be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date.
- **Voluntary:** Consent must be freely given and cannot be the result of force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), intimidation (extortion, menacing behavior, bullying), coercion (undue pressure) or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).
- **Present and ongoing:** Consent must exist at the time of the sexual activity. Consent to previous sexual activity does not imply consent to later sexual acts; similarly, consent to one type of sexual activity does not imply consent to other sexual acts. Consent may also be withdrawn at any time – provided the person withdrawing consent makes that known in clearly understandable words or actions.

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, due to age,

physical condition, or disability that impairs the individual's ability to give consent. Reasons why one could lack capacity to give consent due to a physical condition include, but are not limited to, incapacitation due to consumption of drugs or alcohol (voluntarily or involuntarily) or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring. Consent is not effective if it results from: (a) the use of physical violence, (b) threats, (c) intimidation, (d) coercion, (e) incapacitation, or (f) any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in sexual activity. When determining whether consent was present, the University will consider whether a reasonable person in the same position should have known whether the other party could or could not consent to the sexual activity.

- Physical violence means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
- Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
- Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
- Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.
- Incapacitation is a state of being that prevents an individual from having capacity to give consent. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.

Discrimination Based on Pregnancy or Parental Status –

Excluding persons from, denying them the benefit of, or discriminating against them due to their pregnancy or status as a parent. To ensure a pregnant student's access to their education, faculty and staff must make modifications that are reasonable and responsive to the student's temporary pregnancy status. Faculty that

have their own policies about class attendance and make-up work must make sure their policies are not discriminatory.

Gender-Based Harassment – Verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

Intimate Partner Violence – Any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate Partner Violence is an offense that meets the definition of domestic violence or dating violence:

- Domestic Violence – Abuse or violence committed by a current or former spouse or intimate partner of the Reporting Party, by a person with whom the Reporting Party shares a child in common or by a person with whom the Reporting Party is cohabiting (or has cohabited) with a spouse or intimate partner.
- Dating Violence – Abuse or violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party. The existence of such a relationship will be determined based on the Reporting Party's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two people may be in a romantic or intimate relationship regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.
- Intimate Partner Violence may include any form of Prohibited Conduct under this policy, including Sexual Assault, Stalking, and Physical Assault (as defined below).
- Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Assault will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.

Public Indecency – Engaging in private or sexual acts in a publicly viewable location, such that it is offensive to accepted standards of decency including, but not limited to: 1) Exposing one's genitals or private areas; 2) Public urination; 3) Defecation; and/or 4) Public sex acts.

Reporting Party – A person or entity (in the case of the university) who submits a complaint alleging a violation of this policy.

Responding Party – Generally, the Responding Party is the person who is alleged to be responsible for the Prohibited Conduct alleged in a complaint.

Retaliation – Any adverse action taken against a person for making a good faith report of Prohibited Conduct, assisting someone making such a report, or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

Sexual Assault – Any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Sexual assault includes nonconsensual sexual contact and nonconsensual sexual intercourse.

Nonconsensual Sexual Contact—Any intentional sexual touching, however slight, with any object or body part without consent. Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals whether clothed or unclothed;
- Touching another with any of these body parts;
- Making another touch you or themselves with or on any of these body parts; or
- Any other intentional bodily contact in a sexual manner.

Nonconsensual Sexual Intercourse – Any sexual penetration or intercourse, however slight, with any object or body part, by a person upon another person that is without consent and/or is effectuated by force. Sexual intercourse includes

- Vaginal or anal penetration by a penis, tongue, finger, or object; or
- Any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

The following offenses are examples of sexual assault: rape, incest, fondling, and statutory rape.

- 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 Reporting Party.
- Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment.

Sex Discrimination – An act that deprives a member of the university community of their rights of access to campuses and facilities and of participation in education, services, programs, operations, employment, benefits, or opportunities with the university on the basis of the person’s sex (including pregnancy, sexual orientation, and gender identity/expression) or having a policy or practice that has a disproportionately adverse impact on protected class members.

Sexual Exploitation – Taking nonconsensual or abusive sexual advantage of another for the benefit of oneself or a third party, and that behavior does not otherwise fall within the definitions of Sexual Harassment, nonconsensual Sexual Intercourse or nonconsensual Sexual Contact. Sexual Exploitation includes, but is not limited to:

- Recording, distribution, or dissemination of sexual or intimate images or recordings of another person without that person’s consent;
- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- Engaging in voyeurism (watching private sexual activity without the consent of the participants or viewing another person’s intimate parts, including genitalia, groin, breasts or buttocks, in a place where that person would have a reasonable expectation of privacy);
- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give consent to sexual activity;
- Exposing one’s genitalia in nonconsensual circumstances; inducing another to expose their genitalia or private areas;
- Prostituting or trafficking another person; or
- Exposing another person to a sexually transmitted disease (STD), infection (STI), or virus (HIV) without the other’s knowledge.

Sexual Harassment – Unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, written, graphic, physical or otherwise, when:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (quid pro quo harassment); or
- Such conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University’s education or employment programs and/or activities (hostile environment).

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute sexual harassment.

A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Sexual Misconduct – A broad term encompassing all forms of gender-based harassment or discrimination and unwelcome behavior of a sexual nature. The term includes sexual harassment, gender-based harassment, nonconsensual sexual contact, nonconsensual sexual intercourse, sexual assault, sexual exploitation, stalking, public indecency, intimate partner violence, sexual violence, and other misconduct based on sex.

Stalking – A course of unwelcome conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or would cause that person to suffer substantial emotional distress. Course of conduct means two or more acts, including but not limited to acts in which a person 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 similarly situated to the Reporting Party. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

- Stalking includes “Cyber-Stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

Examples of inappropriate behavior that may constitute Sexual Harassment or Sexual Misconduct include, but are not limited to:

- Sexual teasing, jokes, remarks, or questions;
- Sexual looks and gestures;
- Sexual innuendoes, humor, or stories;
- Communicating in a manner with sexual overtones;
- Inappropriate comments about dress or physical appearance;

- Inappropriate discussion of private sexual behavior;
- Gifts, letters, calls, emails, online posts, or materials of a sexual nature;
- Sexually explicit visual material (calendars, posters, cards, software, internet, or other multimedia materials);
- Sexual favoritism;
- Pressure for dates or sexual favors or forced sexual activity;
- Unwelcome sexual advances;
- Unwelcome physical contact (touching, patting, stroking, rubbing);
- Nonconsensual video or audio-taping of sexual activity;
- Exposing one's genitals in nonconsensual circumstances; inducing another to expose their genitals or private areas;
- Obscene gestures;
- Sexual graffiti, pictures, or posters;
- Sexually explicit profanity;
- Domestic or dating violence;
- E-mail, texting (“sexting”) and Internet use that violates this policy;
- Nonconsensual sexual intercourse, sexual assault, or rape; or
- Other gender-based threats, discrimination, intimidation, hazing, bullying, stalking, or violence.





CRIME AND REFERRAL STATISTICS

The following crime and referral statistics in this document are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law (the Clery Act). The annual statistics are prepared by collecting crime and referral data from NDSU Police records, Residence Life and other Campus Security Authorities. Statistics may also be provided by the NDSU Counseling Center, Sexual Assault and Prevention Advocacy Coordinator, and Student Health Service employees through a confidential reporting form for inclusion of those statistics in this document even though they are not required to provide this information. In addition to information provided by on-campus reporters, the NDSU Police also requests crime statistics for specified geographic locations from other local law enforcement agencies. All statistics are gathered, compiled and reported to

the university community via this document published by the University Police and Safety Office. University Police submits the annual crime statistics published in this Annual Security and Fire Report to the Department of Education (ED).

The University Police sends an email to every enrolled student and current employee each year on or before October 1 notifying them of the availability of this report. The email includes a summary of the contents of the Annual Security and Fire Report along with the direct URL to the document. A physical copy can be obtained by making a request to the University Police Communications Call Center at 701-231-8998 or by stopping by the University Police Office. Information is provided to prospective students and employees with a referral to the online report.

Offense	Year	On-Campus Property	On-Campus Housing Facilities*	Non-Campus Property	Public Property	Unfounded Crimes
Murder/Non-Negligent Manslaughter	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	9	8	0	0	0
	2022	4	4	0	0	0
	2021	3	3	1	0	0
Fondling	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	6	5	1	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

Offense	Year	On-Campus Property	On-Campus Housing Facilities*	Non-Campus Property	Public Property	Unfounded Crimes
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	1	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	1	0
Burglary	2023	1	1	1	0	0
	2022	2	2	0	0	0
	2021	5	2	1	0	0
Motor Vehicle Theft	2023	4	0	4	0	0
	2022	3	0	7	0	1
	2021	2	0	3	0	0
Liquor Law Arrests	2023	30	14	0	2	0
	2022	47	6	0	3	0
	2021	24	12	0	12	0
Drug Law Arrests	2023	5	1	0	7	0
	2022	8	6	0	11	0
	2021	7	6	0	6	0
Weapons Law Arrests	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2023	87	82	0	0	0
	2022	101	101	0	0	0
	2021	173	172	0	0	0
Drug Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	2	0	0
	2021	0	0	0	0	0
Domestic Violence	2023	1	1	0	0	0
	2022	2	2	0	0	0
	2021	0	0	1	0	0
Dating Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2022	1	0	0	0	0
	2021	0	0	0	0	0

*On-Campus Housing Facilities crime statistics are a subset of the On-Campus category, i.e. they are counted in both categories.
No Hate Crimes were reported in 2023, 2022 and 2021.

CRIME PREVENTION AND SAFETY TIPS

ON CAMPUS

- Lock your doors whenever you leave your room for any length of time or when you are sleeping. Always lock all car doors.
- Never prop open any door.
- Protect all valuables in your room and your vehicle. Do not leave valuables like wallets, jewelry, credit cards, cash, and computers in plain view.
- Do not loan your keys to anyone.
- Never hide your keys outside of your apartment or room. Do not put your name or address on your keys.
- Take all portable valuables home with you during vacations.
- In public places keep your valuables out of sight or in a safe place. If you leave an area for any length of time, take personal items with you.
- Itemize your possessions and record the description and serial number. Keep purchase receipts and brochures on equipment purchased.
- Park and lock all bicycles in bicycle racks. Use a high-quality lock, “U” bolt locks are the best for bicycles. If possible place the chain, cable, or lock through both wheels, the frame and around the bicycle rack. Keep a record of your bike’s serial number.
- Stay sober. Many crimes against persons occur when one or both parties are under the influence of alcohol and/or other drugs.
- Never let unauthorized persons enter your room, residence hall, or apartment security doors. Report any suspicious activity to University Police (701-231-8998) immediately.
- Never dress in front of a window. Draw blinds or curtains after dark.
- If you are awakened by an intruder inside your room, do not attempt to apprehend the intruder (you may want to pretend you are sleeping until the intruder leaves). Try to get an accurate description of the intruder and call University Police immediately.
- Avoid working or studying alone in a campus building.
- Be careful what personal information you share on the Internet.

WHEN DRIVING

- When approaching your vehicle carry your keys so you can enter quickly.
- Lock your doors and keep windows rolled up whenever possible. Always check the rear seat for intruders before entering your vehicle.
- Drive on well-traveled and well-lit streets.
- Open or broken doors or windows.

- Never hitchhike and never pick up hitchhikers.
- If someone tries to enter your stopped vehicle, sound the horn and drive away.
- If your vehicle breaks down, raise the hood and wait in your locked car for help.
- Be aware that an accident may be staged to provide the other driver with an opportunity to commit a criminal act.
- Leave enough room between your car and the one ahead so you can drive around it if necessary.

WHEN WALKING OR JOGGING

- Avoid walking or jogging alone, especially after dark. If you must travel alone at night, use the NDSU Campus Safety Escort Service (701-231-8998) to escort you to your on-campus destination or to locations near campus.
- Avoid dark or vacant campus areas. Walk along well-lit routes.
- Be alert to your surroundings. If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.
- Have your keys or ID card read when returning to your residence hall or apartment and keep your personal or valuable items concealed and close to your body.

If you see any suspicious activity or people on or near the university campus, it is your responsibility to immediately call University Police at 701-231-8998 and report what you have seen. Do not assume that the person is a visitor or university staff member you have not seen before. Do not assume that what you see is an innocent activity or that another individual has already called the police. Do not worry about being embarrassed; think about what could happen if you do not act. Examples of suspicious activity includes:

- Someone loitering about unusual hours and locations.
- Someone running, especially if something of value is being carried.
- Someone exhibiting unusual mental or physical symptoms. Person(s) could be under the influence of drugs, or otherwise needing medical or psychiatric assistance.
- Someone going from room to room or car to car trying doors.





- Unusual noises—anything suggestive of foul play, danger, or illegal activity.
- People sitting in parked vehicles for extended periods of time.
- Vehicles driving slowly in a parking lot at night.

