

Where the people make [the difference].



WILLISTON STATE COLLEGE  
CODE OF CONDUCT



## TABLE OF CONTENTS

<b>I. Equal Opportunity Policy .....</b>	<b>2</b>
<b>II. Family Educational Rights and Privacy Act of 1974 (FERPA) .....</b>	<b>2</b>
<b>III. Diversity Statement and Policy .....</b>	<b>3</b>
<b>IV. Basic Regulations of Conduct.....</b>	<b>4</b>
<b>V. College Disciplinary Sanctions.....</b>	<b>5</b>
<b>VI. College Student Review Committee Process/Procedures.....</b>	<b>6</b>
<b>VII. Final Appeal Process.....</b>	<b>6</b>
<b>VIII. Student Grievances.....</b>	<b>7</b>
<b>IX. Academic Policies and Procedures.....</b>	<b>8</b>
<b>X. Missing Student Notification Policy and Procedures .....</b>	<b>9</b>
<b>XI. Sexual Harassment Policies and Procedures .....</b>	<b>10</b>
<b>XII. Sexual Assault Policy .....</b>	<b>11</b>
<b>XIII. Student Eligibility to Participate in Activities.....</b>	<b>14</b>
<b>XIV. Security Policy .....</b>	<b>14</b>
<b>XV. Disability Support Services .....</b>	<b>15</b>
<b>XVI. Service Animals at WSC.....</b>	<b>15</b>
<b>XVII. WSC Student Alcohol and Other Drug Policy and Sanctions .....</b>	<b>17</b>
<b>XVIII. Firearms/Explosives/Other Policy .....</b>	<b>19</b>
<b>XIX. North Dakota University System Computer and Network Usage Policy.....</b>	<b>19</b>
<b>XX. Residence Life: Standard Regulations and Expectations.....</b>	<b>23</b>
<b>XXI. Dining Services (Teton Grill): Standard Regulations and Expectations .....</b>	<b>27</b>
<b>XXII. Criminal Background Check.....</b>	<b>28</b>
<b>XXIII. Official Means of Communication.....</b>	<b>29</b>
<b>XXIV. Required Consumer Information.....</b>	<b>30</b>
<b>XXV. Other Consumer Information.....</b>	<b>31</b>
<b>XXVI. Notice of Disclaimer .....</b>	<b>31</b>
<b>APPENDIX A.....</b>	<b>32</b>

## WSC STUDENT CODE OF CONDUCT

Williston State College is committed to the principle that the affairs of the college shall be conducted in an orderly fashion. Accordingly, WSC expects each student to abide by civil laws and college regulations. In order to be an effective citizen, every student has the responsibility to observe and maintain a code of personal behavior and social relationships that will contribute to his or her own welfare, educational experience and to the total educational effectiveness of the college. Rules and regulations exist so that persons living and working together may pursue individual goals effectively.

The following guidelines exemplify acceptable conduct for students attending WSC:

1. **Appearance.** Personal cleanliness is expected at all times;
2. **Attitude.** Students should develop a positive attitude regarding college life and educational objectives;
3. **Attendance.** Attendance at scheduled classes, college events and extracurricular activities is a vital part of educational development; and
4. **Application.** Good moral values, integrity, dependability and other high standards of conduct should be applied to daily living patterns in order to become a worthy and respected student at WSC and a citizen of the community.

### I. Equal Opportunity Policy

WSC is an equal opportunity employer and educator. WSC is fully committed to equal opportunity in employment decisions and educational programs and activities, in compliance with all applicable federal and state laws, for all individuals without regard to race, color, national origin, religion, sex,

disability, age, sexual orientation or status with regard to marriage or public assistance.

Inquiries regarding non-discrimination policies at WSC should be directed to:

1. Director of Human Resources, Williston State College, 1410 University Avenue, Stevens Hall 202A, Williston, ND 58801, (701) 774-4204, **or**
2. The U.S. Department of Education's Office for Civil Rights, North Dakota contact, Chicago Office, Office for Civil Rights, U.S. Department of Education, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, (312) 730-1560 or TDD (877) 521-2172, fax: (312) 730-1576, e-mail [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov).

