

# Drug-Free Schools and Campuses Act Biennial Review

In Compliance with the Drug-Free Schools and Communities Act

## University of South Dakota 2018-2020



UNIVERSITY OF  
SOUTH DAKOTA

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## Introduction

The Department of Education's Office of Safe and Drug Free Schools requires that institutions of higher education adopt and implement all elements of the Drug-Free Schools and Communities Act (DFSCA) to ensure eligibility to receive funds or any other form of financial assistance under any Federal program. Institutional obligations under this legislation are outlined below:

*H.R. 3614 – Drug-Free Schools and Communities Act Amendments of 1989  
101<sup>st</sup> Congress (1989-1990)*

### *SEC. 22. DRUG-FREE SCHOOLS AND CAMPUSES.*

*(a) IN GENERAL-*

*(1) CERTIFICATION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM- Title XII of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by adding at the end a new section 1213 to read as follows:*

#### *DRUG AND ALCOHOL ABUSE PREVENTION*

*SEC. 1213. (a) Notwithstanding any other provision of law, no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any federally funded or guaranteed student loan program, unless it certifies to the Secretary that it has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that, at a minimum, includes--*

- (1) the annual distribution to each student and employee of*
  - (A) standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities;*
  - (B) a description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;*
  - (C) a description of the health risks associated with the use of illicit drugs and the abuse of alcohol;*
  - (D) a description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and*
  - (E) a clear statement that the institution will impose sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required by paragraph (1)(A)*
- (2) a biennial review by the institution of its program to*
  - (A) determine its effectiveness and implement changes to the program if they are needed; and*
  - (B) ensure that the sanctions required by paragraph (1)(E) are consistently enforced.*

<https://www.congress.gov/bill/101st-congress/house-bill/3614/text>

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## Biennial Review Process

The University of South Dakota (USD) releases this biennial review in compliance with the Drug-Free Schools and Communities Act. An announcement of USD's biennial review's availability will be sent to all University community members via USD email no later than December 31 on even years. The review will also be available on USD's website at the following link:

<https://www.usd.edu/administration/university-police/crime-statistics>.

To request a printed copy of this biennial review, please contact the Dean of Students: [deanofstudents@usd.edu](mailto:deanofstudents@usd.edu); (605) 658-3555.

## Policies Related to Alcohol and Drug Use

The following linked South Dakota Board of Regents (SDBOR) and institutional (USD) documents outline policies and procedures related to alcohol and drugs at the University of South Dakota. These policies and procedures aid the University in ensuring compliance with the Drug Free Schools and Communities Act.

### I. Campus Policies

- SDBOR 4:27 Drug Free Environment
  - <https://www.sdbor.edu/policy/Documents/4-27.pdf>
- SDBOR 6:14 Sale of Alcoholic Beverages at Institutions
  - <https://www.sdbor.edu/policy/Documents/6-14.pdf>
- USD 2.043 Smoke & Vapor Free Campus
  - <https://www.usd.edu/-/media/files/policies/2043-smokefree-zone-policy-revision-final.ashx?la=en>
- USD 2.050 Sale of Alcoholic Beverages
  - <https://www.usd.edu/-/media/files/policies/2050-alcohol-sales.ashx?la=en>

### II. Student Specific Policies

Student Alcohol and Drug policies are linked below:

- SDBOR 3:4 Student Code of Conduct
  - <https://www.sdbor.edu/policy/Documents/3-4.pdf>
    - 2.7.1. The unauthorized manufacture, sale, possession, use, or consumption of alcohol, marijuana, or controlled substances by students.
    - 2.7.3. The unauthorized possession of any drug paraphernalia.
- SDBOR 3:6 Housing & Meal Plan Requirement
  - <https://www.sdbor.edu/policy/Documents/3-6.pdf>
  - 5. Criminal History Resulting in the Loss of Privilege to Live in Institutional Housing
    - 5.2 When a person has been found to have committed a felony offense involving use or sale of illegal drugs or involvement in a crime of violence which did or could have resulted in injury to a person
- USD 7.004 Student Tailgating Policy
  - <https://www.usd.edu/-/media/files/policies/7004-tailgating-policy.ashx?la=en>
- Student Handbook
  - <https://www.usd.edu/-/media/files/student-life/usdstudenthandbook.ashx>
- Parental Notification Policy
  - <https://www.usd.edu/student-life/srr/parental-notification-policy>