ALCOHOL POISONING/OVERDOSE

Alcohol poisoning and/or alcohol overdose are serious conditions and can result in death unless paramedics respond in time and can get appropriate treatment for the individual. The dangers of Acute Alcohol Intoxication, more commonly known as Alcohol Poisoning or Alcohol Overdose, are real and can happen anywhere. Your awareness and knowledge about the signs and symptoms could mean life or death to a person you care about.

- Try to wake them up. Call their name, shake them, pinch them. If they do not respond get help.
- Check the person's skin. If his/her skin is pale or is cold or clammy get help.
- Listen to their breathing. If it is irregular, or too slow/shallow (less than eight breaths per minute or more than 10 seconds between breaths) get help.

If you discover any of the above symptoms call 911 or University Police at 701-231-8998. Stay with the person while waiting for help to arrive. Turn the person on his/her side to prevent choking. If their breathing stops perform CPR.

Do not hesitate to seek assistance for yourself or others for fear of criminal charges. North Dakota law (N.D.C.C. 5-01-09.2) states that an individual under 21 years of age is immune from criminal prosecution if that individual contacted law enforcement or emergency medical services and reported that another individual under 21 years of age was in need of medical assistance due to alcohol consumption, provided assistance to the individual in need

of medical assistance until assistance arrived and remained on the scene and cooperated with medical assistance and law enforcement personnel on the scene, or was the individual in need of medical assistance. The maximum number of individuals who may be immune for any one occurrence is five individuals.

See Policy 601 Section 2.2, Responsible Action Expectations, for student conduct exemptions for reporting overdoses.

TELEPHONE/EMAIL HARASSMENT

Obscene or threatening telephone calls, email messages, or other forms of electronic communication, should be reported to the police immediately. Other harassing messages should be reported if they persist. If you receive such a telephone call, remain calm and hang up. If you receive such a message by email, do not reply or delete the message, and contact University Police at 231-8998.

ARMED INTRUDER AND VIOLENT BEHAVIOR

The following are recommended guidelines to follow if it is possible to do so safely. Exit the building immediately when you become aware of an incident, moving away from the immediate path of danger, and follow these recommended steps:

- Notify anyone you may encounter to exit the building immediately, but do not sound the fire alarm. This may place everyone in potential harm as they try to exit the building.
- Notify University Police at 701-231-8998 or call 911 immediately and be prepared to provide the dispatcher with the following information:
 - Your name
 - Location of the incident
 - Number of shooters
 - Identification or description of the shooter(s)
 - Number of persons who may be involved
 - Your exact location and injuries to anyone if known

- Individuals not immediately impacted by the situation are to take protective cover, staying away from windows and doors until notified otherwise.
- If it is unsafe to enter a campus building, seek shelter in the safest place available.
- Obey all commands from the police for safety reasons and wait for further instructions.

If you are directly involved in an incident and exiting the building is not possible, the following shelter-in-place actions are recommended:

- Go to the nearest room or office (do not stay in an open hallway).
- Close and lock the door.
- Turn off the lights and the audio equipment.
- Barricade yourself in the room with furniture or anything you can push against the door and seek protective cover.
- Keep quiet and act as if no one is in the room.
- Do not answer the door.
- Notify 911 if it is safe to do so and be prepared to provide the dispatcher with the essential information.
- If you think you can safely make it out of the building then do so.
- Wait for the police or emergency personnel to assist you out of the building. Obey all commands from the police for safety reasons and wait for further instructions.

A basic active shooter awareness video has been produced by the University Police Department and can be viewed by anyone at www.ndsu.edu/police_safety/universitypolice/active_shooter/.

The video RUN. HIDE. FIGHT.® Surviving an Active Shooter Event is located at https://www.ndsu.edu/police_safety/universitypolice/active_shooter/ (scroll to the bottom of the page) for further active shooter training.

NDSU departments, groups and clubs also can request an active shooter presentation at a meeting or event by contacting the University Police Department at ndsu.police.safety@ndsu.edu or by calling 701-231-8998.

BOMB THREATS

All bomb threats are to be taken seriously. To provide for the safety of the faculty, staff, students and the general public, bomb threats must be considered real until proven otherwise. In most cases, bomb threats are meant to disrupt normal activities. With that in mind, a building evacuation is not a decision for just anyone to make, but should be made by the proper authorities. If you receive a threatening telephone call, please do the following whether the bomb threat appears real or not:

- Remain calm.
- Immediately report the incident to University Police (701-231-8998).
- Follow the University Police instructions, including evacuation of the building if necessary. Alert others to evacuate the area (following building evacuation plans).
- Do not search for the bomb (unless instructed to do so by University Police).
- If a suspicious object or potential bomb is discovered, do not handle the object. Evacuate the immediate area and call 911. Be sure to include the location and appearance of the object when reporting.
- Do not re-enter the building until instructed to do so by appropriate personnel (University Police).

SUSPICIOUS MAIL OR PACKAGES

If you receive a suspicious package or piece of mail, following these recommended steps can minimize problems:

- Contact the University Police at 701-231-8998 or call 911.
- Give the dispatcher a description and location of the package.
- Follow the instructions given by the police.
- Do not open it.
- Do not shake or empty the contents of any suspicious mail.
- Do not carry the package or envelope, show it to others, or allow others to examine it.
- Treat the scene as a crime scene.
- Put the package or envelope down on a stable surface; do not sniff, touch or look closely at it, or at any contents which may have spilled.
- Alert others in the area about the suspicious envelope or package. Leave the area, close any doors and take actions to prevent others from entering the area. If possible, shut off the ventilation system.
- Wash your hands with soap and water to prevent spreading potentially infectious material to face or skin. Seek additional instructions for exposed or potentially exposed persons.
- Evacuate the building if told to do so by emergency response officials.
- If possible, create a list of persons who were in the room or area when this suspicious letter or package was recognized, and a list of all persons who also may have handled the package or envelope. Give this list to the Safety Office, local public health authorities, or law enforcement officials.

Some characteristics of suspicious packages may include the following:

- Unexpected or from someone unfamiliar to you.
- Has no return address, or has one that can't be verified as legitimate.
- Marked with restrictive endorsements such as personal, confidential, or do not X-ray.
- Has protruding wires or aluminum foil, strange odors, or stains.
- Shows a city or state in the postmark that does not match the return address.
- Unusual weight given the size, lopsided, or oddly shaped.
- Threatening language and inappropriate or unusual labeling.
- Excessive postage or packaging material, such as masking tape and string.
- Misspellings of common words, incorrect titles or titles without a name.
- Addressed to someone no longer with your organization or are otherwise outdated.
- Ticking sound.
- Powdery substance felt through or appearing on the package or envelope.

MEDICAL EMERGENCIES

For medical emergencies on the NDSU campus please follow these steps:

- Remain calm and call 911 immediately.
- Send someone outside to escort emergency responders to the appropriate location.
- Clear the area surrounding the victim and any pathway necessary to provide emergency responders access to the individual.
- Do not attempt to move a seriously injured or ill person unless there is a life threatening situation (for example, a fire).
- In case of seizures, do not restrain the person having the seizure or put anything in the person's mouth or between the teeth. If possible record the length of the seizure and what happens during the seizure.
- If the person is conscious, ask if they are willing to share medical information about the nature about the nature of the illness so that it can be passed on to the emergency personnel when they arrive.
- Remain with the person until emergency personnel arrive.
- Utilize any individuals who may have medical/first aid training or familiarity with the person's condition (roommate, friend, etc.).

- Faculty should use their discretion regarding continuation or cancellation of class. Factors to be considered may include: severity of the incident, mental/emotional impact on classmates or instructors, time remaining in the class period, or special circumstances regarding the class.
- Specific medical information is not to be shared under HIPPA rules, but it is safe to let someone know that the person is receiving appropriate care.
- Notify the Office of the Vice Provost for Student Affairs and Institutional Equity (701-231-7701) for students. The Vice Provost will determine if, by whom, and at what point family members should be contacted. Outside of normal university operating hours, leave a voice message with basic information: type of incident, location, contact information for the person reporting, etc.
- Students may contact the Vice Provost for Student Affairs and Institutional Equity to request contact be made with all of his/her current faculty members and academic advisors regarding his/her absence and anticipated return.
- Complete the University Incident Report Form immediately and submit to the Safety Office within 24 hours. The process to complete incident reporting for both employees and non-employees is described at www.ndsu.edu/police_safety/public_health_and_safety/incident. For students routine medical assistance at NDSU can be obtained at the NDSU Student Health Service in the Wallman Wellness Center, 701-231-7331.
- Employees injured on the job in need of medical care should report to NDSU's Designated Medical Provider and complete an incident report within 24 hours. Questions/assistance can be obtained by calling the NDSU Claims Specialist at 701-231-9587 during normal business hours.

COUNSELING SERVICES

For students: In an emergency, dial 911. If the situation does not require this, dial 701-231-7671 to contact NDSU Counseling Center. For employees: The Village provides general counseling services. You can request their services by calling 1-800-627-8220. The EAP provides services for issues related to work, relationships, drug and alcohol use, finances and legal matters, and emotional health. Employees also can access online resources at villageeap.com.

DISABILITY SERVICES

Students with documented disabilities needing reasonable accommodations to access university facilities and activities should contact the Disability Services Office at 701-231-8463, lower level of main library, suite 17. Students with temporary medical conditions in need of accommodations may also contact Disability Services. Employees with disabilities who need reasonable accommodations to perform job responsibilities should notify their immediate supervisor or the Office of Human Resources/Payroll at 701-231-8961. Visitors with disabilities who need reasonable accommodations to access university facilities and events should contact the department sponsoring the event with their request.

POWER FAILURE

In case of a power failure or electrical hazard, following the recommended steps can minimize problems.

If the power fails during normal business hours:

- Call Facilities Management at 701-231-7911 to notify them of the outage.
- Check to see if anyone is trapped in the elevators.
- Check to see if anyone needs assistance exiting a room or the building.
- Turn off all electrical equipment and devices such as power tools, computers, monitors, copiers, printers, etc.

If the power fails during evening hours or on a weekend follow the same procedures as above except call the University Police at 701-231-8998 (or 911 for an emergency situation) instead of calling Facilities Management.

As power returns after an outage, people may be at risk of electrical or traumatic injuries. Power lines are re-energized and equipment is reactivated. It is recommended that you be aware of those risks and take protective steps.

CHEMICAL AND RADIOLOGICAL SAFETY

Chemicals and other hazardous substances should be used only by people who have completed appropriate training and have the proper authority and permission to use them. Normally, use of these substances is for work purposes, research, or teaching assignments. Appropriate safety precautions should be followed and may include the use of laboratory apparel, safety goggles, respirators, and/or fume hoods. Laboratories and other areas where chemicals are used or stored must be locked when unattended.

Disposal of all hazardous substances is handled by the University Hazardous Materials Technician. Hazardous items may not be disposed of in common trash containers or in the university sanitary and storm sewer system. If you have questions, contact the University Hazardous Materials Technician at 701-231-7759.

Radioactive materials can be used by university personnel only after authorization has been granted by the University Radiation Safety Committee. The Radiation Safety Officer should be contacted to obtain an application for radioactive materials usage, or for any questions on radiation safety related matters at 701-231-7759.

CHEMICAL/RADIATION/BIOLOGICAL ACCIDENT/ATTACK

A radiological threat could come in the form of a spill, nuclear blast or a dirty bomb. A dirty bomb would involve the use of explosives to spread radioactive contaminants over a targeted area.

A chemical spill/attack is the accidental or deliberate release of a toxic gas, liquid or solid that can poison people and the environment. Nerve agents such as sarin and tabun are high on the list of suspected chemical threats. Signs of a chemical spill or attack would include many people suffering from watery eyes, choking and having trouble breathing and many sick or dead birds, fish or small animals.

A biological spill/attack is the accidental or deliberate release of biological substances that can make you sick. Some agents like anthrax are not contagious, while others like smallpox can be transmitted to other people. A biological accident/attack may not be immediately obvious. Patterns of unusual illnesses or a surge of sick people seeking medical treatment may be the first sign of an attack. Report the circumstances to the University Police and Safety Office at 701-231-8998.

- Be prepared to give the specifics: e.g. biological chemical/radioactive material, building name, room number, person(s) injured, etc.
- If necessary evacuate the building by activating the fire alarm. Evacuate the building following EXIT signs. DO NOT USE THE ELEVATORS.
- After the emergency is under control, be prepared to assist the staff of the University Police and Safety Office, or other law enforcement or regulatory agencies in preparing and completing any required incident reports.



ASBESTOS

Asbestos containing materials are located in many areas across the NDSU campus. The University Police and Safety Office maintains the locations of asbestos containing materials at NDSU. Contact the University Police and Safety Office at 701-231-7759 with any asbestos related questions. (Source: Policy 711, NDSU Policy manual.)

