



**2023**

**Annual Security Report and Fire Safety Report**

**In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, as amended from time to time, and including the Annual Fire Safety Report.**

**The University of Sioux Falls (USF)  
2023 Annual Security Report and Fire Safety Report**

**September 2024**

Student and employee safety, security, and success at USF are paramount. A safe campus environment depends on the cooperation and involvement of all individuals living, working, and actively participating in the USF community. We encourage all members to review this report and use it in their relevant decision-making.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (hereinafter Clery Act) requires the publication and distribution of an annual security report to all current students and employees on or before October 1 of each year. Each year, email notifications are sent to all current students and employees providing the information necessary to access this report. Interested parties may obtain copies of the report from the Campus Safety & Security Office (hereinafter CSS) by calling (605) 331-6591, USF Human Resources/Title IX Coordinator at 605-331-6802, or the USF website at <http://www.usiouxfalls.edu/jeanneclery>.

This publication contains information regarding USF's commitment to a safe and compliant campus and aids students and employees in working cooperatively to create a safer campus. Among other things, this report contains specific information concerning safety and security, crime prevention, policies relating to reporting crime, campus disciplinary procedures, state and federal laws, response to sexual violence, information regarding alcohol and drug policies, and USF's education and prevention efforts to address the same, and crime statistics.<sup>1</sup>

Administrators within the Human Resources/ Risk Management and CSS prepare this report in cooperation with the Student Life Office, and various other campus officials, and the Sioux Falls Police and Fire Departments. The Clery Act also requires the annual publication of fire safety information for the previous calendar year.

Maintaining a safe and secure campus is one of USF's primary concerns and everyone's responsibility.

Sincerely,

*Kevin*

Kevin Grebin  
Director of Campus Safety & Security  
University of Sioux Falls  
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605-331-6591 Office

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<sup>1</sup> The Clery Act requires the reporting of crime statistics for the previous three years concerning crimes that occur (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that USF owns or controls. The Clery Act also requires institutions to report the number of crime referrals or campus disciplinary actions in on-campus student housing facilities as a subset of the total number of crimes that occurred on campus.

## MISSION STATEMENT

### USF's Mission Statement

USF, a Christian University in the liberal arts tradition, educates students in the humanities, sciences, and professions. USF's traditional motto is Culture for Service. We seek to foster academic excellence and the development of mature, Christian persons for service to God and humankind in the world.

### CSS Mission Statement

CSS's mission is to preserve peace and protect life and property in a manner that is sensitive to the rights of individuals and USF's values. CSS stresses patrol, crime prevention, and community service in fulfilling this mission.

## ABOUT USF AND ITS COMMUNITY

Founded in 1883, USF is a Christian, liberal-arts University affiliated with the American Baptist Churches, U.S.A., with a total student population of 1,680. Conveniently located at the junction of Interstates 90 and 29 on the banks of the Big Sioux River, Sioux Falls is South Dakota's largest city, with an approximate population of 202,000 and a metropolitan statistical area of over 289,000.

CSS, established in 2005, is located on the main level of Mears Library on the main campus and provides comprehensive campus safety service 24-hours per day, 7 days per week, 365 days per year. The office staff includes a director and seven full-time and six part-time officers.

### CSS's Authority

CSS Officers are not sworn police officers and do not carry firearms. Officers are empowered to enforce USF policies and regulations and can make a citizen's arrest under South Dakota law.

Kevin Grebin, CSS Director, serves as the campus liaison between USF and law enforcement agencies, disseminating and interpreting policies as needed.

Depending upon applicable SD and Federal law, criminal incidents are generally referred to local law-enforcement agencies with jurisdiction covering campus property. CSS endeavors to maintain strong working relationships with neighborhood watch groups, local businesses, and other community leaders to foster a safe campus.

### Community Reporting and Institutional Response

To maintain a safe and secure campus, **all** members of the USF community are encouraged to promptly report any suspicious or criminal activity to CSS at (605) 321-6400 or the Sioux Falls Police Department at 911 (emergency) or (605) 367-7212 (non-emergency).

**In case of emergency: Dial 911. Identify yourself and the type and location of the emergency.**

Campus Security Authorities (CSAs) are required to report Clery Act offenses to Campus Safety & Security (CSS) Director or VP for HR, Security & Facilities for inclusion in the annual security report. The Code of Federal Regulations defines a CSA as follows: “(1) A campus police department or a campus security department of an institution. (2) Any individual or individuals responsible for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual responsible for monitoring entrance into institutional property. (3) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (4) An institution official with significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor. “34 CFR 668.46(a). Compliance with these provisions does not violate the Family Educational Rights and Privacy Act of 1974 (FERPA) regulations. Reporting a crime under the Clery Act does not require investigating or disclosing identifying information about the victim. Furthermore, retaliation by an institution, an officer, employee, or agent against any individual for exercising their rights or responsibilities to report crimes under any provision under the Clery Act is strictly prohibited.

Upon receiving a call, the CSS Officer gathers preliminary information from the caller and, when appropriate, dispatches an officer(s) to the location of the incident. The responding officer will investigate the complaint or concern. Depending upon the nature of the incident, CSS will initiate the appropriate response and, if necessary, collect and preserve all evidence according to department protocol and USF policy. If necessary, the Sioux Falls Police Department or other appropriate law enforcement will be contacted by CSS or other administrators to resolve the incident.

An emergency telephone is located in front of the Mears Library in the center of campus. The emergency call phone is equipped with a stationary blue light at top and is easily recognizable across campus. Students and employees are encouraged to report criminal and unacceptable behavior promptly using the emergency telephone or calling 911 or CSS.

Emergency alarms are located around the campus as a means of protection. Examples of locations of alarms include, but are not limited to, the following offices on the USF Campus: Business Office, President’s Office, Mears Library, HR Office, Cougar Center (Bookstore and Mailroom), Student Life Office, Nursing Department and the Academic Success Center. If pushed, notice is sent to the CSS security monitor system and the CSS cell phone as a text message, for a response from the CSS Officers. CSS then contact the police if necessary.

The USF community is encouraged to keep the following numbers accessible to report criminal behavior and emergencies:

Campus Safety & Security Office and On-call	605-321-6400
Campus Safety & Security Office	605-331-6591
Sioux Falls Police, Fire, and Ambulance	911

*(\* Other than 911, a 7 and the area code must be dialed from a campus phone before an off-campus number can be successful.)*

**To Report Completed Acts of Criminal Activity:**

Incidents of personal assault/injury, theft, vandalism, accidents, etc., should be reported by calling 911 if immediate medical or safety concerns need to be met. Otherwise, contact CSS or Human Resources/Risk Management Office (in Jordan Hall, Suite 205) to file a report. The CSS Director will coordinate the reporting procedures for victims of criminal activities with local authorities if the victim chooses to report to law enforcement. The victim of the crime will be informed in writing of USF’s action and may pursue direct police involvement.

## Crimes May Be Reported To The Following:

Director of Campus Safety & Security	(605) 331-6591; (605) 321-6400
Director of Student Life & Housing	(605) 331-6892
VP for HR, Security, & Facilities	(605) 331-6683; 605-331-6802
Director of Risk Management	(605) 331-6609
VP for Enrollment Management/Student Life	(605) 331-6602
Title IX Coordinator	(605) 331-6683; (605) 331-6802
Campus Conduct Hotline	(866) 943-5787

### THE DAILY CRIME LOG

A daily crime log listing all crimes reported to CSS is maintained in CSS's office on the main level of the Mears Library and available for public review during regular business hours. The daily crime log includes the date the crime was reported, the date and time the crime occurred, the nature of the crime, the general location of the crime, and, if known, the disposition of the complaint. Reports are never removed from the log. If, however, a sworn or commissioned law enforcement officer determines that a complaint was false or baseless, the disposition of the complaint will be identified as "unfounded."<sup>1</sup> The daily crime log is kept electronically at <https://apps.usiouxfalls.edu/download/CrimeLog>.

### COMMUNITY SAFETY AWARENESS AND CRIME PREVENTION PROGRAMS

CSS conducts crime prevention and awareness programs for the campus community throughout the year. Crime prevention programs for students and employees can be arranged by contacting CSS at 605-331-6591 or 605-321-6400.

At the beginning of the fall semester, all new students receive safety information from CSS through orientation programming. Returning residential students are also informed of emergency procedures unique to their living areas. This information comes to them during a mandatory meeting the first night they are on campus. A similar meeting occurs at the beginning of the spring semester. Residential students are also informed again about safety procedures before the first fire drill, which happens two weeks into each semester.

### TIMELY WARNING NOTIFICATIONS

When a Clery Act crime<sup>3</sup> is reported to CSS or local law enforcement, and the crime is considered a serious or continuing threat to students and employees, CSS will issue a timely warning to the campus community. The warning will include all information necessary to protect USF's community and prevent similar crimes. These alerts are sent to students and employees through campus emails, our emergency alert system (which sends texts, emails, and/or voicemails), and, if appropriate, posted announcements.