- University Housing Policies
  - Community Living Policies  
<https://www.usd.edu/-/media/files/student-life/university-housing/policies-and-forms/communitylivingpolicies.ashx?la=en>
  - Alcohol Permitted Rooms  
<https://www.usd.edu/student-life/university-housing/alcohol-permitted-rooms>
- Sorority & Fraternity Life
  - <https://www.usd.edu/student-life/sorority-and-fraternity/expectations>
    - *Alcohol: Sororities are substance-free. If a fraternity chooses to host a social event with alcohol in their facility, the consumption of alcoholic beverages must be limited to fraternity common spaces for the duration of the event; alcohol will not be consumed in private residential spaces during organizational events or socials. Alcohol is allowed in private residential space, if all individuals occupying the room are of legal drinking age. Larger gatherings of individuals must be registered via USD Involved and should not take place in private residential space.*
    - *The University of South Dakota prohibits the presence of alcohol products above 15% ABV in any chapter facility or at any chapter event (as defined by their individual national organizations and the local Interfraternity and Panhellenic bylaws), except when served by a licensed third-party vendor or in cases where the university is the majority sponsor of the event.*
    - *Additionally, Alcoholic beverages may not be available or consumed at any type of recruitment event for any reason in any form by a recruitment participant. This includes PNMs (potential new members), initiated chapter members (active or inactive), disaffiliated Gamma Chis, Interfraternity/Panhellenic Executive members, visiting chapter members, or any other representative of the chapter.*
- USD Athletics Alcohol & Drug Policy
  - Prohibited conduct by student-athletes includes but is not limited to:
    - Possession or consumption of drugs
    - Possession or consumption of alcoholic beverages by any person under the age of 21
    - Furnishing false identification for the purpose of obtaining beverages with alcoholic content
    - Providing drugs or alcoholic beverages to those under the age of 21
    - Misconduct in connection with drugs and/or alcoholic beverages
    - Public intoxication, including at scheduled social events or informal unscheduled social events
    - Possession and/or consumption of alcoholic beverages and/or illegal drugs on University property including athletic facilities or at athletic events
    - Operation of a motor vehicle while under the influence of drugs or alcohol

### III. Faculty & Staff Specific Policies

Faculty & Staff specific Alcohol and Drug policies are linked below:

- SDBOR 4:14 Faculty Discipline & Disciplinary Procedures
  - <https://www.sdbor.edu/policy/Documents/4-14.pdf>
  - 4. Code of Professional Conduct/Misconduct Defined
    - *M. The unlawful or unauthorized manufacture, distribution, dispensing, possession or use of alcohol or controlled substances while on duty or while on premises owned and controlled by the Board of Regents or used by the Board of Regents for educational, research, service or other official functions.*

- *O. The use of alcohol, marijuana, or other controlled substances, which significantly impairs performance of duties.*
- SDBOR 4:44 Administrators, Professional and Student Employees (Non-faculty Exempt) Code of Conduct / Misconduct Policy
  - <https://www.sdbor.edu/policy/Documents/4-44.pdf>
  - 2. Unprofessional Conduct
    - *F. The manufacture, distribution, dispensing, possession or use of alcohol or controlled substances shall be cause for discipline where:*
      - 1) *The conduct is unlawful or unauthorized and occurs while acting within the scope of employment; while on premises owned and controlled by the Board of Regents or used by the Board of Regents for educational, research, service or other official functions; or while participating in any capacity in activities sponsored by the Board; or*
      - 2) *The conduct has been authorized and is lawful, but the use significantly impairs the faculty member in the performance of his duties; or*
      - 3) *Other conduct that involves a failure to conform to laws regulating alcohol and controlled substances and that results in injury to the person or the rights of others.*

## Health Risks Associated with Alcohol and/or Drug Use

While major health risks are associated with the use and abuse of alcohol and/or drugs, the impact on the individual varies based on the user's tolerance, genetics, gender, physique, as well as other physical and psychological factors. The National Institute on Drug Abuse offers a comprehensive collection of the most commonly used substances including an overview of the street and clinical names, the effects of the drug, as well as resources on prevention, recovery, and treatment options. These resources are readily available on the National Institute on Drug Abuse site: [www.drugabuse.gov/drug-topics](http://www.drugabuse.gov/drug-topics)

## Alcohol and/or Drug Abuse Programs Available to Students, Staff, & Faculty

Short term alcohol and other drug counseling is available on campus to students through the Student Counseling Center ([www.usd.edu/scc](http://www.usd.edu/scc)); (605) 658-3580. Students may be referred through the Student Counseling Center to other treatment programs for more intensive treatment.