TORNADO PREPAREDNESS

When the threat of a tornado is imminent, the city/campus emergency sirens will be activated. Be familiar with the weather service alert and siren system. There is a test of the sirens the first Wednesday of each month at 1 p.m. In the event of a tornado warning follow these steps:

- Stay calm and seek an area of safety immediately and monitor local weather announcements if possible.
- If you are outside, seek shelter in a nearby sturdy building if time permits, or lie flat in a ditch or low-lying area.
- If you are inside a building, seek shelter immediately in the lower level or interior hallway or room of the building, get under something sturdy, stay away from outside windows and walls, and assume a crouched position with arms over your head.
- If you are in a vehicle in the immediate path of the tornado, get out immediately and seek an area of safety if time permits, or if unable to leave the vehicle, ensure the lap/shoulder belt is on, and cover your head with your arms and/or any other protective items available to you such as coats, blankets or cushions.
- Remain in an area of safety until the “all clear” has been provided by the weather announcements or other emergency authorities.

AFTER THE DISASTER OR EMERGENCY:

- Use extreme caution in entering or working in buildings that may have been damaged or weakened, as they may collapse without warning.
- Check for fire and be aware of the possibility of gas leaks or electrical short circuits. If detected, notify the gas company, electrical company, the police or fire department.

Do not go back into the building until you have been assured it is safe by these officials.

- Do not light matches or turn on electricity.
- Stay away from fallen or damaged electrical wires.
- Stay away from disaster areas. Sightseeing will interfere with emergency operations and may be dangerous.
- Do not use the phone except for emergencies.

ANIMAL ACTIVIST PROCEDURES

We all need to be alert to unauthorized persons attempting to gain access to animal facilities. Activists may pretend to have authority to gain access or may claim to “have a delivery,” “be the news media,” “have an appointment,” or to “have left their card access elsewhere.” All animal facilities are and should be secured areas. If unauthorized personnel attempt to gain entry to the animal facilities, if a demonstration should occur, or if you learn of animal activists targeting the animal facilities, call 911, University Police at 701-231-8998, or your local law enforcement agency.

In addition:

- Be aware and report suspicious activity immediately (suspicious packages, emails, etc.).
- Report loss of keys immediately.
- Lock all doors and windows and close them on the way in and out.
- Remain calm.
- Do not confront demonstrators. If you arrive during a disturbance, leave the area at once.
- Be courteous and avoid an incident.
- When law enforcement arrives, provide the following information:
 - Location, building, floor, room, entrance, etc.
 - Approximate number of activists/protesters.
 - Obvious objective or demand of group.
 - Describe if the group is rational, organized, violent, etc.
 - Follow the law enforcement’s instructions.
- When the media arrives at an NDSU location or calls for information, verify their credentials and then refer them to the office of University Relations 701-231-8330.

WINTER DRIVING ISSUES

For people coming to NDSU from the immediate region, the periodic challenges of the North Dakota winter season will come as no surprise. For newcomers to the region, a few brief comments may be helpful.

City and campus streets are plowed or sanded as required. Once you become accustomed to driving on streets that are periodically compacted with snow or ice, travel within the city is normally uneventful. In the winter months, good drivers slow down, allow more time to reach destinations, and leave more space between their vehicles and vehicles they are following.

Temperatures may reach the -20° to -40° F range in midwinter. Vehicles should be winterized so they will start properly under these potentially extreme conditions. Gas tanks should be kept as full as possible, anti-freeze checked and replaced before cold weather arrives, batteries should be maintained or replaced as needed, and a shovel kept in the trunk. There are a number of reliable service centers in the city that can be contacted to have these services performed.

Campus residents may be required to move their vehicles for snow removal.

Some tips for automobile travel in the winter months:

- Check weather reports before leaving.
- Limit driving to daylight hours and carry a car safety kit that includes blankets, matches, candles, high energy dry foods, a flashlight and spare batteries, transistor radio, and a shovel.
- Check road conditions from the State Highway Department
 - Inside the state of North Dakota call 511
 - Inside the state of South Dakota call 511
 - Minnesota call 800-542-0220
- Do not travel if blizzard conditions are expected.
- Do not pass snow plows working on highways. They can cause whiteouts due to blowing snow. Normally the plow operator will pull over every few miles to let traffic pass.
- Tell someone of your route and when to expect you.
- If stranded, stay in your vehicle.

ANNUAL FIRE SAFETY REPORT FOR RESIDENCE LIFE HOUSING FACILITIES

If a fire occurs in a NDSU Residence Life housing facility, individuals should immediately call 911 to report the fire. The 911 call will initiate the appropriate fire response as well as other appropriate emergency services personnel that may be needed. This response also will include emergency response of the University Police and Safety Office personnel as appropriate. If an individual finds evidence of a fire that has been extinguished, and the person is not sure whether NDSU University Police and Safety Office has already responded, they should immediately notify University Police at 701-231-8998 to investigate and document the incident.

Microwaves that are 1000 watts or less, refrigerators that are five cubic feet or less in capacity, stereos, hair appliances, portable sewing machines, TV sets, coffee makers with automatic shut-off, and electric blankets are permitted by the license for residence halls. For safety reasons, all cooking devices, including but not limited to, hot plates, bread makers, items with exposed heating elements, electric frying pans, toaster ovens, toasters, sandwich makers, and electric grills are not allowed in residence halls other than Mathew Living Learning Center and Niskanen. Also prohibited are halogen lamps (floor or desk), vehicle batteries, vehicle battery chargers, extension cords, space heaters, open fires, candles, incense, and potpourri pots. Smoking is prohibited on NDSU grounds and in university buildings, residence halls, apartments, and enclosed structures.

The facility fire alarms alert the campus users of potential hazards, and individuals are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Individuals should familiarize themselves with the exits in each building. While there are potential administrative and legal actions for failing to adhere to the fire alarm, a more important reason for evacuating is for personal safety and security reasons.

When a facility fire alarm is activated, the elevators should not be used for evacuation. Instead, individuals should use the stairs to evacuate the facility. If you are caught in the elevator, push the emergency phone button, which typically rings into the University Police Communications Call Center.

There are no immediate plans for future improvements in fire safety.

NDSU publishes the fire safety report as part of the annual Clery Act Compliance document, via this publication, which contains information with respect to the fire safety practices and standards for NDSU. This report also includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire.

This report is also available for review 24 hours a day at the University Police Communications Call Center located in the southwest corner of the Auxiliary Enterprise Building on the NDSU main campus.

FIRE SAFETY

Preparing for emergencies well in advance is one of the most effective ways to deal with potential disasters. In the case of a fire, knowing the steps to take can minimize problems.

STEPS TO FOLLOW IF YOU SEE A FIRE:

- Activate the nearest fire alarm.
- Alert the fire department by calling 911 from a safe phone. Give your name, address, location, and the extent of the fire.
- Calmly alert people in the building and evacuate the building by following exit signs. Do not use elevators. Non-ambulatory individuals needing assistance with evacuation should wait for professional assistance at designated areas in the building.
- Remain outside the building at a safe distance.
- Meet police or fire personnel upon arrival to direct them to the fire.
- Remain at the designated assembly point until someone takes roll call and further instructions are provided by emergency personnel or University Police. Do not leave the area.

STEPS TO FOLLOW IF YOU ARE CAUGHT IN A FIRE:

- Remain calm.
- Before opening the door, feel it with the back of your hand. If it is hot:
 - Do not open the door.
 - Open the windows. If possible, lower the top half of the window to let out heat and smoke and raise the lower half to let fresh air in.
 - Seal cracks around the door with towels, linens, or clothes. Soak these items in water if possible.
 - To attract attention, hang objects out of the window and shout for help.
 - Keep low to the floor. Take short breaths to avoid inhaling smoke. Place a wet towel over your nose and mouth. Keep your head six to eight inches off the floor.
- If the door is not hot, brace yourself against the door and open it slowly. If hot air or fire rushes in, close the door and follow the steps above.
- If you can leave, close all doors behind you and proceed to the nearest safe exit. Leave the building and stand clear of the fire. Help direct police and fire personnel when they arrive.

NDSU offers online fire extinguisher training in Vector LMS in the General Safety section of the Extra Training link located in the main menu of the Vector homepage. Fire extinguisher training is provided to Resident Assistants annually. Other fire safety training can be provided upon request to the Safety and Compliance Specialist with the University Police and Safety Office by calling 701-231-5637.

STUDENT HOUSING FIRE SAFETY SYSTEMS

Residence Life Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Evacuation Drills Each Calendar Year
Burgum, 1333 12 Ave N	X			X	X	X	2
Dinan, 1337 Administration Ave N	X			X	X	X	2
Churchill, 1300 Centennial Blvd N	X		X	X	X	X	2
Stockbridge, 1420 University Dr N	X			X	X	X	2
North Weible, 1420 14 St N	X			X	X	X	2
South Weible, 1410 14 St N	X			X	X	X	2
Reed, 1431 Albrecht Blvd N	X			X	X	X	2
Johnson, 1421 Albrecht Blvd N	X			X	X	X	2
Sevrinson, 1422 Albrecht Blvd N	X		X	X	X	X	2
Pavek, 1420 Bolley Dr N	X		X	X	X	X	2
Seim, 1510 15 Ave N	X		X	X	X	X	2
Thompson, 1412 Albrecht Blvd N	X		X	X	X	X	2
Mathew LLC East, 1416 17 St N	X		X	X	X	X	2
Mathew LLC West, 1435 18 St N	X		X	X	X	X	2
Niskanen, 1805 University Dr N	X		X	X	X	X	2
Niskanen North, 1815 University Dr N	X	X		X	X	X	2
Niskanen South, 1787 University Dr N	X	X		X	X	X	2
Niskanen 1, 1837 University Dr N	X		X	X	X	X	2
Niskanen 2, 1844 10 St N	X		X	X	X	X	2
Niskanen 3, 1155 17 Ave N	X		X	X	X	X	2
Bison Court East, 1440 University Dr N	X		X	X	X	X	2
Bison Court West, 1415 14 St N	X		X	X	X	X	2
1701 University Dr N	X		X	X	X	X	2
Cater Hall, 1650 15 Ave N	X		X	X	X	X	2
Below are all University Village:							
UV 84-93, 1187 17 Ave N				X	X		0
UV 94-104, 1173 17 Ave N				X	X		0
UV 105-116, 1101 17 Ave N				X	X		0
UV 117-124, 1085 17 Ave N				X	X		0
UV 125-130, 1079 17 Ave N				X	X		0
UV 131-147, 1067 17 Ave N				X	X		0
UV 148-159, 1053 17 Ave N				X	X		0
UV 160-166, 1045 17 Ave N				X	X		0
UV 167-173, 1722 10 St N				X	X		0
UV 174-183, 1736 10 St N				X	X		0
UV 184-189, 1748 10 St N				X	X		0
UV 190-195, 1756 10 St N				X	X		0
UV 196-201, 1111 17 Ave N				X	X		0
UV 202-207, 1125 17 Ave N				X	X		0
UV 208-213, 1760 10 St N				X	X		0
UV 214-219, 1764 10 St N				X	X		0
UV 220-227, 1770 10 St N				X	X		0
UV 228-233, 1774 10 St N				X	X		0
UV 234-250, 1778 10 St N				X	X		0
UV 251-256, 1139 17 Ave N				X	X		0
UV 257-264, 1147 17 Ave N				X	X		0