Information thought to warrant the issuance of a timely warning should be reported to CSS in the Mears Library or by calling 605-321-6400.

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<sup>3</sup> The Clery Act timely warning requirement is unnecessary for non-Clery Act crimes or crimes reported to a pastoral or professional counselor.

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<sup>1</sup> An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore "unfounded." Only sworn or commissioned law enforcement personnel may "unfound" a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report.

## **BUILDING SECURITY**

Most buildings on campus are accessible without ID swipe-access when classes are in session or during regular business hours. However, some building doors that are in more remote locations are ID-access only at all times. Residence halls are always locked, and residents must have their USF-issued student ID card to enter the building via controlled access mechanisms. Visitors may enter when accompanied by a resident or school official. CSS Officers often check residence hall interior and exterior doors. If exterior doors are propped open, alarms sound, alerting officers on duty. During the summer months (generally, part of May, June, and July), the campus is more restricted from all people and some less regularly used buildings are ID- access-only. Keys are assigned by Human Resources/Risk Management, at the start of each semester, if process for key-request is followed. Keys are not to be loaned out for any reason. The person to whom the keys are assigned is solely responsible for them. Theft of belongings or loss of assigned keys should be reported immediately to CSS.

All academic and administrative buildings are checked and secured daily at predetermined times by CSS officers. The control access mechanism locks doors at 7:00 p.m. and unlocks at 7:00 a.m. The mechanisms are not on each door; therefore, CSS conducts door unlocks and lock ups at approximately 7:00 p.m. and 7:00 a.m. as well and completes door checks at least twice nightly during evening and weekend rounds. CSS pays special attention to door locks and repairing and replacing locks to maintain the security of all campus buildings. CSS asks students, faculty, and staff who notice an unlocked or propped door to report the location immediately to CSS at (605) 321-6400. Faculty and staff have access to all academic buildings 24/7/365 through the door access mechanism programmed, USF-issued ID cards. No faculty or staff has ID or card access to residence halls unless approved by the Vice President for Human Resources or designee.

## **EMERGENCY RESPONSE PROTOCOL**

### **Emergency Reporting**

All campus emergencies must be reported to local authorities by calling 911 and CSS at (605) 321-6400. CSS, under the supervision of the Director or designee, will confirm the reported incident, assess the situation, and determine if additional resources are necessary to assist victims, contain, respond to, or otherwise mitigate the emergency. CSS Officers will establish and maintain communication and coordination between emergency response teams, civil authorities, responding agencies, and affected campus departments when necessary.

Once the CSS Director or designee in charge, in conjunction with others, determines the event occurring on campus is a significant emergency or an immediate threat to the health or safety of students or employees, the campus community will be notified by utilizing the emergency alert system, which consists of text messages and email alerts. Subscription to the emergency alert system is maintained for all current students and employees through the internal, authenticated MyUSF website. Employees can go to: <https://my.usiouxfalls.edu/ICS/> . Students may use the following link: [https://my.usiouxfalls.edu/ICS/Student\\_Welcome.jnz](https://my.usiouxfalls.edu/ICS/Student_Welcome.jnz)

Tests of the emergency alert system are conducted a minimum of once per semester by the HR/Risk Management. USF will also utilize other methods, such as email, telephones, portable PR speaker, and security alarms, to distribute emergency information, depending on time and circumstances.

If an alert is necessary for the larger community, the CSS Director or designee will work with Minnehaha County Emergency Management and other relevant governmental units to convey the warning. Those governmental units are responsible for composing, initiating, and disseminating such an alert. The CSS Director or designee, will lead in determining the content of the notification and direct the notification to take place immediately, unless such action will compromise efforts to assist victims or to contain, respond to, or mitigate said emergency.

## **Testing of emergency notification and evacuation procedures**

USF Risk Management conducts tests of the emergency notification system semi-annually. Both tests are unannounced. These tests are documented, recorded by Risk Management, and available to Campus Safety & Security. CSS will be informed prior to each test of the emergency notification system.

Evacuation-procedure tests will be in conjunction with the fire drills on campus during the calendar year. Those results will be documented and recorded on USF's Risk Management log, which is kept in Jordan Hall, Room 205. All faculty, staff, and students should learn the evacuation routes and stairwell locations for all campus buildings they frequently occupy. Evacuation information is posted in each building including in each residence hall.

CSS Officers, law enforcement, or fire department personnel on the scene will direct evacuees to safe places.

Fire drills are conducted four times per year (twice per semester) in all residence halls and are monitored by the Residence Life staff and CSS. The purpose of fire drills is to prepare building occupants for an organized evacuation in case of fire or another emergency. During an evacuation, occupants are encouraged to take personal belongings and follow the evacuation procedures for their building, which is generally to close the door, move swiftly to the nearest exit and use the stairs, not the elevators. Fire drills are unannounced. Fire drills are held once per year in academic buildings and the scheduling of such is scheduled by USF HR/Risk Management and monitored by CSS.

## **DRUG-FREE CAMPUSES AND COMMUNITY POLICIES**

The Drug-Free Schools and Communities Act of 1989 mandates that institutions of higher education adopt and implement a program designed to prevent the unlawful possession, use, dispensation, or distribution of illicit drugs and alcohol by students and employees and provide certification to the Department of Education that such a program is in place.

The Drug-Free Workplace Act of 1988 requires recipients of federal grants and specific federal contracts to certify that they provide a drug-free workplace. Employees (including work-study students) engaged in projects relating to federal grant awards must abide by USF's drug-free policy to avoid the loss of federal grants or contracts.

USF developed this policy in response to federal legislation and to attempt to provide a healthy environment by preventing the use of illegal drugs or the abuse of alcohol on USF's property. All USF employees and students receive notice of this policy annually through appropriate handbooks and electronic media.

USF prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances and alcohol by any employee or student on University property or at any USF-sponsored function, whether on or off-campus. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 is illegal and will be addressed by USF's disciplinary process, which may involve local law enforcement. USF requires the cooperation of the entire campus community to maintain a drug-free environment.

According to South Dakota law, it is a class 2 misdemeanor for a person under the age of 21 to purchase, attempt to purchase, possess or consume alcoholic beverages. Likewise, it is a class 2 misdemeanor for one

person to provide alcoholic beverages to another person who is between the ages of 18 and 21. It is a class 1 misdemeanor to provide alcoholic beverages to a person under the age of 18. Although this is not a comprehensive list of South Dakota laws concerning the legal use, purchase, or consumption of alcoholic beverages, this list covers the most often reported types of alcohol-related offenses on campus. Conduct fitting within these categories will be reported to CSS and the Director of Housing and Student Life or designee and handled according to USF's disciplinary procedures outlined in the Faculty/Staff and Student Handbooks, or utilizing the Title IX process, whichever is appropriate.

The use, possession, distribution, etc., of controlled drugs and marijuana (non-medical) is prohibited by South Dakota and federal law. Any employee or student violating these prohibitions will be reported to the appropriate law-enforcement agency.

Prevention, intervention, and assistance programs are available to all USF students and employees to cope with problems stemming from alcohol and chemical use and abuse. Resources available to students include a counselor made available by USF, Dean of the Chapel, Director of Housing and Student Life, Associate Director of Student Life, Resident Directors, and Resident Assistants. Programs for students include alcohol-awareness programs in new-student orientation and mandatory residence hall meetings; bystander intervention information and strategies; and online alcohol education courses for those who self-identify with concerns, addictions, or who participate in the discipline process. Student Life can also connect students with local, off-campus organizations designed to assist students with dependencies or concerns about their reliance on intoxicants.

USF is committed to protecting the safety, health, and well-being of employees and students on the University campus. USF recognizes that alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment. USF encourages employees to voluntarily seek help with drug and alcohol problems. Programs and referral sources for USF employees and students are available through the Vice President for Human Resources, Vice President for Enrollment and Student Life, Director of Risk Management, or designee. USF partners with Avera McKennan Hospital & University Health Center, as well as encouraging employees and students to seek out organizations such as FACE-IT Sioux Falls for support. This organization provides access to support so employees and their family members can recover from addictions.

## **SEXUAL MISCONDUCT INFORMATION AND CLERY ACT OFFENSES**

### **Notice of Nondiscrimination**

USF does not discriminate on the basis of race, color, creed, national and ethnic origin, sex, age, religion, disability, marital status, status with respect to public assistance, sexual orientation, or gender identity or orientation in the administration of its educational policies, financial aid program, athletics, and all other programs. Harassment based upon an individual's legally protected status is a form of prohibited discrimination. In accordance with Title IX and other relevant state and federal laws, this policy addresses USF's prohibition of sexual discrimination.

Sexual harassment is a form of sexual discrimination. Sexual harassment includes a variety of unwelcome behaviors of a sexual nature, including sexual assault, domestic violence, dating violence, stalking, and rape.