Offered through the State Bureau of Human Resources, the Employee Assistance Program offers employees education and counseling, as well as appropriate referrals. To utilize the Employee Assistance Program, please visit [www.EAPHelplink.com](http://www.EAPHelplink.com) & enter the company code southdakota or phone (800) 713-6288.

The [Helpline Center](#) provides the current substance abuse counseling agencies in Vermillion and the surrounding areas:

- [Substance Abuse Programs in Clay County](#), include:
  - Lewis & Clark Behavioral Health Services – (605) 665-4606  
<https://www.lcbhs.com/>
  - Avera Addition & Recovery Center – Sioux Falls - (605) 504-2222  
<https://www.avera.org/services/behavioral-health/addiction-recovery/>
  - Alcoholics Anonymous – (605) 670-8268  
[www.area63aa.org](http://www.area63aa.org)

Interested individuals are encouraged to contact these agencies for additional information regarding specific services and costs.

## Student Counseling Center Alcohol & Drug Support Services

The chemical dependency program at the Student Counseling Center is accredited through the South Dakota Division of Alcohol and Drug Abuse for Level 0.5 Early Intervention Services, Prevention, and Level I Outpatient Services Program and Level II.I Intensive Outpatient Treatment Program. Chemical dependency treatment services are available to all registered USD students and include:

- alcohol and drug assessments
- individual counseling
- group counseling
- aftercare opportunities
- recovery maintenance programs.

Assessment services are provided to USD students who request assistance in identifying their current substance use concerns. Assessment is also provided for students who have been court-ordered by the city, county, or state(s) court system or the Office of Student Rights & Responsibilities. Assessment includes an identification of substance use background, patterns, and specific needs of the client. Feedback and recommendations are provided to the client. Further information about these services may be found at on the Student Counseling Center website: <https://www.usd.edu/student-life/scc/services>

The Student Counseling Center also provides online alcohol and marijuana screenings available for students. These include:

Alcohol eCheckUp To Go provides accurate and personalized feedback about:

- individual drinking patterns
- risk patterns
- aspirations and goals
- helpful resources at the University of South Dakota and community

Marijuana eCheckUp to Go provides accurate and personalized feedback about:

- individual patterns of marijuana use.
- risk patterns
- aspirations and goals
- resources at the University of South Dakota and community

Further information and access to these online assessments on the Student Counseling Center website: [www.usd.edu/student-life/scc/self-assessment](http://www.usd.edu/student-life/scc/self-assessment)

The Student Counseling also offers in-person, in-depth alcohol and drug assessments and programs. These programs are described below:

Brief Alcohol Screening and Intervention for College Students (Basics) is an intervention used to aid college-age students make better choices related to alcohol by reducing consumption (and related adverse consequences), promoting healthier alternatives, and providing information on risk reduction.

Choices About Alcohol (Choices) is a brief alcohol abuse prevention and harm reduction program for college students involving interactive journaling. The CHOICES program involves a 90-minute, peer facilitated class. Throughout the course, students are presented with information and

then they can reflect on what they have learned as it relates to their choices about drinking in their personal journals. The CHOICES program is presented in a non-confrontational manner that enables students to make their own decisions about alcohol consumption.

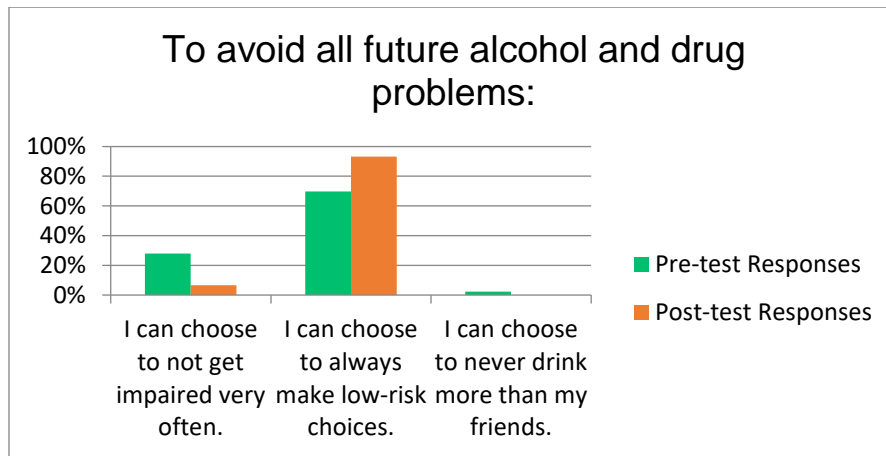
Prime for Life© is an evidence-based motivational prevention, intervention and pre-treatment program specifically designed for people who may be making high-risk choices. This includes but is not limited to impaired driving offenders and young people charged with alcohol and/or drug offenses. It is designed to change drinking and drug use behaviors by changing beliefs, attitudes, risk perceptions, motivations, and the knowledge of how to reduce risk of alcohol and drug related problems.