STUDENT HOUSING FIRES JANUARY 1 - DECEMBER 31, 2023

Residence Life Facility	Total Fires	Fire #	Date	Time	Cause	# of Injuries	# of Deaths	Property Damage Value
Burgum, 1333 12 Ave N	0	--	-	-	-	-	-	-
Dinan, 1337 Administration Ave N	0	-	-	-	-	-	-	-
Churchill, 1300 Centennial Blvd N	0	-	-	-	-	-	-	-
Stockbridge, 1420 University Dr N	0	-	-	-	-	-	-	-
North Weible, 1420 14 St N	0	-	-	-	-	-	-	-
South Weible, 1410 14 St N	0	-	-	-	-	-	-	-
Reed, 1431 Albrecht Blvd N	0	-	-	-	-	-	-	-
Johnson, 1421 Albrecht Blvd N	0	-	-	-	-	-	-	-
Sevrinson, 1422 Albrecht Blvd N	0	-	-	-	-	-	-	-
Pavek, 1420 Bolley Dr N	0	-	-	-	-	-	-	-
Seim, 1510 15 Ave N	0	-	-	-	-	-	-	-
Thompson, 1412 Albrecht Blvd N	0	-	-	-	-	-	-	-
Mathew LLC East, 1416 17 St N	0	-	-	-	-	-	-	-
Mathew LLC West, 1435 18 St N	0	-	-	-	-	-	-	-
Niskanen, 1805 University Dr N	0	-	-	-	-	-	-	-
Niskanen North, 1815 University Dr N	0	-	-	-	-	-	-	-
Niskanen South, 1787 University Dr N	0	-	-	-	-	-	-	-
Niskanen 1, 1837 University Dr N	0	-	-	-	-	-	-	-
Niskanen 2, 1844 10 St N	0	-	-	-	-	-	-	-
Niskanen 3, 1155 17 Ave N	0	-	-	-	-	-	-	-
Bison Court East, 1440 University Dr N	0	-	-	-	-	-	-	-
Bison Court West, 1415 14 St N	0	-	-	-	-	-	-	-
1701, 1701 University Dr N	0	-	-	-	-	-	-	-
Cater Hall, 1650 15 Ave N	0	-	-	-	-	-	-	-
Below are all University Village:								
UV 84-93, 1187 17 Ave N	0	-	-	-	-	-	-	-
UV 94-104, 1173 17 Ave N	0	-	-	-	-	-	-	-
UV 105-116, 1101 17 Ave N	1	1	05/21	12:27	cooking	0	0	\$1,000-\$9,999
UV 117-124, 1085 17 Ave N	0	-	-	-	-	-	-	-
UV 125-130, 1079 17 Ave N	0	-	-	-	-	-	-	-
UV 131-147, 1067 17 Ave N	0	-	-	-	-	-	-	-
UV 148-159, 1053 17 Ave N	0	-	-	-	-	-	-	-
UV 160-166, 1045 17 Ave N	0	-	-	-	-	-	-	-
UV 167-173, 1722 10 St N	0	-	-	-	-	-	-	-
UV 174-183, 1736 10 St N	0	-	-	-	-	-	-	-
UV 184-189, 1748 10 St N	0	-	-	-	-	-	-	-
UV 190-195, 1756 10 St N	1	1	04/30	04:00	smoking materials	0	0	\$1,000-\$9,999
UV 196-201, 1111 17 Ave N	0	-	-	-	-	-	-	-
UV 202-207, 1125 17 Ave N	0	-	-	-	-	-	-	-
UV 208-213, 1760 10 St N	0	-	-	-	-	-	-	-
UV 214-219, 1764 10 St N	0	-	-	-	-	-	-	-
UV 220-227, 1770 10 St N	0	-	-	-	-	-	-	-
UV 228-233, 1774 10 St N	0	-	-	-	-	-	-	-
UV 234-250, 1778 10 St N	0	-	-	-	-	-	-	-
UV 251-256, 1139 17 Ave N	0	-	-	-	-	-	-	-
UV 257-264, 1147 17 Ave N	0	-	-	-	-	-	-	-

STUDENT HOUSING FIRES JANUARY 1 - DECEMBER 31, 2022

Residence Life Facility	Total Fires	Fire #	Date	Time	Cause	# of Injuries	# of Deaths	Property Damage Value
Burgum, 1333 12 Ave N	0	-	-	-	-	-	-	-
Dinan, 1337 Administration Ave N	0	-	-	-	-	-	-	-
Churchill, 1300 Centennial Blvd N	0	-	-	-	-	-	-	-
Stockbridge, 1420 University Dr N	0	-	-	-	-	-	-	-
North Weible, 1420 14 St N	0	-	-	-	-	-	-	-
South Weible, 1410 14 St N	0	-	-	-	-	-	-	-
Reed, 1431 Albrecht Blvd N	0	-	-	-	-	-	-	-
Johnson, 1421 Albrecht Blvd N	0	-	-	-	-	-	-	-
Sevrinson, 1422 Albrecht Blvd N	0	-	-	-	-	-	-	-
Pavek, 1420 Bolley Dr N	0	-	-	-	-	-	-	-
Seim, 1510 15 Ave N	0	-	-	-	-	-	-	-
Thompson, 1412 Albrecht Blvd N	0	-	-	-	-	-	-	-
Mathew LLC East, 1416 17 St N	0	-	-	-	-	-	-	-
Mathew LLC West, 1435 18 St N	0	-	-	-	-	-	-	-
Niskanen, 1805 University Dr N	1	1	11/08	29:08	cooking	0	0	\$1,000-\$9,999
Niskanen North, 1815 University Dr N	0	-	-	-	-	-	-	-
Niskanen South, 1787 University Dr N	0	-	-	-	-	-	-	-
Niskanen 1, 1837 University Dr N	0	-	-	-	-	-	-	-
Niskanen 2, 1844 10 St N	0	-	-	-	-	-	-	-
Niskanen 3, 1155 17 Ave N	1	1	10/01	17:09	cooking	0	0	\$0-\$99
Bison Court East, 1440 University Dr N	0	-	-	-	-	-	-	-
Bison Court West, 1415 14 St N	0	-	-	-	-	-	-	-
1701, 1701 University Dr N	0	-	-	-	-	-	-	-
Cater Hall, 1650 15 Ave N	0	-	-	-	-	-	-	-
Below are all University Village:								
UV 84-93, 1187 17 Ave N	0	-	-	-	-	-	-	-
UV 94-104, 1173 17 Ave N	0	-	-	-	-	-	-	-
UV 105-116, 1101 17 Ave N	0	-	-	-	-	-	-	-
UV 117-124, 1085 17 Ave N	0	-	-	-	-	-	-	-
UV 125-130, 1079 17 Ave N	0	-	-	-	-	-	-	-
UV 131-147, 1067 17 Ave N	0	-	-	-	-	-	-	-
UV 148-159, 1053 17 Ave N	0	-	-	-	-	-	-	-
UV 160-166, 1045 17 Ave N	0	-	-	-	-	-	-	-
UV 167-173, 1722 10 St N	0	-	-	-	-	-	-	-
UV 174-183, 1736 10 St N	0	-	-	-	-	-	-	-
UV 184-189, 1748 10 St N	0	-	-	-	-	-	-	-
UV 190-195, 1756 10 St N	0	-	-	-	-	-	-	-
UV 196-201, 1111 17 Ave N	0	-	-	-	-	-	-	-
UV 202-207, 1125 17 Ave N	0	-	-	-	-	-	-	-
UV 208-213, 1760 10 St N	0	-	-	-	-	-	-	-
UV 214-219, 1764 10 St N	0	-	-	-	-	-	-	-
UV 220-227, 1770 10 St N	0	-	-	-	-	-	-	-
UV 228-233, 1774 10 St N	0	-	-	-	-	-	-	-
UV 234-250, 1778 10 St N	0	-	-	-	-	-	-	-
UV 251-256, 1139 17 Ave N	0	-	-	-	-	-	-	-
UV 257-264, 1147 17 Ave N	0	-	-	-	-	-	-	-

STUDENT HOUSING FIRES JANUARY 1 - DECEMBER 31, 2021

Residence Life Facility	Total Fires	Fire #	Date	Time	Cause	# of Injuries	# of Deaths	Property Damage Value
Burgum, 1333 12 Ave N	0	-	-	-	-	-	-	-
Dinan, 1337 Administration Ave N	0	-	--	-	-	-	-	-
Churchill, 1300 Centennial Blvd N	0	-	-	-	-	-	-	-
Stockbridge, 1420 University Dr N	0	-	-	-	-	-	-	-
North Weible, 1420 14 St N	0	-	-	-	-	-	-	-
South Weible, 1410 14 St N	0	-	-	-	-	-	-	-
Reed, 1431 Albrecht Blvd N	0	-	-	-	-	-	-	-
Johnson, 1421 Albrecht Blvd N	0	-	-	-	-	-	-	-
Sevrinson, 1422 Albrecht Blvd N	0	-	-	-	-	-	-	-
Pavek, 1420 Bolley Dr N	0	-	-	-	-	-	-	-
Seim, 1510 15 Ave N	0	-	-	-	-	-	-	-
Thompson, 1412 Albrecht Blvd N	0	-	-	-	-	-	-	-
Mathew LLC East, 1416 17 St N	0	-	-	-	-	-	-	-
Mathew LLC West, 1435 18 St N	0	-	-	-	-	-	-	-
Niskanen, 1805 University Dr N	0	-	-	-	-	-	-	-
Niskanen North, 1815 University Dr N	0	-	-	-	-	-	-	-
Niskanen South, 1787 University Dr N	0	-	-	-	-	-	-	-
Niskanen 1, 1837 University Dr N	0	-	-	-	-	-	-	-
Niskanen 2, 1844 10 St N	0	-	-	-	-	-	-	-
Niskanen 3, 1155 17 Ave N	0	-	-	-	-	-	-	-
Bison Court East, 1440 University Dr N	0	-	-	-	-	-	-	-
Bison Court West, 1415 14 St N	0	-	-	-	-	-	-	-
1701, 1701 University Dr N	0	-	-	-	-	-	-	-
Cater Hall, 1650 15 Ave N	0	-	-	-	-	-	-	-
Below are all University Village:								
UV 84-93, 1187 17 Ave N	0	-	-	-	-	-	-	-
UV 94-104, 1173 17 Ave N	0	-	-	-	-	-	-	-
UV 105-116, 1101 17 Ave N	0	-	-	-	-	-	-	-
UV 117-124, 1085 17 Ave N	0	-	-	-	-	-	-	-
UV 125-130, 1079 17 Ave N	0	-	-	-	-	-	-	-
UV 131-147, 1067 17 Ave N	0	-	-	-	-	-	-	-
UV 148-159, 1053 17 Ave N	0	-	-	-	-	-	-	-
UV 160-166, 1045 17 Ave N	0	-	-	-	-	-	-	-
UV 167-173, 1722 10 St N	0	-	-	-	-	-	-	-
UV 174-183, 1736 10 St N	0	-	-	-	-	-	-	-
UV 184-189, 1748 10 St N	0	-	-	-	-	-	-	-
UV 190-195, 1756 10 St N	0	-	-	-	-	-	-	-
UV 196-201, 1111 17 Ave N	0	-	-	-	-	-	-	-
UV 202-207, 1125 17 Ave N	0	-	-	-	-	-	-	-
UV 208-213, 1760 10 St N	0	-	-	-	-	-	-	-
UV 214-219, 1764 10 St N	0	-	-	-	-	-	-	-
UV 220-227, 1770 10 St N	0	-	-	-	-	-	-	-
UV 228-233, 1774 10 St N	0	-	-	-	-	-	-	-
UV 234-250, 1778 10 St N	0	-	-	-	-	-	-	-
UV 251-256, 1139 17 Ave N	0	-	-	-	-	-	-	-
UV 257-264, 1147 17 Ave N	0	-	-	-	-	-	-	-

- R12 145 A. Glenn Hill Center
- S9 14 Agricultural and Biosystems Engineering
- S13 10 Alba Bales House
- N10 163 Aldevron Tower
- T13 106 Alumni Center, Harry D. McGovern
- K2 46 Animal Nutrition and Physiology Center
- E3 139 Appareo - Genesis Building
- E3 138 Appareo - Horizon Building
- V9 69 Askanas Hall

- Barry, Richard H., Hall (811 2nd Ave N)**
- P12 20 Benson/Bunker Fieldhouse
- I8 105 Biosciences Research Laboratory
- D6 146 Candlewood Suites
- T13 3 Ceres Hall
- P10 66 Civil and Industrial Engineering
- P10 94 Construction Management Engineering
- I11 49 Dacotah Field
- N2 119 Dalrymple Research Greenhouse
- P11 18 Dolve Hall
- R11 7 E. Morrow Lebedeff Hall
- Q11 84 Ehly Hall
- Q10 65 Electrical and Computer Engineering
- J3 79 **Ellig Sports Complex**
- Q11 64 Engineering
- Q10 63 Engineering Administration

- Equine Center (3 miles west of campus on 19th Ave N)**
- Fargodome**
- Q7 70-A Gate City Bank Auditorium
- V14 140 Graduate Center
- S7 28 Harris Hall
- R7 87 Hastings Hall
- T8 22 Heating Plant
- S8 26 Hultz Hall
- R4 118 Johansen Hall
- G4 135 John Deere Intelligent Solutions Group
- R11 83 Katherine Kilbourne Burgum Family Life, 4-H Center
- Klai Hall (711 2nd Ave N)**