### II. Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act allows WSC to release certain information about students. WSC follows the North Dakota University System Board policy regarding FERPA directory information. The following categories have been designated by WSC as information that may be released upon request: (a) name, addresses and telephone listings; (b) date of birth; (c) sex and marital status; (d) name and address of parent(s); (e) major or field of study, including the division, department or program in which the student is enrolled; (f) classification as a freshman or sophomore; (g) participation in officially recognized activities and sports; (h) weight and height of members of athletic teams; (i) dates of attendance/enrollment; (j) degrees and awards received, including selection to the Dean's List or President's Honor Roll; (k) photographs, video or electronic images of students taken and maintained by the college.

Under FERPA, students have the right to request directory information not be made public by notifying Student Services located in Stevens Hall, Room 105. However, students should be aware that information might be collected for use in publications in advance of printing or the completion of the restricted directory information form, or prior to the student restricting information through Campus Connection. In order to effectively suppress the release of directory information, **students must restrict their directory information by the 10th day of the term and not reverse that restriction during the term.** If the request is made after the 10<sup>th</sup> day of the term, a student's directory information may have already been released publicly in printed, electronic or other forms.

WSC may receive many inquiries for "directory information" from a variety of sources including, but not limited to, prospective employers, other colleges and universities, graduate schools, licensing agencies, government agencies, media, parents, friends and relatives.

Students should consider very carefully the consequences of their decision to withhold the release of any or all directory information.

WSC has no responsibility to contact students for subsequent permission to release directory information after it is restricted. WSC will honor student requests to withhold directory information until the student specifically and officially requests the lift of these restrictions.

Educational records are those records that are directly related to a student and maintained by WSC or by a party acting for WSC. These records include any information from which students can be individually identified, and have not been previously defined as public directory information.

Under FERPA, WSC will not disclose information about current or former students nor permit inspection of their educational records without the expressed, written consent of the student. Current and former students will be permitted to inspect and review their own educational records, to the exclusion of their parents and/or guardians. This applies to all students enrolled at WSC, regardless of age.

Specific exemptions do apply to the release of educational records. These exemptions include the following situations:

1. Parents of students who are dependents, as defined under tax code, must be permitted to inspect and review the educational records of the student.
2. Educational records must be disclosed pursuant to lawfully issued subpoenas or court orders. Educational records may be disclosed if knowledge of personal information contained in these educational records is deemed necessary by institutional personnel to protect the health or safety of the student or other person(s).
3. Upon request, WSC discloses educational records without student consent to officials of another NDUS institution in which a student seeks or intends to enroll.

### **III. Diversity Statement and Policy**

The WSC community consists of students, faculty, staff and administrators. WSC believes that all community members have a responsibility, individually and collectively, to create a positive living environment that is respectful, supportive and inclusive of all people. All community members must share in the commitment to provide equal opportunity for all individuals regardless of age, race, national origin, mental or physical ability, physical appearance, gender, sexual

orientation, disabilities, religious affiliation and economic or perceived social status.

WSC is committed to the following:

1. Providing a respectful and supportive environment that allows students and staff the opportunity to ask questions and express their concerns;
2. Respecting and accommodating the needs of people from various ethnic cultures and socio-economic backgrounds regardless of age, race, national origin, mental or physical ability, physical appearance, gender, sexual orientation, disability, religious affiliation and economic or perceived social status; and
3. Developing teaching and learning opportunities necessary to promote cultural appreciation.

WSC will hold students and staff who commit acts of intolerance accountable and responsible for their actions.

#### **IV. Basic Regulations of Conduct**

The policies and standards for students at WSC are considered to be a minimal code of behavior for students whose individual and collective goal is the pursuit of excellence in their studies. WSC believes most students are rational, intelligent beings with an adult concept of the law who can conduct their daily lives within the spirit and confines of the law. However, this institution believes basic regulations are necessary to serve the needs of a college community.

The following conduct, being incompatible with an academic community, is prohibited for all WSC students. Displays of any of the following behavior will constitute cause for discipline and may lead to disciplinary sanctions:

1. The threat or use of force or violence against any member or guest of the college community;
2. Interference by force, threat or duress with the lawful freedom of movement of persons or vehicles on the college premises;
3. The intentional disruption of college operations, on or off campus, including but not limited to classes, convocations, lectures, meetings, recruiting interviews and social events;
4. Any act prohibited by local, state or federal law that occurs on or off campus that may have a negative impact on the college community;
5. Willful damage, destruction, defacement, theft or misappropriation of equipment or property belonging to, in the possession of or on the premises occupied by the college;
6. Furnishing false or misleading information on admission, registration, student ID or any other forms, or altering college records;
7. Making an accusation that is intentionally false, or is made with reckless disregard for the truth, against any member of the college community;
8. The repeated use of obscene or abusive language in a classroom or public area of the college where such usage is beyond the bounds of generally accepted good taste and, if occurring in a class, is not significantly related to the subject matter.
9. Failure to discharge a just financial obligation to the college;
10. Failure to possess a valid student ID card;
11. Possession of keys to a college building by unauthorized persons. The duplication of keys issued to a student is prohibited;
12. Any act of unlawful discrimination based on race, creed, color, sex, age, handicap or national origin or any act of retaliation against any person who has made a complaint about such discrimination;

13. Disorderly, lewd or indecent conduct;
14. Any act of sexual harassment, i.e. a request or demand of a sexual nature, verbal or physical, which has the effect of creating an intimidating, offensive or hostile environment;
15. Acts of academic dishonesty, including but not limited to cheating, plagiarism, falsifying research data or results or assisting others to do the same;
16. Willfully destroying, damaging, tampering with, altering, stealing, misappropriating or using without permission any college document, program or file;
17. Acts of hazing. Hazing is defined as any act which endangers the mental or physical health or safety of a person, embarrasses, frightens or degrades a person or which destroys or removes public/private property, for the purpose of initiation, admission into, affiliation with or as a condition for continued membership, in any organization or group;
18. The illegal use or possession of intoxicating liquors, other alcoholic beverages, illicit drugs and drugs for which a student does not possess a valid prescription;
19. Failure to conform to any applicable Board of Higher Education or institutional policies or directives, or any conduct that interferes with the efficient administration of the college; and
20. Willful incitement of persons to commit any of the above prohibited acts.

It is assumed any student who enrolls at WSC is aware of the above expectations and responsibilities, and he or she will always abide by the realistic standards of achievement and citizenship that are conducive to self-growth and to the growth of the college.

## **V. College Disciplinary Sanctions**

Individual students who are found in violation of WSC policy may be subject to one or more of the following sanctions, dependent upon the severity of the offense and the existence or absence of prior violations. Allegations that a student has violated WSC policy by a student must be submitted in writing that is signed and dated, to the Vice President for Student Affairs (VPSA), with sufficient detailed information about the alleged violation and surrounding circumstances. Within 10 calendar days, the VPSA shall undertake appropriate investigation into the allegations. If determined appropriate, the VPSA shall require the student to appear before the VPSA or a designated representative. If determined that a student violated WSC policy, possible disciplinary action may include:

1. Consultation only;
2. Referral to special classes or counseling sessions;
3. Restitution and/or fines;
4. Parental notification;
5. Verbal and/or written warning that continuation or repetition of prohibited conduct may be the cause for more severe disciplinary action;
6. Prohibition from serving in elected positions in campus clubs and/or organizations;
7. Probation: an indication that further violations may result in suspension or expulsion;
8. Eviction from college-owned housing;
9. Suspension: temporary withdrawal of enrollment from WSC for a specified period of time; and/or
10. Expulsion: termination of student enrollment for an indefinite period of time. The president's permission will be required for readmission.

## **VI. College Student Review Committee Process/Procedures**

A student may appeal the decision of the Vice President for Student Affairs (VPSA) as determined in Section V. **The student must make this request in writing within 10 calendar days of receipt of the Vice President's ruling as defined in Section V.**

The appeal shall be referred to the college's Student Review Committee. The following describes the Student Review Committee Process:

**Step 1: The student must prepare and submit a written statement to the Chair of the Student Review Committee within 10 calendar days of notification of the decision of the VPSA.** This statement must describe the situation in detail, including the decision of the Vice President and any sanctions applied, as well as the remedy sought by the student.

**Step 2:** The Student Review Committee shall review existing documentation, solicit any additional documentation and conduct interviews and other investigative processes as deemed necessary and appropriate to make a determination regarding the status of the appeal.

**Step 3:** The committee must rule on the following:

- i. Is the student in violation of college policy as stated in the initial charge?
- ii. If the student is found to be in violation, is the penalty imposed a reasonable penalty for the infraction?

**Step 4:** The committee will take action as follows:

- i. If determined that the student is **not** in violation of college policy, the sanction imposed will be

overturned and no penalty will be levied. Documentation prepared and collected by the committee shall be retained in the office of the VPSA.