## Assessment Student Counseling Center Alcohol & Drug Services

University Prevention Summary Report (Spring 2019): In this evaluation, students were asked a series of questions concerning their understanding of the effects of alcohol as well as their thoughts about their own choices and consumption of alcohol, at the beginning and end of the program held in April 2019. The sample size for the pre-test included 44 student responses while there were 45 post-test responses available for analysis. Results of the pre- and post-tests illustrate the efficacy of these interventions.

Question 4. To avoid all future alcohol and drug problems:

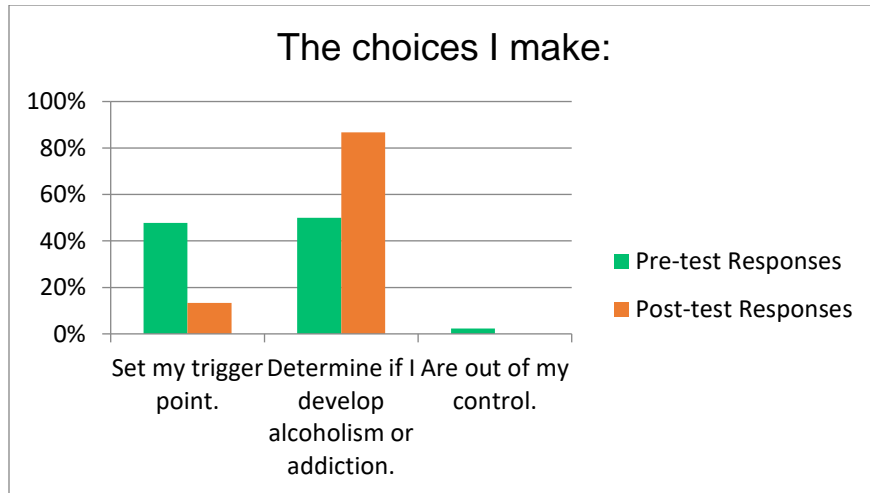
Answer Choices	Pre-test Responses		Post-test Responses	
	%	n	%	n
I can choose to not get impaired very often.	27.91%	12	6.67%	3
I can choose to always make low-risk choices.	69.77%	30	93.33%	42
I can choose to never drink more than my friends.	2.33%	1	0.00%	0



Question 5. The choices I make:

Answer Choices	Pre-test Responses		Post-test Responses	
	%	n	%	n
Set my trigger point.	47.73%	21	13.33%	6
Determine if I develop alcoholism or addiction.	50.00%	22	86.67%	39
Are out of my control.	2.27%	1	0.00%	0





CHOICES Program Evaluation 2018-2019: Students were asked a series of questions concerning their understanding of the effects of alcohol as well as their thoughts about their own consumption of alcohol, at the beginning and end of the CHOICES Program.

The sample size for the pre-test cohorts were 181 students for the 2014-15 academic year; 180 students for the 2015-16 academic year; 120 in the 2016-17 academic year; 47 for the 2017-18 academic year; and 44 for the 2018-19 academic year; 572 students of whom the pre-test data was based.

The post-test cohorts were 175 students for the 2014-15 academic year; 178 for the 2015-16 academic year; 118 in the 2016-17 academic year; 47 for the 2017-18 academic year; and 46 for the 2018-19 academic year; for 564 students contributing to the post-test data.

<b>Which of the following contain the most alcohol: by year: by pre and post- test</b>										
	2014-15		2015-16		2016-17		2017-18		2018-19	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
12 oz. beer	0.6%	0.0%	1.1%	0.0%	0.0%	0.9%	0.0%	2.1%	0.0%	0.0%
8 oz. ice beer or malt liquor	0.0%	0.0%	1.1%	1.1%	0.0%	0.9%	0.0%	0.0%	0.0%	0.0%
5 oz. glass of wine	1.1%	0.0%	4.4%	1.1%	0.8%	0.0%	0.0%	0.0%	2.3%	0.0%
1.5 oz. of 80 proof liquor	32.8%	8.7%	36.1%	4.5%	43.3%	12.8%	55.3%	12.8%	59.1%	4.3%
They all contain about the same	65.6%	91.3%	57.2%	93.3%	55.8%	85.5%	44.7%	85.1%	38.6%	95.7%
<b>A standard drink raises the BAC of a 160 pound person by approximately: by year, by pre and post-test</b>										
	2014-15		2015-16		2016-17		2017-18		2018-19	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
0.01%	12.7%	2.3%	16.7%	3.9%	18.3%	3.4%	17.0%	4.3%	23.3%	0.0%
0.02%	53.6%	86.9%	56.7%	89.9%	43.3%	85.6%	46.8%	72.3%	41.9%	87.0%
0.03%	18.2%	3.4%	15.6%	0.6%	11.7%	0.8%	14.9%	6.4%	25.6%	6.5%