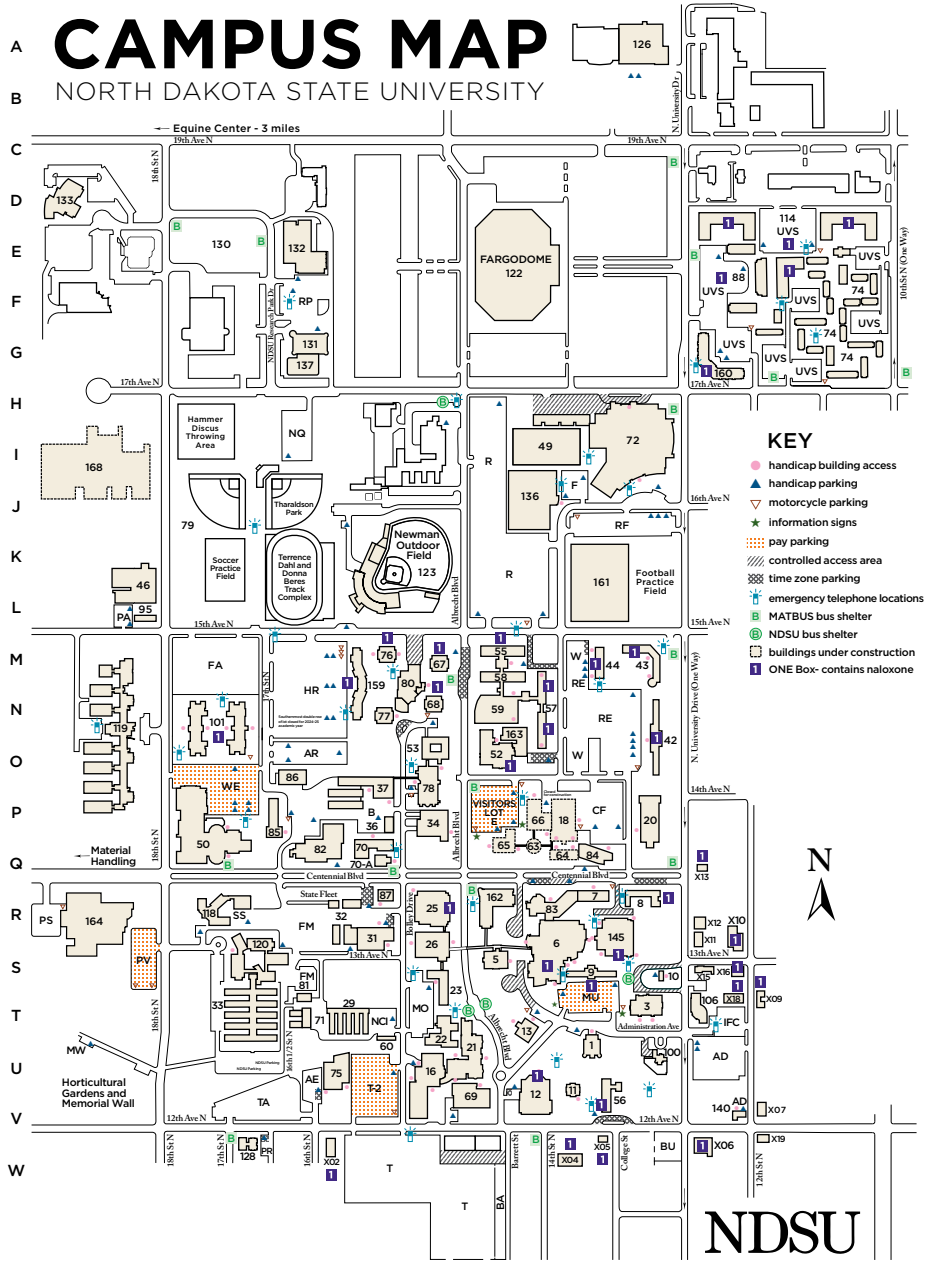
- S9 5 Ladd Hall
- V10 12 Library
- P8 78 Loftsgard Hall
- T7 29 Lord and Burnham Greenhouses
- R14 X10 Lutheran Student Center
- R6 32 Maintenance Buildings
- S11 6 Memorial Union
- U9 21 Minard Hall
- S8 23 Morrill Hall
- U8 16 Music Education Building
- A12 126 NDCS Fargo
- K8 123 **Newman Outdoor Field**
- K12 161 Nodak Insurance Football Performance Complex
- T7 93 Northern Crops Institute
- S5 120 Northern Crops Science Laboratory
- U11 1 Old Main
- L2 95 Parking Office
- R2 164 Peltier Complex
- T5 33 Plant Sciences Greenhouse
- U6 71 Potato Research-Pesticide Storage
- W5 128 **Prairie Hall**
- U13 100 President's House
- U11 11 Putnam Hall
- R8 25 Quentin Burdick Building

- Renaissance Hall (650 NP Ave)**
- G6 131 Research 1
- G6 137 Research 1A
- E6 132 Research 2
- E4 130 Research and Technology Park
- N9 59 Residence Dining Center
- T7 60 Residence Life Facility Services
- P5 85 Robinson Hall
- I12 72 Sanford Health Athletic Complex/Scheels Center
- O5 86 Service Center, Pilot Plant
- J10 136 Shelly Ellig Indoor Track and Field Facility
- P8 34 Shepperd Arena
- T10 13 South Engineering
- Q7 70 Stevens Hall
- W14 X06 St. Paul's Chapel
- O9 52 Sudro Hall
- T6 81 Sugar Beet Research
- R9 162 Sugihara Hall
- D1 133 Technology Incubator
- R7 31 Thorson Maintenance Center
- U6 75 University Police and Safety
- Q6 82 Van Es Hall
- Veterinary Diagnostic Laboratory (4035 19th Ave N)**
- P7 37 Waldron Hall
- Q4 50 Wallman Wellness Center
- O8 53 Walster Hall
- West Building (3551 7th Ave N)**
- M8 80 West Dining Center
- P7 36 Wiidakas Laboratory

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17

CAMPUS MAP

NORTH DAKOTA STATE UNIVERSITY



- KEY**
- handicap building access
 - handicap parking
 - motorcycle parking
 - information signs
 - pay parking
 - controlled access area
 - time zone parking
 - emergency telephone locations
 - MATBUS bus shelter
 - NDSU bus shelter
 - buildings under construction
 - ONE Box- contains naloxone

NDSU

- HOUSING UNITS**
- G14 160 Apartment 1701
 - M12 43 Bison Court (East)
 - M12 44 Bison Court (West)
 - V12 56 Burgum Hall
 - M7 159 Cater Hall
 - R12 8 Churchill Hall
 - S11 9 Dinan Hall
 - M10 58 Johnson Hall
 - N4 101 Mathew Living Learning Center
 - D15 114 Niskanen Expansion
 - E14 88 Niskanen Hall
 - N7 77 Pavek Hall
 - M10 55 Reed Hall
 - M7 76 Seim Hall
 - M8 67 Severson Hall
 - N13 42 Stockbridge Hall
 - N8 68 Thompson Hall
 - F15 166 University Village
 - N10 57 Weible Hall (North and South)

- FRATERNITY AND SORORITY HOUSES**
- T15 X09 Alpha Gamma Delta
 - R13 X11 Alpha Gamma Rho
 - V15 X07 Alpha Tau Omega
 - V12 X05 FarmHouse
 - S14 X16 Kappa Alpha Theta
 - S14 X15 Kappa Delta
 - Q14 X13 Kappa Psi Pharmaceutical Fraternity
 - W6 X02 Sigma Alpha Epsilon
 - T14 X18 Sigma Chi

- V15 X19 Sigma Nu
 - W11 X04 Tau Kappa Epsilon
 - R13 X12 Theta Chi
- SELECTED OFFICES**
- T13 3 Admission (Ceres Hall)
 - T13 3 Career and Advising Center (Ceres Hall)
 - A14 117 Counseling Center (Ceres Hall)
 - T13 3 Customer Account Services (Ceres Hall)
 - V10 12 Center for Accessibility and Disability Resources (Library)
 - T13 3 Financial Aid and Scholarships (Ceres Hall)
 - R7 87 Human Resources/Payroll (Hastings Hall)
 - S11 6 NDSU Bookstore (Memorial Union)
 - N9 59 NDSU Dining (Residence Dining Center)
 - S11 6 One Stop (Memorial Union)
 - L2 95 Parking Office
 - T13 3 Registration and Records (Ceres Hall)
 - M12 44 Residence Life (West Bison Court)
 - U11 1 Student Affairs (Old Main)
 - Q4 50 Student Health Service (Wallman Wellness Center)
 - M12 43 Student Loan Services (East Bison Court)
 - U6 75 University Police

NDSU PRESIDENT'S COUNCIL
FOR WELL-BEING

Well-being Strategic Plan

NDSU Land Acknowledgement

We collectively acknowledge that we gather at NDSU, a land grant institution, on the traditional lands of the Oceti Sakowin (Dakota, Lakota, Nakoda) and Anishinaabe Peoples in addition to many diverse Indigenous Peoples still connected to these lands. We honor with gratitude Mother Earth and the Indigenous Peoples who have walked with her throughout generations. We will continue to learn how to live in unity with Mother Earth and build strong, mutually beneficial, trusting relationships with Indigenous Peoples of our region.

MISSION AND VISION of President's Council for Campus Well-being

Mission Statement:

To support the mission of the university by increasing and sustaining all aspects of well-being.

Vision Statement:

We envision a vibrant university environment where well-being is a shared responsibility for the entire NDSU community.

The ultimate outcomes of our shared work:

NDSU is a community of well-being for students, faculty, staff, families, visitors and alumni.

WELL-BEING DEFINITION

We define well-being as a dynamic, highly interdependent state that is created at the intersection of health in person, place and planet.

By focusing on the whole — the whole person, the whole educational experience, the whole institution, the whole community — well-being becomes a multifaceted goal and a shared responsibility for the entire NDSU community.

A FRAMEWORK FOR WELL-BEING

The Okanagan Charter – An International Charter for Health Promoting Universities and Colleges (2015) was created through collaboration of researchers, practitioners, administrators, students and policy makers from 45 countries. It provides institutions with a common language, principles and framework to become a “health and well-being promoting campus”. The Charter serves as a guide for the President’s Council for Well-Being.

Calls to Action

1. To embed health into all aspects of campus culture, across the administration, operations and academic mandates;
2. To lead health promotion action and collaboration locally and globally.

WELL-BEING FOR ALL

NDSU’s President’s Council for Well-being (PCW) diagram highlights students, faculty and staff as central to leading and informing actions regarding well-being while contributing to and supporting the Safety, Mental Health, Physical Health, Personal Development, Community, Policies, Environments, and Knowledge of the NDSU community.

The well-being relationship between individuals, the institution and community are interdependent. All components of well-being are interrelated – none of them can be addressed in isolation.



The work of the PCW is also driven by a number of other NDSU specific sources:

NDSU campus surveying results, input and collaboration from campus departments, services, organizations, and governing bodies, coordination with the President’s Council for Diversity, Inclusion and Respect, the President’s Council on Retention, the NDSU Cross Divisional Curriculum, and the NDSU Strategic Plan.

The following are NDSU’s identified well-being areas of focus and contributing factors (necessary skills, resources, and conditions) needed to work toward systemic and cultural change on our campus. These identified areas will be addressed through impact of the PCW and by Work Groups that are developed to research, design, evaluate, and recommend actions that will achieve the desired outcomes.

ADVANCING WELL-BEING DATA AND KNOWLEDGE

Contribute to health promoting knowledge production, application, standard setting and evaluation that informs action and supports the cultural and environmental development of NDSU well-being.

Contributing factors:

- Consistent and thorough collection of student, faculty and staff data related to health, well-being, and NDSU climate.
- Students, faculty and staff engage in collaborative research, analysis, and application of health, well-being, and campus climate data.
- Opportunities for well-being data showcasing and sharing to increase body of knowledge.
- Implementation of NDSU data clearinghouse to increase awareness and accessibility of well-being related data.

GENERATING A THRIVING COMMUNITY

Be proactive and intentional in creating empowered, connected and resilient communities that foster an ethic of care, compassion, collaboration and community action.

Contributing factors:

- Students, faculty and staff model and facilitate civility, respect, tolerance, problem-solving ability and positive interpersonal skills.
- Students, faculty and staff acknowledge the inequities that impact both individuals and communities and take actions toward creating inclusive communities where all members are valued and empowered to be their authentic selves.
- Students, faculty and staff foster a sense of belonging and mattering for self and others by rejecting biased and prejudicial beliefs, respecting individual identities and communicating respectfully across these differences.
- Students, faculty and staff promote the quality of life for all people and meaningfully contribute to communities that meet the needs of all members.
- Students, faculty and staff perceive that the overall quality of life is good and just for all community members regardless of differences across individual identities.
- Opportunities for and encouragement of social connection and interpersonal relationships.
- Cross-NDSU collaboration to break down silo barriers.

EMBEDDING WELL-BEING IN ALL POLICIES AND PROCESSES

Review, create and coordinate campus policies and practices with attention to health, well-being and sustainability, so that all planning and decision-making takes account of and supports our NDSU community.

Contributing factors:

- Health in all Policies approach to all current and proposed NDSU policies regarding well-being components such as social, physical health, mental health, use of inclusive language, stakeholder and community input, economic impact, environmental impact, evaluation, and sustainability.
- Campus departmental, services, organizations, etc. policies and procedures to follow Health in all Policies practices.

CREATING SUPPORTIVE ENVIRONMENTS

Enhance the environment by identifying opportunities to support health and well-being through sustainability in the built, natural, social, economic, cultural, academic, organizational and learning environments.