- ii. If determined that the student **is** in violation of college policy and the sanction imposed is not reasonable, the committee will negotiate alternate sanction(s).
- iii. If determined that the student **is** in violation of college policy and the sanction imposed is judged to be reasonable, the sanction will be enforced.

**Step 5:** Written notification describing the Student Review Committee's determination will be provided to the student, the VPSA and the College President within 14 calendar days of receipt of the written appeal. The VPSA will direct any required action if or as necessary.

## **VII. Final Appeal Process**

**The student may appeal the decision of the Student Review Committee within 10 calendar days of receiving written notification of the Committee's decision to the President.** The appeal must be made in writing, and must describe the situation in detail, including the decision of the Student Review Committee, as well as the remedy sought by the student. The student may include new supporting documentation if any exists.

The President shall review the documents provided by the student and the records of the Student Review Committee and make a decision based upon the documentation received. He or she may also conduct interviews with the student, the Chair of the Student Review Committee and/or others as believed necessary. The student shall be

informed of the President's decision in person and in writing within 14 calendar days of receiving the student's written grievance. The President's decision is final.

### VIII. Student Grievances

A grievance exists when an enrolled student is dissatisfied with a decision or an aspect of his or her college experience over which the student has no control and on which remedial action is desired. A grievance may also include an apparent violation of equal opportunity laws, regulations, fair grading practices or behavioral concerns.

If a student feels unfairly treated, or has a grievance, the student shall first discuss it with the faculty member, department chair, staff member, director, student or with the person where the perceived unfair treatment occurred. It may be a case of misunderstanding that can be resolved by thorough discussion.

If the student is not satisfied or is unwilling to address the issue at the individual or departmental level, he or she should contact the Vice President (VP) with administrative responsibility for the department or individual involved. The VP may be able to provide assistance in resolving the issue in an informal manner at the individual or department level. If the VP determines informal resolution is not successful or is deemed unrealistic, the VP will inform the student of the formal grievance process as outlined below. For grievances related to an academic circumstance (such as grading, testing, quality of instruction, etc.), students will follow the steps outlined in Section IX of this Code.

**Step 1:** Students wishing to file a grievance shall do so with the Vice President for Student Affairs (VPSA). This grievance must be made in writing and describe the situation in detail,

including the result of any informal action taken to resolve the situation, as well as the remedy sought by the student. The student may include supporting documentation if any exists. **The grievance shall be submitted within 10 calendar days of the informal attempt to resolve it or following the determination by the VPSA that informal resolution is not possible.**

**Step 2:** The VPSA, either alone or in consultation with appropriate faculty, staff and students, will initiate the resolution process by investigating the grievance. A decision, which may include a proposed resolution, will be rendered by the VPSA within 10 calendar days of receipt of the grievance and communicated to the student and other appropriate individuals in writing.

If the grievance is resolved at this stage, the VPSA will document the resolution and direct any required action. The grievance will be considered closed and no further action, other than the VPSA's monitoring and enforcing that action required by the proposed and agreed upon resolution, is necessary. If the grievance is not resolved at this stage, the student may advance the grievance to Step 3.

**Step 3:** If the student is not satisfied with the proposed resolution or decision made by the VPSA, a written appeal may be submitted to the Student Review Committee. **This appeal must be submitted to the Chair of the Committee within 10 calendar days of the VPSA's decision.**

The Student Review Committee shall review existing documentation, solicit additional documentation and conduct interviews and other investigative processes as deemed necessary and appropriate to make a determination regarding the merits of the grievance. Written notification describing the Student Review Committee's

determination will be provided to the complaining student, the VPSA, the individual(s) against whom the grievance was filed and to the College President within 14 calendar days of receipt of the written statement from the grieving student. The VPSA will direct any required action if or as necessary.

If the grievance is resolved at this stage, the chair of the Student Review Committee will document the resolution, the VPSA will direct any required action, the grievance will be considered closed and no further action is necessary. If the grievance is not resolved at this stage, the student may advance the grievance to Step 4.

**Step 4: The student may appeal the decision of the Student Review Committee within 10 calendar days.** This appeal is made directly to the President. It must be made in writing and describe the situation in detail, including the decision of the Student Review Committee, as well as the remedy sought by the student. The student may include supporting documentation if any exists. The President shall review the documents provided by the student and the records of the Student Review Committee and make a decision based upon the documentation received. He or she may also conduct interviews with the student, the Chair of the Student Review Committee and/or others as believed necessary. The student shall be informed of the President's decision in person and in writing within 14 calendar days of receipt of the student's written grievance. The President's decision is final.