0.04%	10.5%	2.9%	6.1%	0.0%	16.7%	1.7%	14.9%	8.5	7.0%	4.3%
0.05%	5.0%	4.6%	5.0%	5.6%	10.0%	8.5%	6.4%	8.5%	2.3%	2.2%
<b>I don't need to drink alcohol to have fun when I socialize: by year: by pre and post-test</b>										
	2014-15		2015-16		2016-17		2017-18		2018-19	
	Pre	Post	Pre	Post	Pre	Post	Pre	Post	Pre	Post
Strongly agree	34.8%	49.7%	41.7%	52.3%	48.7%	58.1%	42.6%	63.8%	38.1%	39.1%
Agree	62.4%	49.7%	54.5%	45.5%	42.9%	34.2%	51.1%	34.0%	54.8%	58.7%
Disagree	2.2%	0.6%	2.8%	1.7%	8.4%	7.7%	6.4%	2.1%	7.1%	0.0%
Strongly disagree	0.6%	0.0%	1.1%	0.6%	0.0%	0.0%	0.0	0.0%	0.0%	2.2%

## Student Assessment Related to Alcohol and/or Drugs

SUIC/Core Institute Alcohol and Drug Survey Long Form: The Core Alcohol and Drug Survey was developed to measure alcohol and other drug usage, attitudes, and perceptions among college students. This survey examines student attitudes, perceptions, and opinions about alcohol and other drugs as well as their own use and consequences of alcohol and drug usage. This survey was administered in August 2019 with 311 respondents. Significant results of this survey are presented below:

- Following are some key findings on the use of alcohol:
  - 82.2% of the students consumed alcohol in the past year ("annual prevalence")
  - 63.1% of the students consumed alcohol in the past 30 days ("30-day prevalence")
  - 60.9% of underage students (under 21) consumed alcohol in the previous 30 days
  - 37.4% of students reported binge drinking in the previous two weeks. A binge is defined as consuming 5 or more drinks in one sitting
- Following are some key findings on the use of illegal drugs:
  - 24.6% of the students have used marijuana in the past year ("annual prevalence").
  - 15.2% of the students are current marijuana users ("30-day prevalence").
  - 7.1% of the students have used an illegal drug other than marijuana in the past year ("annual prevalence").
  - 3.6% of the students are current users of illegal drugs other than marijuana ("30-day prevalence").
- The most frequently reported illegal drugs used in the past 30 days were:
  - 15.2% Marijuana (pot, hash, hash oil)
  - 1.9% Amphetamines (diet pills, speed)
  - 1.0% Opiates (heroin, smack, horse)
- Following are some key findings on opinions about the campus environment:
  - 94.2 % of students said the campus has alcohol and drug policies;
  - 5.1 % said they "don't know"; and
  - 0.6 % said there wasn't a policy.
  - 59.2 % of students said the campus has an alcohol and drug prevention program;
  - 38.2 % said they "don't know"; and
  - 2.6 % said there wasn't a program.

- 66.8 % of students said the campus is concerned about the prevention of drug and alcohol use;
- 17.7 % said they "don't know"; and
- 15.5 % said the campus is not concerned.
- With regard to students' perceptions of other students' use:
  - 89.5 % believe the average student on campus uses alcohol once a week or more.
  - 56.2 % believe the average student on this campus uses some form of illegal drug at least once a week.
  - 35.4 % indicated they would prefer not to have alcohol available at parties they attend.
  - 90.0 % indicated they would prefer not to have drugs available at parties they attend.
- Substance Use

This table describes lifetime prevalence, annual prevalence, 30-day prevalence, and high frequency use (3 times a week or more).