Contributing factors:

- NDSU infrastructure (including physical plant and future planning) incorporates light, green space, bike-friendly and walkable space, noise reduction/quiet space, gender-neutral restrooms, lactation space, etc.
- Environmentally sustainable practices are part of NDSU operations: Recycling, composting, wind/solar energy, gardens, etc.
- Infrastructure, systems, practices, values, and normative behaviors contribute to sufficient and equitable opportunities, resources, conditions, and other socioecological factors that make NDSU conducive to the achievement of full potential beyond what is possible for a single individual.
- Recognition that NDSU is embedded in a larger society and is dependent on the well-being of the ecosystems of the surrounding community, the state of North Dakota, and beyond.

SUPPORTING WELL-BEING PERSONAL DEVELOPMENT

Develop and create educational and engaging opportunities to build student, staff and faculty resilience, competence, personal capacity and life enhancing skills.

Contributing factors:

- Students, faculty and staff develop their sense of purpose through interactions with others, reflection, exploring their identities and examining core values.
- Students, faculty and staff practice well-being in recognition of the importance of personal life satisfaction, having one's human rights and needs met, and one's contribution to the community.
- Students, faculty and staff have a range of opportunities for healthy, substance free, social interactions that expose them to new ideas and interests, a diversity of people and an increased understanding of self and others.
- Links between academic and co-curriculum that support student self-discovery, development of healthy relationships, contribution toward inclusive communities, and cultivation of a curiosity for lifelong learning.

CONTRIBUTING TO OVERALL SAFETY

Address all components of safety to create a community where all members feel safe physically, emotionally and environmentally.

Contributing factors:

- Students, faculty and staff are informed, have the education and resources to help them understand safety issues, are trained on respect, safety practices, skills, interventions, and have the awareness and ability to access these resources.
- Information, education, and training are available and accessible about safety issues such as sexual violence, dating violence, stalking, equity, diversity and inclusion, etc.
- Behaviors of disrespect and discrimination are rejected and appropriate mitigation and preventative actions are taken.
- Physical infrastructure is continuously evaluated to increase safety and access for all.
- Safe behaviors and values extend beyond the physical campus into the surrounding community.

MEETING BASIC PHYSICAL HEALTH NEEDS

Provide the resources and opportunities for the NDSU community to participate in healthy lifestyle choices, meet basic human needs, and engage with the physical environment resulting in lifelong well-being practices.

Contributing factors:

- Students, faculty and staff have the education and resources to effectively manage their physical health, the services to address physical health needs, and the awareness and ability to access these resources.
- Collaboration and partnerships across the NDSU community creates accessible education, programs, policies, and infrastructure that support physical health for all persons and abilities.
- Evidence-based programs, services, education, and resources regarding healthy personal choice options are resourced and optimized to meet priority community needs.
- Information, education and training are available and accessible on topics such as nutrition, sleep hygiene, mindfulness, physical activity, substance use, preventative and medical care, etc.
- All basic physical health needs are met (food, clothing, heat, medical care, etc.)

PROVIDING SERVICE AND SUPPORT FOR MENTAL HEALTH

Reducing stigma, supporting skills and habits to manage stress, strengthening resilience, and provide and support timely access to mental health services and information to create a supportive culture.

Contributing factors:

- Students, faculty and staff have the education and resources to help them understand mental health issues, the services to address mental health needs, and the awareness and ability to access these resources.
- Information, education and training are available and accessible about accessing resources, positive coping skills, stress management, resilience, self-management, substance use, supporting others, etc.
- Collaborative work with student government and other student organizations to create awareness and action related to mental health issues.
- Effective mental health programs and infrastructure are resourced and optimized to meet priority mental health needs.
- Enhanced referral and support capacity for mental health services.
- Reduced stigma of mental health at NDSU and in the surrounding community at large.

References:

1. NIRSA: Leaders in Collegiate Recreation, NASPA- Student Affairs Administrators in Higher Education & ACHA – American College Health Association (November 2020). *Inter-association definition of well-being*. Retrieved from www.nirsa.org/hands-in
2. Okanagan Charter: An International Charter for Health Promotion Universities and Colleges (2015). Retrieved from <https://www.healthpromotingcampuses.org/okanagan-charter>
3. Presidents Council for Diversity, Inclusion and Respect, <https://www.ndsu.edu/inclusioncouncil/>
4. NDSU Cross Divisional Curriculum
5. NDSU Strategic Plan, <https://www.ndsu.edu/strategicplan/>

HISTORY:

New	September 5, 2018
Amended	July 23, 2019
Housekeeping	January 3, 2020
Amended	August 20, 2021
Amended	July 26, 2023
Amended	October 8, 2024

2021-2022 Annual Report



Mission

To support the academic mission of the university by increasing and sustaining all aspects of campus well-being.

Vision

We envision a vibrant university environment, free from violence, supporting student success and culminating in a culture of health where all community members are empowered to advance well-being.

2021-2022

Executive Summary

The work of PCCW for the 2021-2022 academic year was focused on building upon the foundational advancements made the summer of 2021 while using these as a guide for the council Work Groups.

Examples of this work include:

- updated the strategic plan to reflect alignment with national and NDSU specific documents, including the NDSU Strategic Plan and the Co-curricular Learning Goals and Objectives;
- reviewed the current Work Groups and narrowed the focus to better align with these changes, including adding a combined Environments / Physical Health Work Group and modifying Well-being Awareness Campaign Work Group to focus on Personal Development;
- modifying the PCCW well-being circle graphic to better reflect the national and global discussion on campus well-being;
- and adopting the Inter-association Definition of Well-being as the recognized definition of well-being for NDSU.

Other highlights include:

- The PCCW welcomed new Council Co-chair, Dr. Kimberly Wallin, Dean of Science and Mathematics, to replace Matt Larson, Director of Athletics, who stepped down in from this position end of the 2020-2021 academic year.
- As the campus continued response efforts from the COVID Pandemic, the PCCW maintained meetings every other month via Zoom with some in-person Work Group and Executive Committee meetings.



2021-2022

PCCW Work Groups

1 CALL FOR RESEARCH

Engage with faculty and graduate students regarding well-being related research, facilitate a faculty symposium, and look into opportunities to incentivize continued research.

2 COMMUNITY

Create a connected campus community through collaborating with committees/work groups/teams across campus who are already working towards a shared vision of inclusion and sense of belonging while building onto existing campus community events and opportunities.

3 DATA EXPLORATION

Contribute to health promoting knowledge through data collection, identify well-being measures to inform work group action and progress, and disseminate information to the campus community.

4 ENVIRONMENTS / PHYSICAL HEALTH

Explore the many facets of environmental and physical health by identifying opportunities to support healthy lifestyle choices, meet basic human needs, and engage with the physical environment through sustainability in the built, natural, social, economic, cultural, academic, organizational and learning environments.

5 HEALTH IN ALL POLICIES

Develop a Health in All Policies assessment tool to assist with the review and development of campus policies and practices with attention to health, well-being and sustainability, so that all planning and decision-making takes account of and supports our campus community.

6 MENTAL HEALTH

Work towards reducing stigma, supporting skills and habits to manage stress, strengthening resilience, and provide and support timely access to mental health services and information to create a supportive campus culture.

7 PERSONAL DEVELOPMENT

Develop and create education and engaging opportunities to build student, staff and faculty resilience, competence, personal capacity and life enhancing skills and support them to thrive and achieve their full potential and become engaged local and global citizens while respecting the environment.

8 SEXUAL ASSAULT RESPONSE EDUCATION

Implement a survey around reporting awareness and develop an educational curriculum for faculty and staff regarding response to disclosure to increase understanding of available resources .

Action toward campus well-being

Well-being does not operate in isolation.

The priorities of each Work Group blends, overlaps and compliments each others work, creating opportunities for collaboration and cohesion.

As a collective whole, the outcomes of each Work Group bring us closer toward the PCCW vision.

Advancing campus well-being data and knowledge

Work Groups:

Call for Research; Data Exploration

Completed steps toward well-being:

- Held a Campus Research Symposium on Mental Health September 24, 2021
- Developed 2021 [Snapshot of NDSU Student Well-being](#) infographic data report
- Identified baseline measures and areas of potential high impact change using the ACHA-NCHA data and PCCW strategic goals and priorities.

Future steps toward well-being:

- Continue analysis and dissemination of [ACHA-NCHA survey results](#) and developed reports
- Develop summary report and comparative national reference data
- Explore and provide recommendation for implementation of American College Health Association - Faculty and Staff Health Assessment (ACHA-FSHA) or other appropriate assessment tools
- Pause Call for Research Work Group until resources and personnel are available

Generating a thriving campus community

Work Groups:

Community; Mental Health

Completed steps toward well-being:

- Created [syllabus statement on mental health](#) in collaboration with the Sexual Assault Response Education Work Group and Equal Opportunity and Title IX Compliance
- Updated the [Working with Distressed Students: A Decision-Making Tree](#) for Faculty and Staff in collaboration with the Care Team

Future steps toward well-being:

- Support and build onto existing campus community events
- Create opportunities for volunteering and community service
- Develop ways for faculty and staff to increase their sense of community
- Increase education and awareness for students, faculty and staff on pertinent mental health topics and resources.
- Explore the growth of the Mental Health First Aid program
- Continue intentional partnership and collaboration with President Council for Diversity, Inclusion and Respect (PCDIR)
- Incorporate well-being into Office of President communications

Supporting personal well-being development

Work Groups:

Personal Development

Completed steps toward well-being:

- Health Promotion developed the Campus Well-being Educator peer education program to directly support the PCCW
- Implemented a collaborative Campus Clean-up event on April 27, 2022
- Implemented a faculty and staff Walk to Well-being week long event end of April
- Email, poster and social media education series for students highlighting ACHA-NCHA data focusing on [Email Etiquette](#), [How to Connect with your Instructors](#), and [Time Management](#)

Future steps toward well-being:

- Implement Campus Clean-up event
- Implement a campus-wide Walk to Well-being event
- Continue to build stronger foundation with the Campus Well-being Educator program
- Continue well-being education communication through emails, posters, social media, website, etc.
- Develop Employee Well-being ad hoc Work Group

Embedding well-being in all campus policies and processes

Work Groups:

Health in all Policies

Completed steps toward well-being:

- Refined the Health in all Policies assessment checklist and successfully added to the [Senate Coordinating Council Policy Change Cover Sheet](#)

Future steps toward well-being:

- Beta test the Health in all Policies assessment checklist during the 2022-2023 academic year; pause the Health in all Policies Work Group during beta testing phase.
- Renew Work Group to begin work on policy recommendations for change using the final assessment checklist.

Creating supportive campus environments

Work Groups:

Sexual Assault Response Education; Environments / Physical Health

Completed steps toward well-being:

- Added [sexual assault response FAQ](#) information to PCCW website
- Facilitated 7 Sexual Assault Response Education presentations to over 200 staff and faculty members
- Reviewed the Emergency Fund and other existing and upcoming student basic need funding opportunities with focus on how to streamline and best serve students.

Future steps toward well-being:

- Sunset the Sexual Assault Response Education Work Group and institutionalize the training, education, and survey implementation as part of the Sexual Assault Prevention and Advocacy Coordinator's responsibilities with continued assistance and support from PCCW.
- Create ad hoc Work Group with PCDIR to work on meditation/reflection spaces on campus.
- Develop sustainability awareness and education.

PCCW

2022-2023

Priorities



Align with NDSU President Cook Priorities

NDSU welcomed President David Cook May 2022. PCCW will work closely with the President to honor and address new visions and expectations.



Officially Adopt the Okanagan Charter

In March 2022, NDSU became a member of the new **United States Health Promoting Campuses Network** (USHPCN) that is guided by the **Okanagan Charter**, an International Charter for Health Promoting Universities and Colleges (2015). This Charter provides institutions with a common language, principles and framework to become a “health and well-being promoting campus”. This Charter has served as the framework and guide for the development and ongoing action of the PCCW.

The PCCW will plan to officially adopt the Okanagan Charter and have NDSU become one of 8 nationally recognized campuses to have taken this step toward campus well-being.



Develop Employee Well-being Work Group

Identified by the Executive Committee as an area of needed focus, an ad hoc Work Group will be formed with key campus stakeholders to build an infrastructure to strengthen a sense of community and well-being among the faculty and staff population.



PCCW Awareness and Communications

To share broadly across campus the work and progress of the council and to increase well-being awareness and build community connections, the PCCW will renew the roadshow style presentation and focus on campus communications.



Implement structures to advance collective impact strategies

To continue staying current with the national and global growth and development of health promotion and campus well-being supporting institutions, the PCCW will maintain the priority of evaluating current structures and systems in place to make recommendations and create resource efficiencies where necessary.