Questions, concerns, or complaints regarding sexual discrimination, sexual harassment, or sexual



misconduct may be directed to the University Title IX Coordinator: Julie D. Gednalske, (605) 331-6683; (605) 331-6802; [TitleIX@usiouxfalls.edu](mailto:TitleIX@usiouxfalls.edu); a member of the Title IX Team at <https://www.usiouxfalls.edu/offices/human-resources/title-ix/title-ix-team>; USF Campus Safety and Security at 605-321-6400.

Questions, concerns, or complaints may also be directed to the Office of Civil Rights, a part of the United States Department of Education. OCR's contact information is as follows:

### **US Department of Education**

Office for Civil Rights

Lyndon Baines Johnson Department of Education Building

400 Maryland Avenue, SW, Washington, DC 20202-1100

Telephone: 800-421-3481

FAX: 202-453-6012; TDD: 800-877-8339

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

USF is committed to a safe and healthy environment and will not tolerate the commission of any Clery Act offense, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking. USF is committed to promptly, impartially, and equitably addressing and resolving all reports of discrimination, harassment, sexual misconduct or violence, domestic or dating violence, or stalking. When USF finds that such behavior has occurred, it will take steps to prevent the behavior's recurrence and correct its effects through the disciplinary policies in the Faculty/Staff and Student Handbooks. It also includes assisting and honoring protection, no-contact, and restraining orders along with lawful orders issued by a criminal, civil or tribal court or the institution at the victim's request. Retaliation against an individual who brings a complaint or pursues legal action or against an individual who serves as a witness in an investigation is prohibited. USF will notify both the reporting party and responding party in writing of any institutional disciplinary proceeding that arises from the allegation of dating violence, domestic violence, sexual assault, or stalking. USF will also notify both parties of any changes in the complaint results and when those results will become final.

### **Respect for Others**

USF prohibits all non-consensual touching or attempted non-consensual touching of another community member. The definitions in this section provide for categorization of specific activities but in no way limit the types of conduct that, if engaged in, will subject the wrongdoer to disciplinary action up to and including expulsion from USF. For purposes of USF-imposed discipline, it does not matter where the prohibited conduct occurred; what matters is whether a member of USF's community committed the prohibited act.

### **Education**

USF educates its community about prohibited conduct through, among other methods, student meetings, RA and RD training, all-employee meetings, online training, faculty retreats, and syllabi statements.

### **Examples of Prohibited Conduct – Definitions of Crimes from Clery Act**

**(Definitions are taken from the Clery Act and other relevant federal and state law):**

Murder and Non-Negligent Manslaughter: The willful, non-negligent killing of one human being by another. This includes deaths occurring due to a fight but does not include suicides or accidental deaths.

Manslaughter by Negligence: The killing of another person through gross negligence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape: 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 victim's consent. This offense includes the rape of both males and females.

Fondling: The touching of another person's private body parts for sexual gratification, without the victim's consent, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by law. In South Dakota, the following types of marriages are prohibited: "Marriages between parents and children, ancestors and descendants of every degree, and between brothers and sisters of the half as well as the whole blood, and between uncles and nieces, or aunts and nephews, and between cousins of the half as well as of the whole blood, are null and void from the beginning, whether the relationship is legitimate or illegitimate. The relationships provided for in this section include such relationships that arise through adoption." SDCL 25-1-6.

Statutory Rape: Sexual intercourse with a person under the statutory age of consent. In South Dakota, which is the jurisdiction that matters here, the age of consent is 16.

### Consent:

Consent is words or overt actions by a person clearly and affirmatively communicating a freely-given, present agreement to engage in a particular form of sexual contact. Words or overt actions communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a willingness to participate in the mutually agreed-upon sexual contact. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent.

All parties to a particular form of sexual contact must provide consent, and such consent must be present throughout the activity. It is the responsibility of the individual who is initiating each sexual contact to obtain consent before proceeding to engage in the sexual contact.

Even when consent is given, it may be retracted at any time. When consent is withdrawn, the sexual contact for which consent was initially provided must stop immediately. Any words or overt actions can communicate the withdrawal of consent. As is the case with communicating the existence of consent, verbal communication is usually the most straightforward way of communicating the withdrawal of consent. A person cannot consent if they cannot understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including alcohol or other drugs. An individual who engages in sexual activity when the individual knows or should know that the other person is physically or mentally incapacitated has violated policy. It is not an excuse

that the individual accused of sexual misconduct was intoxicated and, therefore, did not realize the incapacity of the other.

A person can only provide consent when that person:

- Acts freely and voluntarily, without coercion or force or otherwise feeling unduly pressured, threatened, intimidated;
- Is informed about the nature of the sexual contact involved;
- Is not incapacitated, whether from alcohol, other drugs, or other causes, such that they cannot understand the fact, nature, or extent of the sexual contact;
- Is conscious;
- Is of legal age to consent.

The State of South Dakota states that a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old is a crime.

These requirements for consent mean that sexual contact with someone who is threatened, coerced, intimidated, uninformed, incapacitated, asleep, or otherwise unconscious, or not of legal age, is, by definition, sexual assault. In addition, consent to a particular sexual contact cannot be inferred from:

- Consent to a different form of sexual contact;
- An existing or prior dating, sexual, romantic, or marital relationship;
- Silence that is not otherwise accompanied by overt actions indicating consent;
- An absence of physical resistance or verbal protest; or
- Prior sexual activity with other individuals

Sex Offender Information: The South Dakota Sex Offender Registry can be accessed at this site:

<https://sor.sd.gov/>

The National Sex Offender Public Website can be accessed here:

<https://www.nsopw.gov/?AspxAutoDetectCookieSupport=1>

Robbery: Taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another to inflict severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Larceny/Theft: the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or

control over a thing.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Damage to Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the owner's consent or the person having custody or control of it.

Domestic Violence: A felony or misdemeanor crime of violence committed

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is 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;

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.

South Dakota laws for orders protecting a person from domestic violence can be found at

<https://sdlegislature.gov/Statutes/25-10>

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.

The existence of such a relationship shall be determined based on a consideration of the following factors:

(i) The length of the relationship

(ii) The type of relationship

(iii) The frequency of interaction between the persons involved in the relationship

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

Any incident meeting this definition is considered a crime for purposes of Clery Act reporting.

Stalking: Engaging in the 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.

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

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

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

Any incident meeting this definition is considered a crime for purposes of Clery Act reporting.

## Hate Crimes and Bias Categories

Hate Crimes are defined as *a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim*. The categories of bias include race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias:

The Clery Act requires the reporting of offenses evidencing bias based on one or more of the following:

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

The first seven offenses were defined earlier. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in your *Clery Act* statistics only if they are Hate Crimes. The definitions of those crimes are:

Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon nor 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.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack (including Stalking).

Damage to Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the owner's consent or the person having custody or control of it.

## Burden of Proof

In any USF action seeking to impose discipline for violating the Clery Act or other relevant University rules, USF uses the preponderance of the evidence burden of proof. Generally, this requires that more than 50% of the evidence points to establishing a fact or culpability. Since USF disciplinary procedures are civil in nature, the party asserting a claim has the burden of proving its truthfulness by a preponderance of the evidence.

## Sexual Harassment Policy

Sexual harassment is an abuse of power that is demeaning and interferes with the ability to work or participate in an educational setting. Under applicable law, sexual harassment is a form of sex discrimination and is illegal.

Sexual harassment is defined as sexual advances, requests for sexual favors, and other verbal or physical

conduct of a sexual nature when one of the following is met:

- (A) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions, a criterion for evaluation, or a basis for academic decisions or other decisions affecting such individual; or
- (B) Such conduct has the purpose or effect of unreasonably interfering with work performance or educational experience or creating an intimidating, hostile, or offensive work or educational environment; or
- (C) Submission to such conduct is made either explicitly or implicitly a term or condition of the individual's employment or of the individual's status in a program, course, or activity.

Sexual harassment encompasses any sexual attention that is unwanted and can take many forms, but most sexual harassment falls into three categories: verbal, visual, and physical. All forms of sexual harassment cause the victim to feel uncomfortable or threatened by the behavior and may cause the victim to fear retaliation, such as job loss or poor grades.

Please note that sexual assaults may be criminal acts. As such, investigation and processing by the criminal justice system, local police, and crisis intervention centers may supersede the process developed under this policy.

Any employee or student who believes that they have been or are being harassed and/or discriminated against should immediately report it to the VP for Human Resources or Title IX Coordinator.

### **Policy for Reporting Sexual Assault, Dating Violence, Domestic Violence, and Stalking**

CSS and, if necessary, local law enforcement authorities should be contacted as soon as possible after the incident. In short, the quicker the report, the more likely the perpetrator will be apprehended and convicted. Once the report is made, CSS and local law enforcement will determine who else must be notified. CSS will assist with reporting to law enforcement. This policy is intended to provide maximum encouragement for reporting and prosecuting sexual assault and sexual contact while safeguarding the victim's rights and confidentiality. The USF counselor can appropriately refer a person who has been victimized for services including medical, legal, counseling, emotional, and other services:

- (A) Medical treatment: For life-threatening emergencies, call 911. For treatment of less-serious injuries and evaluation of sexually transmitted diseases and pregnancy, victims should consult the section on Resources in the Event of a Sexual Assault listed below.
- (B) Evidence collection: A person who has experienced sexual assault is encouraged to request the collection of medical-legal evidence. Avera and Sanford hospitals have sexual-assault nurse examiners on staff to collect evidence. The sexual-assault examination is free to the victim. Prompt collection of medical-legal evidence is vital for subsequent legal action against the perpetrator. The Sioux Falls Police Department conducts the collection of medical-legal evidence. USF staff shall also notify the victim of this/her right to report the incident to law enforcement and assist with making that report if requested by the victim.
- (C) Options: The victim also has an opportunity to receive assistance in changing academic and living situations after an assault occurs if these changes are requested by the victim and are reasonably available.