Substance	Lifetime Prevalence		Annual Prevalence		30-Day Prevalence		3X/Week or more	
	Coll.	Ref.	Coll.	Ref.	Coll.	Ref.	Coll.	Ref.
Tobacco	30.7	40.6	23.0	31.2	13.6	19.9	5.5	9.7
Alcohol	83.2	84.3	82.2	81.5	63.1	68.7	6.8	20.0
Marijuana	31.7	46.0	24.6	33.9	15.2	19.8	3.9	8.2
Cocaine	1.0	7.6	0.6	4.7	0.0	2.0	0.0	0.2
Amphetamines	4.9	9.7	3.2	5.4	1.9	3.0	1.9	1.4
Sedatives	1.6	6.0	0.6	3.1	0.0	1.5	0.0	0.4
Hallucinogens	4.2	7.5	2.9	4.5	0.6	1.3	0.0	0.2
Opiates	0.3	2.3	0.3	1.3	1.0	0.7	0.0	0.3
Inhalants	1.3	2.5	0.6	1.0	0.0	0.5	0.0	0.2
Designer drugs	1.9	9.0	1.6	5.4	0.0	1.5	0.0	0.2
Steroids	1.0	1.0	0.3	0.6	0.3	0.4	0.0	0.2
Other drugs	0.6	3.6	0.0	1.8	0.0	0.7	0.0	0.2

Notes: Coll. = University of South Dakota (online); Ref. = Reference group of 90119 college students

## Additional Campus Programs & Services Related to Alcohol & Drug Education

In addition to the alcohol and drug education assessments and services detailed in the previous section, the following programs and activities compliment the services offered by the Student Counseling Center:

- [Department of Addiction Counseling and Prevention](#): The University of South Dakota has been a national leader in addiction counseling and prevention programs for over 45 years. This program offers undergraduate, graduate, and certificate opportunities in addiction counseling and prevention.
- [Campus Clarity & SafeColleges](#): the South Dakota Board of Regents contracted with [Campus Clarity](#) in 2019 and [SafeColleges](#) in 2020 to provide federally required trainings online related to the Title IX and the Campus SaVE Act. A module on alcohol and drugs was included in both the Campus Clarity & SafeColleges trainings.

- Cups for Coyotes: in partnerships with University Housing and Sorority & Fraternity Life, this alcohol use & prevention program for all incoming freshman is facilitated by the Student Counseling Center Prevention Coordinator. This program presents alcohol and drug prevention information that covers on-and off-campus policy & applicable laws, effects of alcohol on our bodies and brains, risk management, debunking expectations and myths about college drinking, resources available to USD students, as well as some bystander training information regarding alcohol poisoning. This program reaches 800+ students each year and is incentivized with prizes, cups, and other treats. There is a pre- and post-test that measures students' perceptions about drinking norms before and after the program. Survey results show that students consistently change students' attitudes and perceptions.
- Wellness Coalition: Chaired by the Student Counseling Center Prevention Coordinator, the Wellness Coalition meets monthly with committee membership draws from as many areas of USD as possible including representatives from University Housing, Greek Life, Student Rights & Responsibilities, TRiO programs, ICARE, Lost + Found, the Student Government Association, the Student Veterans Resource Center, ROTC, University Police Department, Volunteers of American of Sioux Falls, National Alliance on Mental Illness, Disability Services as well as interested students and student organizations. The Coalition works towards improving the awareness of USD students about the outcomes of underage drinking and substance abuse, suicide, mental health, and sexual assault through effective prevention programming, education, and support. The Wellness Coalition aims to organize events and promote information via tabling to build awareness of issues that are important to the students and faculty at USD and to help bring this message to the forefront of campus community.
- Safe Rides offers free, safe, and convenient transportation services during the academic year on Friday & Saturday nights between 10pm-3am. This service is devoted to saving lives, preventing injuries, protecting neighborhoods, and keeping impaired drivers off the road. This grant-funded offers over 10,000 rides for students and community members annually. Further information about Safe Rides is available here: [www.usd.edu/student-life/safe-rides](http://www.usd.edu/student-life/safe-rides)
- University Housing Programming: Resident Assistants and housing professional staff in all USD residential communities offer creative programming to present alcohol and drug education in an active and welcoming environment. In 2019 & early 2020, programs such as Drunk Goggle Mario Cart, Mocktails & Trivia, Dough-Not Drink & Drive, and passive informational poster campaigns were implemented. Hall programs were greatly curtailed in 2020 due to COVID-19.
- Programming Committee: chaired by the Director of the Muenster University Center & Student Programming, the Programming Committee connects departments from across campus to strategically plan and organize campus events so that students have safe, fun, and healthy alternatives on the USD campus every day.