Leadership and Operational Support



Laura Oster-Aaland

Vice Provost for Student Affairs and Enrollment Management
Council Co-Chair



Kimberly Wallin

Dean, College of Science and Mathematics
Council Co-Chair



Patricia Dirk

Director of Student Health Service
PCCW Operational Administration



Emily Hegg

Assistant Director of Health Promotion
PCCW Operational Administration

Membership

Includes members from a cross-section of disciplines representing diverse perspectives across campus and in the community, including:

- At least one faculty member from each academic college.
- Staff member representatives from selected departments with relevance to PCCW strategic and operational focus
- Student representatives from a variety of student organizations, peer groups, student government, and other departmental representatives with an interest in well-being
- Community representatives from the Fargo-Moorhead area to bridge communications into the broader community.
- Cross-over membership from PCDIR, Faculty Senate, Staff Senate, and Student Senate.

"Higher education has a unique opportunity and responsibility to provide transformative education, engage the student voice, develop new knowledge and understanding, lead by example and advocate to decision-makers for the benefit of society. In the emergent knowledge society, higher education institutions are positioned to generate, share and implement knowledge and research findings to enhance health of citizens and communities both now and in the future. "

Okanagan Charter: An International Charter for Health Promoting Universities and Colleges (2015)

NDSU PRESIDENT'S COUNCIL FOR CAMPUS WELL-BEING

Mission: To support the academic mission of the university by increasing and sustaining all aspects of campus well-being

Vision: We envision a vibrant university environment, free from violence, supporting student success and culminating in a culture of health where all community members are empowered to advance well-being.

A CAMPUS OF WELL-BEING

NDSU's President's Council for Campus Well-being (PCCW) highlights students, faculty and staff as central to leading and informing actions toward being a health promoting university while contributing and supporting both individual components of well-being (Safety, Mental Health, Physical Health, Personal Development) and foundational components of well-being (Community, Policies, Environments, Knowledge) ensuring that well-being is embedded at all levels of the university. This work requires culture change that crosses university structural boundaries and active collaboration with the other President's Councils – Diversity, Equity and Respect and Retention.

Specific achievements of the council are listed in the accompanying [power point](#) that was presented to Leadership Assembly on April 26 (see attached). The remainder of the report focuses on recommended actions.

ACTION TOWARD CAMPUS WELL-BEING

The following recommendations to further well-being advancement are listed in order of priority:

1. Comprehensive data collection tool and infrastructure to support *employee* well-being.

Purpose Statement: Employee well-being and engagement is a clearly identified concern of both faculty, staff and the PCCW, but NDSU lacks a comprehensive data collection instrument and infrastructure/process to generate meaningful action from results.

Suggested actions:

- Funding to hire reputable survey organization (\$50-75K/year, minimum 3-year engagement is recommended).
- Support for embedding action planning and responsibility for results in NDSU's leadership structure and Human Resource practices.
- PCCW Proposal for a Sustainable Culture of Well-being at NDSU (see attached).
- Collaboration and inventory of sustainable well-being initiatives across the campus community (see attached).

Metric: Establish baseline metrics and improvement goals following 2024 survey administration.

2. Comprehensive data collection tool and infrastructure to support *student* well-being.

Purpose Statement: NDSU began participating in the American College Health Association – National College Health Assessment (ACHA-NCHA) in the Spring of 2021. The NDUS system office will begin administrating and underwriting the cost of this survey beginning Spring of 2024, which is ideal in providing comprehensive, comparative data to monitor NDSU student well-being.

Suggested actions:

- NDSU campus community supports and encourages student participation through funding for incentives and on-campus awareness.

- Results will identify risk areas for students, which cause potential retention issues, thus driving the PCCW initiatives for student well-being.

Metrics: Key indicators of well-being were developed which correspond to the PCCW areas of focus (Safety, Mental Health, Physical Health, Personal Development, Community, Policies, Environments, Knowledge). Baseline measures are provided on the summary available [here](#).

- **Work to increase the following indicators:**
 - I feel that I belong at my college/university – 73.9%
 - I feel that students’ health and well-being is a priority at my college/university – 57.2%
 - At my college/university, I feel that the campus climate encourages free and open discussion of students’ health and well-being. – 55.8%
 - At my college/university, we are a campus where we look out for each other – 46%
 - Percentage of students who feel safe on campus
- **Work to decrease the following indicators:**
 - Percentage of students engaged in high-risk substance use for nicotine, alcohol and cannabis
 - Measures of psychological distress and loneliness
 - Suicide ideation and attempts
- **Monitor and provide support for the following:**
 - Top 5 challenges (procrastination, personal appearances, finances, academics, health of someone close to me)
 - Impediments to academic success (stress, anxiety, sleep, depression, headaches/migraines)

3. Institutional support for well-being coordination and implementation of well-being initiatives through the PCCW.

Purpose Statement: PCCW’s membership is multi-disciplinary, with an infrastructure to work across institutional boundaries. PCCW provides the NDSU President and designated leaders with a focal point and lever for establishing well-being priorities, reducing duplication of effort, optimizing resources to reduce waste/speed action, and communicating well-being messaging.

Suggested action:

- Establish annual funding to underwrite costs – approximately \$5,000 annually for speaker fees, research symposiums, community events, printing, awareness campaigns, etc.

4. Official adoption of the Okanagan Charter

Purpose Statement: In March 2022, NDSU became a member of the [United State Health Promoting Campuses Network \(USHPCN\)](#) that is guided by the [Okanagan Charter](#), an International Charter for Health Promoting Universities and Colleges (2015). This Charter provides institutions with a common language, principles and framework to become a Health Promoting Campus. This Charter has served as the framework and guide for the development and ongoing action of the PCCW. Official adoption will place NDSU as a nationally recognized campus who is working toward campus well-being.

Suggested action:

- Public Relations plan to roll out the adoption of the Okanagan Charter
- Include well-being philosophy and initiatives in campus communication

Metric: NDSU will be recognized as a national leader for progress already made on promoting well-being.

NDSU PRESIDENT'S COUNCIL FOR CAMPUS WELL-BEING

Submitted August 1, 2024

Mission: To support the academic mission of the university by increasing and sustaining all aspects of campus well-being

Vision: We envision a vibrant university environment, free from violence, supporting student success and culminating in a culture of health where all community members are empowered to advance well-being.

Well-being: is a dynamic, highly interdependent state that is created at the intersection of health in person, place and planet.

PURPOSE FOR A CAMPUS OF WELL-BEING

[NDSU's President's Council for Campus Well-being](#) (PCCW) highlights students, faculty and staff as central to leading and informing actions toward being a health promoting university while contributing to and supporting the Safety, Mental Health, Physical Health, Personal Development, Community, Policies, Environments, and Knowledge of the campus community. The well-being relationship between individuals, the institution and community are interdependent. Healthy individuals build healthy communities; healthy communities provide the supportive environment for individual well-being. All components of well-being are interrelated – none of them can be addressed in isolation. This work requires culture change that crosses university structural boundaries and active collaboration with the other President's Councils.

“Health and well-being are determinants of learning, productivity and engagement.” ([Okanagan Charter](#))

2023-2024 ACCOMPLISHMENTS

- Annual Walk to Well-being Event
- Annual Campus Cleanup Event
- Institutionalized the Health in All Policies checklist
- ACHA-NCHA survey dissemination
- Completed RFP process and chose Gallup as vendor for employee engagement and well-being assessment
- Partnered with Center for Accessibility and Disability Resources on Hidden Disabilities campaign

2024-25 ACTION TOWARD CAMPUS WELL-BEING

President's Guiding Principle - Investing in the well-being of the people across the NDSU community

Purpose Statement: NDSU strives to address well-being as a whole system, with a culture change initiative that requires university-wide collaboration in implementing strategies that embed well-being within NDSU's mission.

1. **GOAL:** Enhance *employee well-being* through comprehensive data collection, action planning and infrastructure building.

Action:

- Presidentially appointed steering committee will partner with Gallup to implement a comprehensive data collection instrument and build an infrastructure and process that will generate meaningful action from results (year one of three).
 - a. Goal of 70% participation in 2024 Employee Engagement Survey
- Build support for embedding action planning and responsibility for results in NDSU's leadership structure and Human Resource practices.
 - a. Goal of 100% of leaders completing action plans based on survey results

Timeframe: initial assessment Fall 2024; 3-year Gallup contract to build ongoing initiatives and infrastructure.

Resources Needed: Support to pay salary for internal project management assistance; potential additional consultant hours with Gallup; potential FTE to support professional development for NDSU employees.

Metrics: Establish baseline metrics and improvement goals following 2024 assessment administration.

Potential metrics based on Gallup's past research include:

- Decreases in absenteeism and turnover.
- Increases in employee engagement, productivity, well-being (net thriving employees) and organizational citizenship (participation).

2. **GOAL:** Enhance *student well-being* through comprehensive data collection, action planning and infrastructure building.

Action:

- Continue to participate in the American College Health Association – National College Health Assessment (ACHA-NCHA) to monitor and support student well-being (funded by NDUS).
- Analyze and disseminate data to campus community and build an infrastructure and process that will generate meaningful action from results thus positively impacting retention.
- Results will guide initiatives within the campus community.

Timeframe: survey issued Spring 2024; continued implementation on a 2-year cycle

Resources Needed: No additional resources needed at this time.

Metrics: see appendix 1

Additional priorities are in the process of development. An updated report will be provided prior to the fall 2024 semester.

Appendix 1

American College Health Association – National College Health Assessment (ACHA-NCHA) Metrics

Work to increase the following indicators	2021 baseline %	2024
I feel that I belong at my college/university	74%	69%
I feel that students' health and well-being is a priority at my college/university	57%	55%
At my college/university, I feel that the campus climate encourages free and open discussion of students' health and well-being	56%	62%
At my college/university, we are a campus where we look out for each other	46%	52%
Percentage of students who feel very safe on campus during the day	81%	90%
Percentage of students who feel very safe on campus during the nighttime	27%	38%
Percentage of students who rate their overall health as very good or excellent	51%	46%
Percentage of students who achieve the US recommended guidelines for aerobic activity (150 or more minutes per week of moderate activity)	66%	66%
Percentage of students who meet the US recommended guidelines for physical activity (at least 2 days of muscle strengthening activity and 150 or more minutes per week of moderate aerobic activity)	46%	39%
Average resilience score (Connor-Davidson scale – 0 = low and 8 = high)	6.11	6.09
Average psychological well-being score (Diener Flourishing Scale – 8=low and 56 = high)	45	45
Work to decrease the following indicators	2021	2024
Percentage of students who get less than 7 hours of sleep on a weeknight	36%	40%
Percentage of students who have low or very low food security	35%	36%
Percentage of students who report moderate or high risk tobacco/nicotine use	49% of 184 users	49% of 190 users
Percentage of students who report moderate or high risk alcohol use	17% of 429 users	15% of 445 users
Percentage of students who report moderate or high risk cannabis use	37% of 206 users	37% of 214 users
Percentage of students who report serious psychological distress (Kessler 6 screening)	19%	17%
Percentage of students who screen positive for loneliness	47%	44%
Percentage of students who screen positive for suicide ideation	25%	26%
Percentage of students who attempt suicide	3%	3%

Monitor and provide support for the following top 5 challenges:		
Procrastination	1	1
Personal Appearance	2	2
Finances	3	3
Academics	4	4
Health of Someone close to me	5	5
Monitor and provide support for the top 5 impediments to academic performance:		
Stress	1	1
Anxiety	2	2
Sleep difficulties	3	4
Depression	4	3
Headaches/Migraines	5	5
Menstrual Issues (cis-women)		

ND University System Part 86 Compliance Checklist

Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist 2022

1. Does the institution maintain a copy of its drug prevention program? Yes No

If yes, where is it located? On the website of NDSU Student Health Service, Health Promotion, Substance Use Education webpage. https://www.ndsu.edu/studenthealthservice/healthpromotion/well_being_education/substance_use_education/

2. Does the institution provide annually to each employee and each student, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?

a. Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities

Students: Yes No Staff and Faculty: Yes No

b. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol

Students: Yes No Staff and Faculty: Yes No

c. A description of applicable legal sanctions under local, state, or federal law

Students: Yes No Staff and Faculty: Yes No

d. A description of applicable counseling, treatment, or rehabilitation or re-entry programs

Students: Yes No Staff and Faculty: Yes No

e. A clear statement of the disciplinary sanctions the institution will impose on students and employees, and a description of those sanctions

Students: Yes No Staff and Faculty: Yes No

Any comments or clarifications on items 2 a-e:

See Policy 155 - <https://www.ndsu.edu/fileadmin/policy/155.pdf>

3. Are the above materials distributed to students in one of the following ways?

a. Mailed to each student (separately or included in another mailing)

Yes No

b. Through campus post offices boxes

Yes No

c. Class schedules which are mailed to each student

Yes No

d. During freshman orientation

Yes No

e. During new student orientation

Yes No

f. In another manner

Yes No

Students receive an email from the Dean of Students that contains the full text of NDSU Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use By Students and Employees. This email is sent out early fall semester and early spring semester.