USF may provide referrals for the following services:

- Counseling Services
- Health Services
- Mental Health Services
- Victim Advocacy
- Legal Assistance
- Visa and immigration assistance
- Other services available for victims

### **Confidentiality**

As applicable law requires, USF makes every effort to maintain a victim's privacy and protect the confidentiality of any information disclosed under this policy. Information shall be disclosed on a need-to-know basis in accordance with applicable law. Some responders, such as counselors and clergy, may have a legal privilege to maintain complete confidentiality. In contrast, other responders may be legally required to report evidence of a sexual assault or other Clery Act violations to local law enforcement. Any professional consulted regarding a sexual assault or other Clery Act violation shall explain their ability to preserve confidentiality before disclosure of assault details. If an incident reported under this policy indicates that the perpetrator poses an immediate threat to others at USF, CSS will issue a timely warning. The victim's identity shall be protected if such a warning is issued. The alleged perpetrator and victim will be notified of the conduct and appeals process. According to federal law, upon the conclusion of the student disciplinary process, both the alleged perpetrator and the victim will be informed of the outcome. In addition, CSS is required to report the occurrence of sexual assault or other Clery Act violations. This report is for statistical purposes pertaining to campus safety and does not disclose individual identities.

### **Conduct and Legal Action**

The victim has the right to report the assault to USF officials and local law enforcement. USF personnel will assist the student in notifying these authorities. While USF encourages students to assist in prosecuting any sexual assault case, students who have been sexually assaulted need to maintain control over how they wish to proceed legally and personally. For students accused of violating this policy, the disciplinary process will be handled in accordance with the procedures outlined below. For employees accused of violating this policy, the disciplinary process will be handled in accordance with the procedures outlined in the grievance policy in the Faculty/Staff Handbook.

### **Student Conduct Process**

The following conduct process intends to provide the student with a resolution that is neither arbitrary nor capricious. USF will, in good faith, employ these procedures unless the President or designee, in their sole discretion, determines by a preponderance of the evidence that the safety or integrity of the USF community requires immediate action. In such a case, the President or designee will decide upon the process due, endeavoring to a decision that is neither arbitrary nor capricious.

**University of Sioux Falls**  
**Title IX Information and Grievance Policy**  
**Effective 2024-2025 Academic Year**

**The University of Sioux Falls (USF)** is committed to maintaining a safe and welcoming environment, free from discrimination, harassment, and sex-based misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking. In accordance with Title IX regulations, USF will promptly and equitably address incidents occurring within its educational programs or activities.

USF recognizes that all students and employees deserve the opportunity to reach their highest potential without facing behavior that creates or maintains a hostile environment based on sex. Sexual harassment is defined as unwelcome conduct that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to USF's educational programs or activities. USF is committed to promptly, impartially, and equitably addressing and resolving Title IX complaints. When the USF finds that an incident has occurred it will take steps to stop the behavior, to prevent its recurrence, and to remedy its effects.

Use the links on the USF website/Title IX to learn more about USF's Title IX Policy and to access information and resources for support, reporting, and assistance.

The Title IX Team is available to assist individuals who have concerns or complaints, and offers a formal and informal grievance process, which includes investigation, equal opportunity for both parties to present evidence, and rights to an appeal. USF ensures that all complaints are handled in a transparent and unbiased manner, providing fair resolution to protect the integrity of its learning and working environments.

To report a potential Title IX incident or ask questions you may use the Title IX Incident Report form is available on the USF website at [www.usiouxfalls.edu](http://www.usiouxfalls.edu) or contact:

Title IX Coordinator: [TitleIX@usiouxfalls.edu](mailto:TitleIX@usiouxfalls.edu)

Julie D Gednalske, VP for HR/Title IX Coordinator at 605-331-6802 or -605-331-6683, Jorden Hall, Suite 205 or a member of the Title IX team: <https://www.usiouxfalls.edu/offices/human-resources/title-ix/title-ix-team>

USF Title IX Compliance: On April 19, 2024, the Department of Education's Office for Civil Rights released new Title IX regulations (2024 regulations), replacing the 2020 regulations. Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in any education program or activity that receives federal financial assistance. The 2024 regulations expanded protections for sex discrimination, added pregnancy protections for students, and updated adjudication procedures.

Title IX Regulations Currently Followed by USF: South Dakota, Nebraska, Kansas, Florida, North Dakota, Iowa, Arkansas, Indiana, Ohio, and others have filed litigation asking a federal court to enjoin the 2024 regulations. The court issued its injunction on July 26, 2024, staying implementation in South Dakota of the 2024 regulations. Therefore, USF currently enforces the 2020 regulations.



## **TITLE IX: Sex Discrimination and Sex-Based Harassment Prevention and Response at the University of Sioux Falls**

### **1. What is Title IX?**

Title IX is a federal law that prohibits sex discrimination in educational institutions that receive federal funding. This includes protection against sexual harassment, sexual assault, and other forms of sex-based misconduct.

### **2. What behavior is potentially a violation of USF's Title IX policy?**

Prohibited behaviors include sexual harassment, sexual assault, sex-based harassment, intimate partner violence, stalking, non-consensual sexual contact, and sexual exploitation. These behaviors may also create a hostile environment and are prohibited by USF's Title IX policy.

### **3. What is consent?**

Consent is defined as an active, conscious, and voluntary decision by each participant to engage in mutually agreed-upon sexual activity. It must be given from the beginning to the end of each activity or form of sexual contact. An individual incapacitated by drugs, alcohol, or unconsciousness cannot give consent.

### **4. What are my reporting options?**

You can report Title IX violations to the Title IX Coordinator, Campus Safety and Security, members of the Title IX Team, or other USF officials. You also have the option to report the incident to local law enforcement.

#### **Reporting At USF:**

Complaints and violations may be reported to any of the Title IX Team by contacting them directly or emailing: [TitleIX@usioxford.edu](mailto:TitleIX@usioxford.edu). All USF employees are mandatory reporters except the University Counselor and Campus Pastor.

#### **Reporting Externally:**

Sioux Falls Police Department (Non-Emergency): (605) 367-7000  
Emergency: Dial 911

#### **Inquiries may be made externally to:**

Office for Civil Rights (OCR) U.S. Department of Education  
400 Maryland Avenue, SW Washington, DC 20202-1100  
Customer Service Hotline #: (800) 421-3481  
Facsimile: (202) 453-6012  
TDD#: (877) 521-2172  
Email: [OCR@ed.gov](mailto:OCR@ed.gov)  
Web: <http://www.ed.gov/ocr>  
Web: <https://www.notalone.gov/>

### **5. Who is the Title IX Coordinator and Title IX Team and what is their role?**

The Title IX Coordinator oversees USF's response to reports of discrimination, harassment, and sex-based misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking, ensuring compliance with Title IX policies and federal regulations. They coordinate the investigation and resolution of complaints. USF Title IX Team is as follows and complaints and violations may be reported to any of the following by contacting them directly or by emailing: [TitleIX@usioxford.edu](mailto:TitleIX@usioxford.edu)

- Dr. Julie D Gednalske, VP for HR/Title IX Coordinator  
Location: Jorden Hall, Suite 205  
TitleIX@usiouxfalls.edu; Julie.Gednalske@usiouxfalls.edu  
605-331-6802; 605-331-6683;
- Andrew Porteous  
Director of Housing & Student Life  
Andrew.Porteous@usiouxfalls.edu; 605-331-6892
- Mekonnen Afa:  
Director of International Education/Human Resources Associate  
Mekonnen.Afa@usiouxfalls.edu; 605-331-6585
- Nicole Dulaney  
Director of the Academic Success Center  
Nicole.Dulaney@usiouxfalls.edu; 605-331-6653
- Emily DeGroot  
Associate Athletic Director of Sports Medicine and Wellness  
Emily.DeGroot@usiouxfalls.edu; 605-331-6550
- Dr. Amy Johnson  
Instructor of Exercise Science/Coordinator of Campus Health/Academic Advisor  
Amy.Johnson@usiouxfalls.edu; 605-331-6687
- Marlene Quittem  
Director of Risk Management  
Marlene.Quittem@usiouxfalls.edu; 605-331-6609
- Mike Thompson, Esq  
Associate Professor of Criminal Justice; Faculty Athletic Rep; In-House Counsel  
Mike.Thompson@usiouxfalls.edu; 605-575-2039

#### **6. Who is required to report a Title IX complaint?**

All USF employees, with the exception of Campus Counselor and Campus Pastor, are considered mandatory reporters and must report any known Title IX violations to the Title IX Coordinator. Should the Title IX Coordinator not be able to be reached, Title IX violations may be reported to a member of the Title IX Team.