## Disciplinary Sanctions for Violations of the Student Code of Conduct

In accordance with the Drug Free Schools and Communities Act, the Student Code ([SDBOR 3:4](#)) prohibits, “the unauthorized manufacture, sale, possession, use, or consumption of alcohol, marijuana, or controlled substances by students.” The Student Code also outlines the procedures for which due process is afforded to students. Allowable sanctions for violating the Student Code range from a warning to expulsion, depending on the severity of the event. Action by the South Dakota Board of Regents in 2017

removed mandatory minimum sanctions for alcohol and other drug offenses, but the following chart outlines sanctions regularly assessed for students found responsible for violating the Student Code.

### Common Conduct Sanctions for Student Alcohol & Drug Violations

	Alcohol	Drug
First Violation	<ul style="list-style-type: none"> <li>• AOD Education as assigned by Student Counseling Center</li> <li>• Warning / Formal Warning</li> <li>• \$50 fine</li> </ul>	<ul style="list-style-type: none"> <li>• AOD Education as assigned by Student Counseling Center</li> <li>• Formal Warning</li> <li>• \$50 fine</li> </ul>
Second Violation	<ul style="list-style-type: none"> <li>• AOD Education as assigned by Student Counseling Center</li> <li>• Formal Warning / Probation</li> <li>• \$100 fine</li> </ul>	<ul style="list-style-type: none"> <li>• AOD Education as assigned by Student Counseling Center</li> <li>• Probation</li> <li>• \$100 fine</li> </ul>
Third Violation	<ul style="list-style-type: none"> <li>• AOD Education as assigned by Student Counseling Center</li> <li>• Probation / Suspension from Housing / Suspension</li> <li>• \$200 fine</li> </ul>	<ul style="list-style-type: none"> <li>• Likely Suspension</li> </ul>

## Disciplinary Sanctions for Alcohol & Drug Violations by Faculty & Staff

South Dakota Board of Regents Policies 4:4 (Faculty Discipline & Disciplinary Procedures; <https://www.sdbor.edu/policy/Documents/4-14.pdf>) and 4:44 (Administrators, Professional and Student Employees [Non-faculty Exempt] Code of Conduct / Misconduct Policy; <https://www.sdbor.edu/policy/Documents/4-44.pdf>) detail the disciplinary actions and procedures for violations of alcohol and or other drug policies. Disciplinary sanctions range from warning to termination.

## Clery Act Reportable Disciplinary Referrals

The table below presents the data for liquor and drug law violations and referrals as reported in USD's Annual Security Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Offense Type	2018				2019			
	On-Campus		Non-Campus	Public Property	On-Campus		Non-Campus	Public Property
	Res Hall	Campus			Res Hall	Campus		
Liquor Law Arrests	23	25	0	11	38	57	0	11
Liquor Law Disciplinary Referrals	170	16	0	0	162	166	0	1
Drug Law Arrests	19	4	0	2	22	23	0	1
Drug Law Disciplinary Referrals	8	0	0	0	1	1	0	0

## Alcohol & Other Drug Referrals to Student Rights & Responsibilities

The Office of Student Rights & Responsibilities (SRR) receives referrals for allegations of violations of the Student Code (SDBOR 3:4) as well as violations of law. These referrals may come from any member of the campus community, but largely these notices stem from the University Police Department and reports from University Housing staff. Per the Student Code, the threshold used for student conduct cases is the preponderance of evidence standard. Not all referrals result in findings of responsibility; without a finding of responsibility, no sanctions are applied.

	2019	2020
<b>Alcohol &amp; Drug Referrals</b>	227	215
<b>Findings of Responsibility</b>	170	141
<i>Alcohol Specific Charges per Student Code</i>		
2.7.1 Alcohol & Other Drugs – Alcohol	140	117
<i>Drug Specific Charges per Student Code</i>		
2.7.1 Alcohol & Other Drugs – Drug	17	16
2.7.3. Possession of Drug Paraphernalia	11	8
2.7.1 – Alcohol & Other Drugs – Both	2	0
<b>Conduct Sanctions</b>		
Educational Sanction	158	145
Fines	164	145
Restitution	1	2
Warning	148	138
Formal Warning	10	1
Disciplinary Probation	10	2
Residence Suspension	1	0
Suspension	1	0
<b>Number of Students with Repeat*** AOD Violations</b>		
2.7.1 Alcohol & Other Drugs – Alcohol	4	2
2.7.3. Possession of Drug Paraphernalia	2	0
***no students reached 3 AOD violations		

## Program Strengths & Challenges

- Program Strengths & Opportunities
  - Though mentioned previously in this review, one of the University of South Dakota’s greatest assets in providing alcohol and other drug assessments and programs is the Student Counseling Center’s chemical dependency program accreditation through the South Dakota Division of Alcohol and Drug Abuse. This is worth repeating as the USD Student Counseling Center is the only university center in the state (and one of few nationally) to have such distinction. With the dedicated staff of the Student Counseling Center, students at the University of South Dakota have access to quality care to address their chemical dependencies.
  - The University Police Department and the Division of Student Services, particularly University Housing, have a strong partnership. University Housing staff and UPD officers conduct regular rounds of residential facilities to ensure resident safety and

compliance with applicable Federal and State laws as well as University policy. Violations of law and student code are addressed and referred for adjudication through the Courts and/or the Office of Student Rights & Responsibilities.