Any comments or clarifications on items 3 a-f:

n/a

4. Does the means of distribution provide reasonable assurance that each student receives the materials annually?

Yes No

Once a student is admitted to NDSU, they are given an official NDSU email address. This address is used for all official communication by the University with that student. Students must activate this account to access classroom technologies (i.e., Blackboard Learning Management System). In May of 2007 “Section 609: Email as an official communication method to students” was adopted. The policy statement is as follows: Electronic mail (email), like postal and campus mail, is an official means by which the University may communicate with students. NDSU exercises the right to send email communication to students and expects that email communication is received and read by students in a timely manner.

5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?

Yes No

The full NDSU Alcohol and Other Drugs Policy is sent out in its entirety each semester via email.

6. Are the above materials distributed to staff and faculty in one of the following ways?

a. Mailed

Staff: Yes No Faculty: Yes No

b. Through campus post office boxes

Staff: Yes No Faculty: Yes No

c. During new employee orientation

Staff: Yes No Faculty: Yes No

The Alcohol and Other Drugs Policy is included in the Annual Notice of Policies form given to each new faculty and staff member and is also discussed with staff members during their Human Resources new employee orientation.

d. In another manner

Each faculty and staff member receive an email from the Director of Human Resources and Payroll, containing the full text of the NDSU’s Alcohol and Other Drugs Policy (Policy 155). This email is sent out early fall semester and early spring semester. Furthermore, the policy is noted in the NDSU Annual Notice of Policies covered under the ND RMP and Mandatory Designated Medical Provider and Reporting Law, which individuals employed by NDSU are required to read and sign annually. All NDSU employees are required to view and sign an annual notice of policies sent out via email by the University Police and Safety Office. This notification includes NDSU’s Alcohol and Other Drug Policy (Policy 155).

Any comments or clarifications on items 6 a-d:

n/a

- 7. Does the means of distribution provide reasonable assurance that each staff and faculty member receives the materials annually?**

Staff: Yes No Faculty: Yes No

- 8. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?**

Staff: Yes No Faculty: Yes No

The alcohol and drug policy is included in the Annual Notice of Policies form that is given to each new faculty and staff member and also talked about during the staff member Human Resources new employee orientation. In addition, the full alcohol and drug policy is sent out in its entirety each semester.

- 9. In what ways does the institution conduct biennial reviews of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?**

- a. Conduct student alcohol and drug use survey**

Yes No

The American College Health Association – National College Health Assessment (ACHA-NCHA) was administered to students during the Spring 2021 semester. The assessment includes questions regarding students' alcohol, tobacco, and substance use.

- b. Conduct opinion survey of its students, staff, and faculty**

Students: Yes No Staff and Faculty: Yes No

- c. Evaluate comments obtained from a suggestion box**

Students: Yes No Staff and Faculty: Yes No

Student Health Service has a suggestion box located within its facility and an online form for students to submit suggestions and feedback.

- d. Conduct focus groups**

Students: Yes No Staff and Faculty: Yes No

- e. Conduct intercept interviews**

Students: Yes No Staff and Faculty: Yes No

- f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees**

Students: Yes No Staff and Faculty: Yes No

- g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees**

Students: Yes No Staff and Faculty: Yes No

CHOICES is used as a sanction for on-campus alcohol infractions. Program administrators (professional residence life staff) conduct informal assessment of participant (student) reflections to evaluate the fidelity of student participation in the intervention. Qualitative information from students is used for program improvement.

Any comments or clarifications on items 9 a-g:

n/a

10. Who is responsible for conducting the biennial reviews?

NDSU Student Health Service
Wallman Wellness Center, 102
NDSU Department 2842
P.O. Box 6050
Fargo, ND 58108-6050

11. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Yes No

12. Where is the biennial review documentation located?

NDSU Student Health Service
Wallman Wellness Center, 102
NDSU Department 2842
P.O. Box 6050
Fargo, ND 58108-6050

NDSU Student Health Service Website:

https://www.ndsu.edu/studenthealthservice/healthpromotion/well_being_education/substance_use_education/resources/

13. Comments or clarifications on any above items:

n/a

North Dakota State University

ND University System Part 86 Compliance Checklist

Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist 2023

- 1. Does the institution maintain a copy of its drug prevention program?** Yes No

If yes, where is it located?

A copy of NDSU's drug prevention program can be accessed on the website of the NDSU Student Health Service by clicking on the Health Promotion tab, and then selecting the Substance Abuse Education webpage:

https://www.ndsu.edu/studenthealthservice/healthpromotion/substance_use_education/

- 2. Does the institution provide *annually to each employee and each student, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?***

- a. Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities**

Students: Yes No Staff and Faculty: Yes No

- b. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol**

Students: Yes No Staff and Faculty: Yes No

- c. A description of applicable legal sanctions under local, state, or federal law**

Students: Yes No Staff and Faculty: Yes No

- d. A description of applicable counseling, treatment, or rehabilitation or re-entry programs**

Students: Yes No Staff and Faculty: Yes No

- e. A clear statement of the disciplinary sanctions the institution will impose on students and employees, and a description of those sanctions**

Students: Yes No Staff and Faculty: Yes No

Any comments or clarifications on items 2 a-e:

Policy 155: Alcohol and Other Drugs: Unlawful and Unauthorized Use by Students and Employees is shared with NDSU students, staff, and faculty at the beginning of each semester through email, and is readily available on the NDSU Policy Manual webpage:

<https://www.ndsu.edu/fileadmin/policy/155.pdf>

- 3. Are the above materials distributed to students in one of the following ways?**

- a. Mailed to each student (separately or included in another mailing)**

Yes No

- b. Through campus post offices boxes**

Yes No

- c. Class schedules which are mailed to each student**

Yes No

d. During freshman orientation

Yes No

e. During new student orientation

Yes No

f. In another manner

Yes No

Students receive an email from the Dean of Students during the beginning of both fall and spring semesters with information regarding NDSU Policy 155, including a link to the full policy text. Additionally, this email provides information for many on-campus resources in the event that students have any concerns with alcohol or drug use, and are needing or wanting additional support and education.

Any comments or clarifications on items 3 a-f:

N/A.

4. Does the means of distribution provide reasonable assurance that each student receives the materials annually?

Yes No

Once a student is admitted to NDSU, they are given an official NDSU email address. This address is used for all official communication by the University with that student. Students must activate this account to access classroom technologies (i.e., Blackboard Learning Management System). In May of 2007 "Section 609: Email as an official communication method to students" was adopted. The policy statement is as follows: Electronic mail (email), like postal and campus mail, is an official means by which the University may communicate with students. NDSU exercises the right to send email communication to students and expects that email communication is received and read by students in a timely manner.

5. Does the institution's distribution plan make provisions for providing these materials to students who enroll at some date after the initial distribution?

Yes No

NDSU Policy 155 is distributed to students each fall and spring semester to assure that each student receives the information annually.

6. Are the above materials distributed to staff and faculty in one of the following ways?

a. Mailed

Staff: Yes No Faculty: Yes No

b. Through campus post office boxes

Staff: Yes No Faculty: Yes No

c. During new employee orientation

Staff: Yes No Faculty: Yes No

Policy 155 is discussed with staff members during their Human Resources new employee orientation. Additionally, Policy 155 is included in the Annual Notice of Policies form given to each new faculty and staff member.

d. In another manner

Similar to email communication to students, each fall and spring semester faculty and staff receive an email from the Director of Human Resources and Payroll with information regarding NDSU Policy 155, including a link to the full policy text. This email also provides information regarding on-campus resources and the Employee Assistance program in the event a faculty or staff member is needing or wanting additional support and education.

Additionally, Policy 155 is noted in the NDSU Annual Notice of Policies covered under the ND RMP and Mandatory Designated Medical provider and Reporting Law, which individuals employed by NDSU are required to read and sign. All NDSU employees are required to view and sign an annual notice of policies sent out by the University Police and Safety Office via email. This notification includes information surrounding Policy 155.

Any comments or clarifications on items 6 a-d:

N/A.

7. Does the means of distribution provide reasonable assurance that each staff and faculty member receives the materials annually?

Staff: Yes No Faculty: Yes No

8. Does the institution's distribution plan make provisions for providing these materials to staff and faculty who are hired after the initial distribution?

Staff: Yes No Faculty: Yes No

The alcohol and drug policy is included in the Annual Notice of Policies form that is given to each new faculty and staff member upon beginning their position within NDSU. The policy is also discussed during the staff member Human Resources new employee orientation. Additionally, information surrounding Policy 155, resources, and a link to the full policy text is sent out in its entirety each semester.

9. In what ways does the institution conduct biennial reviews of its drug prevention program to determine effectiveness, implement necessary changes, and ensure that disciplinary sanctions are enforced?

a. Conduct student alcohol and drug use survey

Yes No

The American College Health Association-National College Health Assessment (ACHA-NCHA) was administered to students during the Spring 2021 semester. The assessment included questions regarding students' alcohol, tobacco, and substance use. Our institution has plans to distribute this survey again in the Spring 2024 semester.

b. Conduct opinion survey of its students, staff, and faculty

Students: Yes No Staff and Faculty: Yes No

c. Evaluate comments obtained from a suggestion box

Students: Yes No Staff and Faculty: Yes No

d. Conduct focus groups

Students: Yes No Staff and Faculty: Yes No

e. Conduct intercept interviews

Students: Yes No Staff and Faculty: Yes No

f. Assess effectiveness of documented mandatory drug treatment referrals for students and employees

Students: Yes No Staff and Faculty: Yes No

g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

Students: Yes No Staff and Faculty: Yes No

CHOICES is used as a sanction for on-campus alcohol infractions. Following a student's participation in the program, program administrators (professional residence life staff) conduct informal assessments of participants' reflections to evaluate the fidelity of student participation in the intervention. Qualitative information from students is used for program improvement.

Any comments or clarifications on items 9 a-g:

While our Student Health Service has a suggestion box, we do not actively promote to students to provide suggestions specific to our institution's drug prevention program.

10. Who is responsible for conducting the biennial reviews?

NDSU Student Health Service Health Promotion Professional Staff
Wallman Wellness Center, 102
NDSU Department 2842
P.O. Box 6050
Fargo, ND 58108-6050

11. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Yes No

12. Where is the biennial review documentation located?

Emily Hegg
Associate Director of Campus Well-being
NDSU Student Health Service
701-231-8560
Emily.hegg@ndsu.edu

Our institution's Biennial Review is also available electronically on the NDSU Student Health Service Health Promotion webpage:
https://www.ndsu.edu/studenthealthservice/healthpromotion/substance_use_education/resources/

13. Comments or clarifications on any above items:

N/A.

North Dakota State University

ND University System Part 86 Compliance Checklist

Part 86, Drug-Free Schools and Campuses Regulations Compliance Checklist 2024

1. **Does the institution maintain a copy of its drug prevention program?** Yes No
If yes, where is it located? A copy of NDSU's drug prevention program can be accessed on the website of the NDSU Student Health Service by clicking on the Health Promotion tab, and then selecting the Substance Abuse Education webpage:
https://www.ndsu.edu/studenthealthservice/healthpromotion/substance_use_education/

2. **Does the institution provide annually to each employee and each student, who is taking one or more classes for any type of academic credit except for continuing education units, written materials that adequately describe and contain the following?**
 - a. **Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities**
Students: Yes No Staff and Faculty: Yes No

 - b. **A description of the health risks associated with the use of illicit drugs and the abuse of alcohol**
Students: Yes No Staff and Faculty: Yes No

 - c. **A description of applicable legal sanctions under local, state, or federal law**
Students: Yes No Staff and Faculty: Yes No

 - d. **A description of applicable counseling, treatment, or rehabilitation or re-entry programs**
Students: Yes No Staff and Faculty: Yes No

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d. During freshman orientation

Yes No

e. During new student orientation

Yes No

f. In another manner

Yes No

Any comments or clarifications on items 3 a-f:

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4. Does the means of distribution provide reasonable assurance that each student receives the materials annually?

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Any comments or clarifications on items 6 a-d:

N/A

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Students: Yes No Staff and Faculty: Yes No

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Students: Yes No Staff and Faculty: Yes No

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Students: Yes No Staff and Faculty: Yes No

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Students: Yes No Staff and Faculty: Yes No

g. Assess effectiveness of documented cases of disciplinary sanctions imposed on students and employees

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10. Who is responsible for conducting the biennial reviews?

Emily Hegg
Associate Director of Campus Well-being
NDSU Student Health Service
701-231-8560
Emily.hegg@ndsu.edu

11. If requested, has the institution made available, to the Secretary and the public, a copy of each requested item in the drug prevention program and the results of the biennial review?

Yes No

12. Where is the biennial review documentation located?

Emily Hegg
Associate Director of Campus Well-being
NDSU Student Health Service
701-231-8560
Emily.hegg@ndsu.edu

Our institution's Biennial Review is also available electronically on the NDSU Student Health Service Health Promotion webpage:
https://www.ndsu.edu/studenthealthservice/healthpromotion/substance_use_education/resources/

13. Comments or clarifications on any above items:

N/A