#### **7. What is the University's Title IX Grievance Policy – specifically, what options are available to address a Title IX complaint.**

##### INITIAL ASSESSMENT

When the Title IX Coordinator becomes aware of an incident, which may involve conduct Title IX prohibits, the Title IX Coordinator and a member of the Title IX Team will, within a reasonable time not to exceed ten (10) days, conduct an Initial Assessment meeting to gain a basic understanding of the nature and circumstances of the incident and report. At this meeting, the reporting party will be provided with information about resources, procedural options, supportive measures, and given an opportunity to discuss USF's policies.

A reasonable assessment of the safety of the reporting party and of the campus community will be made by the

Title IX Coordinator and at least one member of the Title IX Team. These persons will consider, among other things, the interest of the reporting party and the reporting party's expressed preference for the manner of resolution. At this stage of the process, though, the best interests of USF's community are paramount.

#### FILING A COMPLAINT

If the reporting party wishes to proceed with a resolution process, they will submit, if they haven't already done so, a written Complaint to the Title IX Coordinator. Upon receipt of a written Complaint, the Title IX Coordinator (or Title IX Team designee) will be responsible for making the following determinations:

Does this process apply?; and accepting the facts set forth by the reporting party as true, do the facts establish a violation of the University's Policy?

-If the answer to either question is no, the Title IX Office does not have the authority to resolve the written Complaint and the reporting party will be referred to the appropriate resources.

-If the answer to both questions is yes, the Title IX Coordinator, or designee, has the authority to investigate and work through the appropriate process to resolve the written Complaint.

#### STANDARD OF EVIDENCE

In all stages of this process, USF will apply the preponderance of the evidence standard (more likely than not) when determining whether there has been a violation.

#### BURDEN OF PROOF

The burden of proof and the production of evidence necessary to meet the standard of proof remains on USF throughout the process.

#### ADVISERS

Reporting parties and respondents are entitled to be accompanied and assisted by an adviser of their choosing. Advisers, including attorneys, may participate in the process or speak on behalf of the reporting party or respondent, and can ask to suspend any meetings, interviews, or hearings briefly to provide consultation. Accommodations, other than those required by law and including, but not limited to, scheduling of interviews or hearings, will not be made for any advisers, including attorneys, if the accommodations, based entirely upon the discretion of the Title IX Coordinator, unduly delay the process. Even if a party engages an adviser, however, USF will continue to communicate only with the party, who can then choose whether to share the communication with the adviser. This rule will change only if law or ethics requires communication to the adviser in addition to communication with the party. For example, if USF's communication comes from a lawyer, then the communication must include the party and their lawyer.

#### RESOLUTION PROCESS

A reporting party has the opportunity to resolve a possible Title IX violation through an Informal Resolution Process or a Formal Resolution Process. Both are defined below. USF uses its best efforts to resolve a complaint within ninety (90) days of the date of the Initial Assessment. USF also has the right to investigate and move forward with a Title IX investigation even without the written or verbal communication or consent of a reporting party. Regardless of the choice of process, the respondent is presumed innocent of wrongdoing unless or until USF proves otherwise.

##### Informal Resolution Process:

The informal resolution process allows both parties, the reporting party and the responding party, to agree to resolve the complaint without going through the formal process.

- This process can be pursued only if both parties provide voluntary written consent after being fully informed of all available options.

- The informal process can take various forms, such as mediation, and may be recommended by the Title IX Coordinator or designee based on the nature of the complaint.
- An important limitation is that this process is not available for complaints involving allegations that an employee has sexually harassed a student.
- The informal resolution process is entirely voluntary, and either party can choose to stop the process at any time before its completion. If the informal resolution is terminated, any information obtained during this process may be used in the formal resolution process that follows.
- Once a complaint is resolved through the informal process, the matter is considered closed, and no further actions will be taken on the same complaint.

#### Formal Resolution Process:

The formal resolution process is initiated when the reporting party submits a written or verbal complaint, or when the Title IX Coordinator determines that a formal process is necessary for the safety of the broader campus community.

- The process begins with the reporting party submitting a written complaint to the Title IX Coordinator if not already done so. The Title IX Coordinator will assess whether the complaint falls under Title IX jurisdiction and, if so, begin the investigation.

#### Notice and Investigation:

- The respondent will be notified in writing of the allegations and given an opportunity to submit a written statement within five business days of receiving the notice.
- An investigator will be appointed by the Title IX Coordinator. The investigator may be an internal or external individual, or a combination of both. The investigator will gather information, interview witnesses, and compile evidence.
- Both parties will be allowed to review the collected evidence and provide a written response.
- The investigator will draft an initial investigation report, which will be shared with both parties, who can submit responses.
- A final investigation report is then submitted to the Title IX Coordinator along with the parties' responses. The parties will simultaneously receive a copy of the final investigative report and may submit a response.

#### Hearing:

- A hearing panel, consisting of 3 to 5 members, is selected by majority vote of the Title IX Team. The panel will review the final investigation report and hear evidence presented by both parties.
- Both the reporting and responding parties, or their advisers, will have the opportunity to present documentary and testimonial evidence, including the right to cross-examine witnesses. However, only the party's respective adviser may conduct the cross-examination of another party or any witness.
- The hearing is treated as a quasi-judicial proceeding, meaning it follows formal procedures to ensure fairness. USF provides a court reporter or other means to record the hearing.
- If a party does not have an adviser, the University will provide one at no charge to conduct cross-examinations of the other party or any witness.

#### Decision and Sanctions:

- After the hearing, the panel will deliberate and decide by majority vote whether the respondent has violated USF's Title IX policy using the preponderance of evidence standard (more likely than not).
- If a violation is found, the panel will determine the appropriate sanction, which could range from warnings to expulsion.
- Both parties will receive a written decision and rationale from the Title IX Coordinator within 14 days of

the hearing.

Appeals:

- Either party can appeal the decision to USF's President within 30 days of the date of the hearing panel's written decision. The parties may submit written statements to the President or a designee. The appeal is reviewed for potential abuse of discretion, and the President or a designee will issue a written decision to both parties.

Live Hearing Process:

In the Formal Resolution Process, the USF's grievance process provides for a live hearing as required:

- At the live hearing, only the party's respective adviser is allowed to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real-time by the party's adviser of choice and never by the party personally.
- At the request of either party, the live hearing can occur with the parties in separate rooms using technology enabling the decision-maker(s), the parties, and any witnesses to simultaneously see and hear each other.
- Only relevant cross-examination and other questions may be asked. Before any party or witness answers a cross-examination or other question, the decision-maker(s) will determine the relevance of the question and explain any decision to exclude a question as not relevant.
- If a party does not have an adviser present at the live hearing, USF will provide one free of charge. This adviser may, but is not required to be, an attorney, and will conduct cross-examination on behalf of that party.
- Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant, unless offered to prove that someone other than the respondent committed the alleged conduct, or if the questions concern specific incidents of the complainant's prior sexual behavior with the respondent to prove consent.
- If a party or witness does not submit to cross-examination, the decision-maker(s) will not rely on any statement of that party or witness when determining responsibility. However, no inference about the responsibility determination will be made based solely on a party's or witness's refusal to answer cross-examination or other questions.
- USF will create an audio, audiovisual recording, or transcript of the live hearing and will make it available to the parties for inspection and review.

**8. Where can I find more information on rights, advocacy, and medical care?**

In the event of discrimination, harassment, and sex-based misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking, the following support is available to provide rights, advocacy, and medical care to at USF or in the Sioux Falls community:

CONFIDENTIAL RESOURCE

- University of Sioux Falls Counselor: (605) 331-6619 or C: (605) 575-2030
- Campus Pastor: (605) 331-6777
- The Compass Center: (877) IN-CRISIS or (605) 339-0116 | Info@ Thecompasscenter.Org
- Center for Family Medicine: (605) 339-1783
- Avera Behavioral Health: (605) 322-4065
- Avera Emergency Room: (605) 322-2000

- Sanford Emergency Room: (605) 333-6688

NON-CONFIDENTIAL RESOURCE:

- USF Title IX Coordinator: (605) 331-6802; 605-331-6683; [Titleix@Usiouxfalls.edu](mailto:Titleix@Usiouxfalls.edu)
- USF Campus Safety and Security: (605) 321-6400 (Cell Phone Answered 24/7)
- Sioux Falls Police Department (Non-Emergency): (605) 367-7000
- Emergency: 911
- Director of Housing and Student Life: (605) 331-6892
- Associate Director of Student Life: (605) 331-6801

**9. Where can I find more information on supportive measures?**

The University of Sioux Falls (USF) is committed to maintaining a safe and welcoming environment, free from discrimination, harassment, and sex-based misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking. In accordance with Title IX regulations, USF will promptly and equitably address incidents occurring within its educational programs or activities.