- Results from the Core Alcohol and Drug Survey indicate that students were aware of USD's alcohol and drug policies (94.2%) and believed they were enforced (79.5%).
  - The Programming Committee connects departments from across campus to strategically plan and organize campus events so that students have safe, fun, and healthy alternatives to actively engage in every day on the USD campus.
  - The Wellness Coalition works towards helping create an awareness of expectations, norms, and real facts about alcohol and drug consumption on campus with a large body of campus partners. Through increasing the perception of harm, this groups continues to help change attitudes about excessive drinking and substance use on the USD campus.
- Program Challenges
    - As demonstrated through the University Prevention Summary Report, pre- and post-test surveys of student participants in alcohol and drug programs indicate the interventions have a noticeable impact of their understanding of chemical dependency. Most student participants were placed in these interventions upon referral from the Office of Student Rights and Responsibilities. A continual challenge is educating students of services and program offerings prior to their involvement in situations that lead to a conduct referral. This is further complicated as the counseling center is often at (or beyond) capacity.
    - Institutional programs and initiatives were greatly curtailed in 2020 due to COVID-19. With limited program capacity for face-to-face programs, AOD programs such as "Cups for Coyotes," were transitioned to an online format to follow institutional physical distancing requirements. Participation in programs is down from previous years.
    - In November 2020, the citizens of South Dakota passed two ballot initiatives including Constitutional Amendment A (legalizing the recreational use of marijuana) and Measure 26 (legalizing medical marijuana). As these measures do not come into effect until July 2021, their impact is uncertain. Discussions with campus leaders, the Vermillion Police Department, and the Clay County State's Attorney have begun to ready campus policies and procedures to address these measures.

## Recommendations

- The University of South Dakota will continue to offer and expand alcohol and drug education opportunities and modify programs based on assessments and best practices.
- Work with the Office of Institutional Research to Offer the SUIC/Core Institute Alcohol and Drug Survey Long Form instrument to a larger sample of students to assess the USD climate related specifically to alcohol and other drugs.

## Resources

### On-Campus Resources/Information

Student Counseling Center	(605) 658-3580 <a href="http://www.usd.edu/scc">www.usd.edu/scc</a>
Student Health Services	(605) 677-3700 <a href="http://www.usd.edu/student-life/student-health">www.usd.edu/student-life/student-health</a>
Student Rights & Responsibilities	(605) 658-3561 <a href="http://www.usd.edu/srr">www.usd.edu/srr</a>
University Police Department	(605) 658-6199 <a href="http://www.usd.edu/upd">www.usd.edu/upd</a>
Student Legal Aid	(605) 658-3584 <a href="http://www.usd.edu/sga">www.usd.edu/sga</a>
Vice-President of Student Services / Dean of Students	(605) 658- 3555 <a href="http://www.usd.edu/student-life">www.usd.edu/student-life</a>
Employee Assistance Program	(800) 713-6288 www.EAPHelplink.com & enter the company code southdakota

### Off-Campus Resources/Information

Vermillion Police Department – Emergency	911
Vermillion Police Department – Non - Emergency	(605) 677-7070 <a href="http://www.vermillionpd.org">www.vermillionpd.org</a>
Clay County Sheriff’s Office – Emergency	911
Clay County Sheriff’s Office – Non-Emergency	(605) 677-7100 <a href="http://www.claysheriff.org">www.claysheriff.org</a>
Clay County State’s Attorney’s Office	(605) 677-7107 <a href="http://www.claycountystatesattorney.org">www.claycountystatesattorney.org</a>
Lewis & Clark Behavioral Health Services	(605) 665-4606 <a href="http://www.lcbhs.com">www.lcbhs.com</a>
Avera Addition & Recovery Center – Sioux Falls	(605) 504-2222 <a href="http://www.avera.org/services/behavioral-health/addiction-recovery/">www.avera.org/services/behavioral-health/addiction-recovery/</a>