If you have experienced discrimination, harassment, and sex-based misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking, USF offers supportive measures for you-- there are options available to you and we encourage you reach out for support.

In the event you have experienced discrimination, harassment, and sex-based misconduct, you may proceed in the manner you choose – this is your decision. The University of Sioux Falls strongly encourages all members of its community to report incidents of discrimination, harassment, and sex-based misconduct; however, students are not required to do so. USF will provide support however you choose to move forward. Options available are as follows:

- Medical Attention: Seek medical attention to address injuries and evaluate your health and well-being. Medical exams may also test for sexually transmitted infections, provide emergency medication if needed, and/or preserve evidence. Seeking medical attention and preserving evidence may be important in case you decide to report the incident to USF or Law Enforcement. Information for medical resources in Sioux Falls is available on the USF website under Title IX or contact a medical provider you have previously seen in Sioux Falls or your personal medical provider, whoever you are most comfortable seeking out.
- Resources: USF has confidential resources for you to seek out, both on and off campus. Those resources are available on the USF website under Title IX and listed below. Both confidential and non-confidential, but supportive, resources are as follows:
  - CONFIDENTIAL RESOURCE
    - University of Sioux Falls Counselor: (605) 331-6619 or C: (605) 575-2030
    - Campus Pastor: (605) 331-6777
    - The Compass Center: (877) IN-CRISIS or (605) 339-0116 | [Info@Thecompasscenter.Org](mailto:Info@Thecompasscenter.Org)
    - Center for Family Medicine: (605) 339-1783
    - Avera Behavioral Health: (605) 322-4065
    - Avera Emergency Room: (605) 322-2000
    - Sanford Emergency Room: (605) 333-6688
  - NON-CONFIDENTIAL RESOURCE:
    - USF Title IX Coordinator: (605) 331-6802; 605-331-6683; [Titleix@Usiouxfalls.edu](mailto:Titleix@Usiouxfalls.edu)
    - USF Campus Safety and Security: (605) 321-6400 (Cell Phone Answered 24/7)

- Sioux Falls Police Department (Non-Emergency): (605) 367-7000
  - Emergency: 911
  - Director of Housing and Student Life: (605) 331-6892
  - Associate Director of Student Life: (605) 331-6801
- Report: USF encourages you to contact the Title IX Coordinator or a member of the USF Title IX Team to report the incident or contact the following:
  - Report: Contact law enforcement to make a report. Contact information is as follows:
    - Sioux Falls Police Department (Non-Emergency): (605) 367-7000
    - Emergency: 911
- Types of Support: There are steps USF can help you with to protect you and the USF community after you have experienced discrimination, harassment, or sex-based misconduct. Talk to the Title IX Coordinator or a member of the USF Title IX Team to request supportive measures – together we will work with you to offer and make available appropriate and reasonable supportive measures to ensure the safety and well-being of the complainant, respondent, and the campus community, upon receiving notice of the alleged misconduct per USF and Title IX regulations.
  - USF will maintain the confidentiality of Supportive Measures to the extent maintaining such confidentiality does not impair USF’s ability to provide the Supportive Measures. The Title IX Coordinator or their designee will notify the complainant before personally identifying information that USF believes is necessary to provide a Supportive Measure is shared, including what information will be shared, with whom, and for what reason.
  - Types of support available depends on the incident reported, Title IX regulations, and are determined on a case-by-case basis by USF
  - The Title IX Coordinator (or designee) may work with other departments at the University to identify, coordinate, or implement Supportive Measures. Types of support may include:
    - Academic: Academic supportive examples may include additional academic support by a faculty, tutor, or the Academic Success Center; extensions for assignments, tests, or other class requirements; change of class time/schedule or class modality; academic leave of absence or withdrawal from class(es) or institution
    - Other: Other examples of supportive measures may include, escort to and from activities, meals, class, etc. by USF Campus Safety & Security, change of on-campus housing, waiver for off-campus housing, contact restrictions, work or class schedule adjustments.
  - USF may implement supportive measures whether a formal complaint is or is not filed.
- The Title IX Coordinator and USF Title IX Team are as follows and violations may be reported to any of the following by contacting them directly or by emailing: TitleIX@usiouxfalls.edu
  - Dr. Julie D Gednalske, VP for HR/Title IX Coordinator  
Location: Jordan Hall, Suite 205; TitleIX@usiouxfalls.edu; Julie.Gednalske@usiouxfalls.edu  
605-331-6802; 605-331-6683
  - Andrew Porteous  
Director of Housing & Student Life; Andrew.Porteous@usiouxfalls.edu; 605-331-6892
  - Mekonnen Afa:  
Director of International Education/Human Resources Associate  
Mekonnen.Afa@usiouxfalls.edu; 605-331-6585

- Nicole Dulaney  
Director of the Academic Success Center  
Nicole.Dulaney@usiouxfalls.edu; 605-331-6653
- Emily DeGroot  
Associate Athletic Director of Sports Medicine and Wellness  
Emily.DeGroot@usiouxfalls.edu; 605-331-6550
- Dr. Amy Johnson  
Instructor of Exercise Science/Coordinator of Campus Health/Academic Advisor  
Amy.Johnson@usiouxfalls.edu; 605-331-6687
- Marlene Quittem  
Director of Risk Management  
Marlene.Quittem@usiouxfalls.edu; 605-331-6609
- Mike Thompson, Esq  
Associate Professor of Criminal Justice; Faculty Athletic Rep; In-House Counsel  
Mike.Thompson@usiouxfalls.edu; 605-575-2039

**PURSUANT TO USF'S SEXUAL AND GENDER-BASED HARASSMENT, SEXUAL VIOLENCE, RELATIONSHIP AND INTERPERSONAL VIOLENCE, AND STALKING POLICY**

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USF is committed to providing a timely, impartial, and reliable response to Complaints pursuant to USF's Sexual Harassment, Sexual Violence, Relationship, and Interpersonal Violence, and Stalking policy (hereinafter "Policy"). The following process ensures notice and meaningful opportunities for the complainant and respondent to participate. For additional information, see <https://www.usiouxfalls.edu/offices/human-resources/title-ix>

**I. TO WHOM THIS PROCESS APPLIES**

This process applies to Prohibited Conduct<sup>2</sup> committed by or against any USF student,<sup>3</sup> including but not limited to students in the undergraduate, graduate, or other USF educational activities, as Title IX defines that term (collectively referred to herein as "Students"), when:

- (A) The Prohibited Conduct occurs on USF premises<sup>4</sup>; or
- (B) The Prohibited Conduct occurs in the context of a USF employment, education, or research program or activity, including but not limited to USF-sponsored study abroad, research, internship, mentorship,

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<sup>2</sup> The University's Incident Report Form is, by this reference, incorporated herein. Prohibited Conduct consists of those acts listed on the reverse side of that form.

<sup>3</sup> Complaints of sexual harassment occurring between University employees are unless such complaints implicate Title IX interests, handled through the Grievance Procedure in the Faculty/Staff Handbook.

<sup>4</sup> The term "premises," as used herein, is synonymous with USF premises covered by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.



summer session; or

- (C) The Prohibited Conduct occurs outside either or both of (1) and (2) above, but (i) has a discriminatory impact on USF premises or in any USF employment, education, or research program or activity, or (ii) occurs in close proximity to USF premises and is connected to discriminatory conduct on USF premises. Any individual, regardless of affiliation with USF, may file a Complaint.<sup>5</sup>

## **II. INITIAL ASSESSMENT**

### **INITIAL ASSESSMENT**

When the Title IX Coordinator becomes aware of an incident, which may involve conduct Title IX prohibits, the Title IX Coordinator and a member of the Title IX Team will, within a reasonable time not to exceed ten (10) days, conduct an Initial Assessment meeting to gain a basic understanding of the nature and circumstances of the incident and report. At this meeting, the reporting party will be provided with information about resources, procedural options, supportive measures, and given an opportunity to discuss USF's policies.

A reasonable assessment of the safety of the reporting party and of the campus community will be made by the Title IX Coordinator and at least one member of the Title IX Team. These persons will consider, among other things, the interest of the reporting party and the reporting party's expressed preference for the manner of resolution. At this stage of the process, though, the best interests of USF's community are paramount.

## **III. FILING A COMPLAINT**

### **FILING A COMPLAINT**

If the reporting party wishes to proceed with a resolution process, they will submit, if they haven't already done so, a written Complaint to the Title IX Coordinator. Upon receipt of a written Complaint, the Title IX Coordinator (or Title IX Team designee) will be responsible for making the following determinations:

does this process apply?; and accepting the facts set forth by the reporting party as true, do the facts establish a violation of the University's Policy?

-If the answer to either question is no, the Title IX Office does not have the authority to resolve the written Complaint and the reporting party will be referred to the appropriate resources.

-If the answer to both questions is yes, the Title IX Coordinator, or designee, has the authority to investigate and work through the appropriate process to resolve the written Complaint.

## **IV. STANDARD OF EVIDENCE**

In all stages of this process, USF will apply the preponderance of the evidence standard (more likely than not) when determining whether there has been a violation.

## **V. ADVISORS**

Reporting parties and respondents are entitled to be accompanied and assisted by an adviser of their choosing. Advisers, including attorneys, may participate in the process or speak on behalf of the reporting party or respondent, and can ask to suspend any meetings, interviews, or hearings briefly to provide consultation. Accommodations, other than those required by law and including, but not limited to, scheduling of interviews or hearings, will not be made for any advisers, including attorneys, if the accommodations, based entirely upon the discretion of the Title IX Coordinator, unduly delay the process. Even if a party engages an adviser, however, USF will continue to communicate only with the party, who can then choose whether to share the communication

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<sup>5</sup> It is important to remember that some acts of Prohibited Conduct are also crimes and reports and will be made to the appropriate authorities apart from any University action. The University may forestall action on a Title IX complaint until a criminal complaint or prosecution is resolved.

with the adviser. This rule will change only if law or ethics requires communication to the adviser in addition to communication with the party. For example, if USF's communication comes from a lawyer, then the communication must include the party and their lawyer.

## **VI. RESOLUTION PROCESS**

A complainant can resolve a possible Title IX violation through an informal or formal resolution process defined below. USF also has the right to investigate and move forward with a Title IX investigation, even without the written or verbal communication or consent of a victim/complainant.

### Informal Resolution Process:

The informal resolution process allows both parties, the reporting party and the responding party, to agree to resolve the complaint without going through the formal process.

- This process can be pursued only if both parties provide voluntary written consent after being fully informed of all available options.
- The informal process can take various forms, such as mediation, and may be recommended by the Title IX Coordinator or designee based on the nature of the complaint.
- An important limitation is that this process is not available for complaints involving allegations that an employee has sexually harassed a student.
- The informal resolution process is entirely voluntary, and either party can choose to stop the process at any time before its completion. If the informal resolution is terminated, any information obtained during this process may be used in the formal resolution process that follows.
- Once a complaint is resolved through the informal process, the matter is considered closed, and no further actions will be taken on the same complaint.

## **VIII. WITHDRAWAL OF A COMPLAINT**

The complainant may request to withdraw a Complaint at any time. USF also has the right to investigate and move forward with a Title IX investigation even without the written or verbal communication or consent of a reporting party. Regardless of the choice of process, the respondent is presumed innocent of wrongdoing unless or until USF proves otherwise.

## **IX. TIMEFRAME FOR COMPLETION OF INVESTIGATION AND DISCIPLINARY PROCESS**

USF cannot promise the definitive timeframe of this process but ordinarily will complete its investigation and disciplinary process, if any, within ninety (90) days. The US Department of Education has clarified that the process's length may vary with the complexity and unique factors in each case. Examples of such factors include, without limitation, circumstances in which critical witnesses are unavailable or if law enforcement requests USF temporarily halt its investigation for a brief period of time. Accordingly, all timeframes outlined in this policy may be altered at the discretion of the Title IX Coordinator. The USF's overarching goal is to investigate all complaints promptly, fairly, and impartially.

### **Sanctions**

Maximum sanctioning for the offense of sexual assault or other Clery Act offenses from USF could be expulsion from USF. Lesser sanctions are also possible and include, but are not limited to, counseling evaluation sessions, restrictions on participation in campus activities, removal from campus residence life, and disciplinary suspension or probation. Employees, independent contractors, volunteers, and agents of USF may be subject to discipline for violating this policy, up to and including termination, cancellation of a contract, and/or removal from campus.

### **Immunity/Amnesty clause**

If the victim is found to have violated campus policies when the sexual assault occurs, the victim may be granted immunity from disciplinary sanctions (e.g., alcohol consumption, cohabitation outside of marriage, inter-visitation, etc.)

### **EDUCATION AND PREVENTION**

USF is concerned with the personal safety of students, faculty, and staff and strictly prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking against any student, staff, and/or visitor while living on, working, and/or visiting campus properties. In addition to measures taken by the Campus Safety & Security Office, USF Human Resources and Student Life Office also provides awareness and education opportunities assisting in a person's ability to be responsible for their safety. Education and awareness topics include risk reduction and response to sexual assault, rape, and other forcible and non-forcible sexual offenses. Several departments assist in this programming, including Campus Safety & Security, Student Life, Residence Life, Human Resources, Academic Success Center, and the University Counseling Office.

### **BYSTANDER INTERVENTION**

The Clery Act defines bystander intervention as "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." (34 CFR668.46(j)(2)(ii))

Bystander Intervention has been recognized as a prevention tool in dealing with dating violence, domestic violence, sexual assault, and stalking by observing the following:

- Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." USF promotes a community accountability culture where bystanders actively prevent violence without causing further harm. We may not always know what to do, even if we want to help.
- The goal of bystander training at USF is for students to learn to recognize problematic behavior, understand situational awareness, and be provided with strategies and tactics to intervene safely as part of their role as responsible members of the USF community.

Below is a list of opportunities to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or physically abusive towards others, and it is not safe for you to interrupt.

Watch out for your safety. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok. Call 911 if warranted.

1. Notice events and activities around you.
2. Confront people who seclude, hit on, or exhibit inappropriate behavior with people who are incapacitated.
3. Speak up when someone discusses plans to take advantage of another person.

4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on- or off-campus resources for support

### **MISSING PERSON POLICY AND PROCEDURE**

USF takes student, employee, and guest safety seriously. To this end, the following policy and procedure has been developed to assist in locating students, employees, or guests of USF who, based upon the facts and circumstances known to USF, are determined to be missing. This policy complies with Section 488 of the Higher Education Act of 2008.

Missing-person reports often result from a person changing their routine without informing roommates, friends, or co-workers. Anyone who believes a person to be missing should report their concern to CSS. Every report will be investigated once a person has been missing for 24 hours. Depending on the circumstances presented to USF officials, parents, emergency contact, spouse, or family of the missing person will be notified. The Director of Housing and Student Life will contact parents if necessary.

At the beginning of each academic year, students will be asked to voluntarily provide emergency contact information in the event they are reported missing while enrolled at USF. This information will be kept in the CSS Office and updated annually during fall validation. At the beginning of an employee's employment, employees will be asked to provide voluntarily emergency contact information in the event they are reported missing while employed at USF. This information is kept in the Human Resource Office. The employee is responsible for updating this information as it changes on ADP/electronic benefits system.

### **General Information - Student**

1. The USF official receiving the report will collect and document the following information at the time of the report:
  - a. The name and relationship of the person making the request.
  - b. The date, time, and location the missing person was last seen.
  - c. The general routine or habits of the suspected missing person (e.g., visiting friends who live off-campus, working a job away from campus), including any recent changes in behavior or demeanor.
  - d. The missing person's cell phone number (if known by the reporter).
2. If the missing person is a student, the USF official receiving the report will contact the Director of CSS to update them on the situation and to receive additional consultation. The Director of CSS contacts their supervisor and the Director of Housing and Student Life and, shortly thereafter, communicates with the University President and immediate supervisor.
3. Upon notification from any person that a student may be missing, USF may use any or all of the following resources to locate the student.
  - a. Call the student's room and/or go to the student's residence hall room.
  - b. Talk to the student's residence assistant (RA), roommate, floormates to determine if anyone can confirm the missing student's whereabouts and/or the date, time, and location the student was last seen.
  - c. Secure the current student ID (from Campus Safety & Security) or another photo of the student
  - d. Call and text the student's cell phone and call any other numbers on record.
  - e. Send the student an email.
  - f. Check all possible locations mentioned by the parties above, including, but not limited to, the library, residence hall lounges, student commons, fitness center, etc. The CSS Office and Residence Life Office

- may be asked to assist to expedite the search process.
  - h. Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking the student's social networking sites.
  - i. Determine the student's car make, model, and license plate number. A member of CSS will also check USF's parking facilities for the presence of the student's vehicle.
4. USF Information Technology department may be asked to obtain email logs to determine the last login and/or access into the University network.
  5. Once all the information is collected and documented and the Director of CSS, VP for HR, Security & Facilities (or designee), Director of Housing and Student Life (or designee), and University President is consulted, USF may contact the local police to report the information. If foul play is evident or strongly indicated during gathering information as described above, the police shall be contacted immediately. If it is necessary to contact the local or state authorities, police procedure and protocol will be followed.

### **General Information – Employee or Guest**

1. The USF official receiving the report will collect and document the following information at the time of the report:
  - a. The name and relationship of the person making the request.
  - b. The date, time, and location the missing person was last seen.
  - c. The general routine or habits of the suspected missing person (e.g., visiting friends who live off-campus, working a job away from campus), including any recent changes in behavior or demeanor.
  - d. The missing person's cell phone number (if known by the reporting party).
2. If the missing person is an employee or guest, the USF official receiving the report will contact the Director of Campus Safety & Security to update them on the situation and receive additional consultation. The Director of Campus Safety & Security will immediately contact the VP for Human Resources and determine other members of the Administration to contact.
3. When USF is notified that an employee or guest may be missing, USF may use any or all of the following resources to locate the person.
  - a. Call and/or go to the missing person's home or guest's room.
  - c. Talk to the missing person's family to see if anyone can confirm the missing person's whereabouts and/or confirm the date, time, and location the person was last seen.
  - d. Secure a current photo.
  - e. Call and text the person's cell phone and call any other numbers on record.
  - f. Send the person an email.
  - g. Check all possible locations mentioned by the parties above.
  - h. Contact or call any other on-campus or off-campus friends or contacts that are made known. This could include checking the person's social networking sites.
  - i. Determine the person's car make, model, and license plate number. A member of the CSS will also check the USF parking facilities for the missing person's vehicle.
4. USF's Information Technology staff may be asked to obtain email logs to determine the last login and/or access into the University network.

5. Once all the information is collected and documented and the Director of CSS (or designee) is consulted, USF staff may contact the local police to report the situation. If foul play is evident or strongly indicated in the course of gathering information as described above, the police can be contacted immediately. If it is necessary to contact the local or state authorities, USF will follow police procedure and protocol.

## **CRIME STATISTICS AND INFORMATION**

### **Crime Statistics Compilation Process**

CSS is the central gathering point for campus incidents and crimes. Statistical data is gathered from several on-campus and off-campus sources, including the Student Life, Athletic, the Human Resource/Risk Management Office, and the Sioux Falls Police and Fire Departments. Statistical data is compiled from January 1 through December 31 of each year and are listed in the calendar year in which they were reported.

### **Crime Reporting Areas**

All crimes reported to Campus Safety & Security that occur on University property are contained in the statistics presented and based on the calendar year they were reported. USF does not have any recognized off-campus student organizations and thus has no policies for monitoring these organizations.

All crimes reported to Campus Safety and Security Office that occur on USF property are contained in the statistics presented herein based on the calendar year reported. For statistical crime reporting, the Clery Geography for USF is divided into three reporting areas: on-campus, non-campus, and public property. The on-campus area is comprised of all campus property, including residence halls. For USF's Annual Security Report, on-campus crimes that occur in the residence halls are reported in the on-campus category and a subset of crimes occurring in the residence halls. Non-campus includes outlying property owned by the University but not utilized in direct support of the University's educational mission.

The University of Sioux Falls campus is bordered on the north by 22nd Street, south by 26th Street, east by Prairie Avenue, and on the west by Menlo Avenue. While at the Athletic Complex, the University property is bordered by 69th Street on the north, 9.4 acres south of 77<sup>th</sup> Street on the south, Cliff Avenue on the West, and the Burlington Northern Santa Fe Railroad and Charger Circle on the East.

The Sioux Falls Police Department provides a listing of all crimes reported on or near the campus on an annual basis within the parameters of the law. Crimes reported in this manner are included in the crime statistics based on the crime location.

## Crime Report

\*\*Crimes statistics for University of Sioux Falls. Calendar Years 2021, 2022, 2023. Residence Hall crime statistics are a subset of the On Campus category, i.e. they are counted in both categories. Hate Crimes: There were no reported hate crimes for 2021, 2022, 2023

Offense	Year	On-Campus Property	Residential Facilities**	Non-Campus Property	Public Property	Total
Murder/Non-Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Sex Offenses, Forcible	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	2	2	0	0	2
Sex Offense, Non-Forcible	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	1	0	0	0	1
Arson	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

Liquor Law Violations Referred for Disciplinary Action	2021	11	11	0	0	11
	2022	36	36	0	0	36
	2023	38	38	0	0	38
Drug Law Arrests	2021	0	0	0	0	0
	2022	1	1	0	0	1
	2023	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2021	1	1	0	0	1
	2022	1	1	0	0	1
	2023	0	0	0	0	0
Illegal Weapons Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
VAWA Offenses	2021	1	1	0	0	1
	2022	0	0	0	0	0
	2023	1	1	0	0	1
Unfounded Crimes	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

### Fire Report & Log

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law related to the University of Sioux Falls.

All student housing is alarmed, and all alarms are monitored by Campus Safety & Security Department and the EMS dispatch center for the Sioux Falls Fire Department.

### Residence Hall Fire Safety Systems

- Sullivan Hall: Full fire suppression sprinkler system on all floors and 15 portable fire extinguishers (wall-mounted)
- Mary-Collier Baker Hall: Full fire suppression sprinkler system on all floors and 5 portable fire extinguishers (wall-mounted)
- North Residence Hall: Full fire suppression sprinkler system on all floors and 11 portable extinguishers (wall-mounted)
- Grand Island Hall: 7 portable fire extinguishers (wall-mounted); Heat, fire, carbon monoxide detectors on each floor
- Burgess Hall: 7 portable fire extinguishers (wall-mounted); New fire alarm system in 2024; Heat, fire, carbon monoxide detectors on each floor
- Kroske Hall: 7 portable fire extinguishers (wall-mounted); Heat, fire, carbon monoxide detectors on each floor



### USF Fire Policies/Fire Safety Education

USF is a tobacco-free campus. USF's policy is that no portable electrical appliances, candles, combustible liquids, or open flames of any type be allowed in the on-campus student housing facilities. Fireworks, firecrackers, and similar explosives are prohibited on campus.

Students are responsible for misusing or tampering with fire alarms, alarm systems, fire doors, fire extinguishers, or other security equipment. Damages due to misuse will be addressed and collected as stated in the USF Student Handbook. Fire drills are held twice a semester for each residence hall. Fire drills are mandatory supervised evacuations of a building for a fire. The fire drill is coordinated with Residential Life, CSS, Risk Management and the Sioux Falls Fire Department.

Students residing in USF housing are educated on fire evacuation procedures at the beginning of each academic semester. Student housing evacuations will be activated if any incident occurs in the student housing that will affect the health/safety of those students residing in that building. Once the evacuation order has been given, the fire alarm will be activated, a 911 call will be placed, and CSS will be notified. Exit procedures are posted in the residence halls and must be followed during drills and emergencies. Students should exit to the door closest to their residence hall room when possible and avoid using the elevator. Should the need arise, students will be rescued through a window. At the beginning of each semester, explicit directions are given for exiting the building, and signage is posted in the hallways. Fire doors and escapes are marked and are to be kept clear and used only for drills or emergencies.

USF trains all residence-life personnel on fire safety during a mandatory, one-hour session at the beginning of each academic year. Each year, there is also one fire evacuation drill in all academic and administrative buildings. All faculty and staff are required to participate in the drills. Additionally, Campus Safety & Security Officers, Residence Life Staff, Buildings and Grounds Staff, and the University Event Team have hands-on training by the Sioux Falls Fire Department before each academic year. This training involves not only evacuation procedures but also fire extinguisher use. The Fire Department telephone number (911) reports an alarm whenever the alarm system sounds.

### Fire Statistics and Reports of on-campus student housing fire(s)

Residence Hall	Year	Total Fires	Date/Time	Fire Nature	# Injuries	# Deaths	Loss Value
Sullivan Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Mary Collier Baker Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Grand Island Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Burgess Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Kroske Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0

	2023	0	0	0	0	0	0
North Residence Hall	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0

### Fire Log

A fire log is maintained by the Campus Safety and Security (CSS) Department by the Director of CSS, located in the Mears Library, and is available for public inspection during regular business hours. This log contains information regarding all fires on campus, including the nature of the fire, the date and time the fire occurred, and the general location of the fire for the most recent sixty days. Information regarding fires on campus older than sixty days will be made available within two business days upon request. A fire drill log is maintained by the Human Resources Department with the Director of Risk Management, located in Jordan Hall 205, and is available for public inspection during regular business hours.

### Community Fire Safety Education

If you discover a fire:

- Activate the fire alarm system and call 911 from any campus phone to report the fire
- Report the fire to Campus Safety & Security at 605-321-6400
- Evacuate the building using the stairs, closing doors and windows behind you
- DO NOT USE THE ELEVATORS
- Provide evacuation assistance to those with special needs if possible
- Move to a safe location following the directions of emergency response personnel or per your training
- DO NOT re-enter the building until the fire department authorizes

If caught in smoke:

- Do not breathe in the smoke
- Breathe shallowly through your nose and use a shirt or towel for breathing through if possible
- Drop to your hands and knees and crawl to the nearest safe exit out of the building

If trapped in a building:

- Close all doors and windows to the room
- Place cloth material under the door to prevent smoke from entering
- Call for help using a phone or cell phone
- Attempt to signal people outside of the building through the window

Using a fire extinguisher:

- Use a fire extinguisher ONLY if you have been trained
- If you have any doubt about your ability to fight the fire, exit immediately
- If you decide to use a fire extinguisher, place yourself between the fire and an exit and pull the pin to break the tamper seal-Aim low, pointing the nozzle at the base of the fire-Squeeze the handle to release the extinguisher agent-Sweep from side to side at the bottom of the fire until the fire is out.

\*\* If the fire re-ignites, repeat the steps above.