## **IX. Academic Policies and Procedures**

The college's commitments to academic quality and integrity, as well as to academic freedom, rest upon honesty and fairness in all aspects of scholarly endeavor. Faculty must

test, grade and review student work in a manner that is fair and reasonable, and students must maintain scholastic honesty beyond reproach. Disputes that arise about fairness and honesty are best resolved through open and sincere communication among all parties including students, faculty, staff, committees and administrators.

A student with a grievance about an academic circumstance (e.g. grading, testing, quality of instruction, etc.) that the student believes to be unfair or unwarranted may file an academic grievance according to the following guidelines:

**Step 1:** These procedures are to begin with discussion between the grieving student and the faculty member with whom the student has a grievance. If the grievance is resolved during this first step, the grievance will be considered closed and no further action necessary. If the grievance is not resolved, the student may advance the grievance to Step 2.

**Step 2:** Within 7 calendar days of the discussion described in Step 1, the student must prepare and submit a written statement to the Department Chair overseeing the faculty member named in the grievance. If a conflict of interest exists because the faculty member is the Department Chair, this statement must be submitted to the Academic Dean or to the Workforce Dean. The Dean selected shall be the Dean to which the faculty member named in the grievance reports. This statement must describe the situation in detail, including the result of the discussion outlined in Step 1, as well as the remedy sought by the student.

The Department Chair or Dean shall review documentation and conduct interviews as deemed appropriate and necessary in order to make a determination regarding the status of the grievance. Written notification outlining

the Department Chair's or Dean's determination will be provided to the student within 7 calendar days of receipt of the written statement from the grieving student.

If the grievance is resolved at this stage, the Department Chair or Dean will document the resolution and direct any required action, the grievance will be considered closed and no further action is necessary. If the grievance is not resolved at this stage, the student may advance the grievance to Step 3.

**Step 3:** The student must prepare and submit a written statement (within 7 calendar days of the completion of Step 2) to the Vice President for Academic Affairs. This statement must describe the situation in detail, including the results of Steps 1 and 2, as well as the remedy sought by the student.

The Vice President for Academic Affairs shall review documentation, solicit additional documentation and conduct interviews and other investigative processes as deemed necessary and appropriate to make a determination regarding the status of the grievance. Written notification outlining the Vice President's determination will be provided to the student within 10 calendar days of receipt of the grieving student's written statement.

If the grievance is resolved at this stage, the Vice President for Academic Affairs will document the resolution and direct any required action, the grievance will be considered closed and no further action is necessary. If the grievance is not resolved at this stage, the student may advance the grievance to Step 4.

**Step 4: The student must prepare and submit a written statement within 10 calendar days of the completion of Step 3 to the Chair of the Student Review**

**Committee.** This statement must describe the situation in detail, including the results of Steps 1, 2, and 3, as well as the remedy sought by the student.

The Student Review Committee shall review existing documentation, solicit additional documentation and conduct interviews and other investigative processes as deemed necessary and appropriate to make a determination regarding the status of the grievance. Written notification describing the Student Review Committee's determination will be provided to the student, to the faculty member against whom the grievance was filed and the College President within 14 calendar days of receipt of the grieving student's written statement. The Chair of the Student Review Committee will direct any required action if or as necessary.

The decision of the Committee is final.

## **X. Missing Student Notification Policy and Procedures**

A missing student is defined as a person currently enrolled at WSC and living in campus housing whose whereabouts have been unaccounted for by law enforcement for over 24 hours.

### **Designating a contact person:**

Upon execution of a housing contract, all students living in campus housing will have the opportunity to identify a contact person to be notified if the student is determined to be missing by the Williston Police Department. This contact may be the same or different than the emergency contact information provided in the student's CampusConnection account. The Director for Housing maintains emergency contact information for all students residing in campus housing. This information is accessible by other Student

Affairs administration and staff in the event a student is reported missing.

Procedures for notification of a missing person:

**Step 1:** Any individual on campus who has information suggesting a resident student may be missing must immediately notify the Director for Residence Life and Safety Officer by calling (701) 774-4528 or visiting the Residence Life Office in Frontier Hall.

**Step 2:** The Director for Residence Life will gather essential information about the student reported missing; description, clothes last worn, schedule of classes and other known plans and/or activities, suggestions of where the student might be, who the student might be with, student's physical and mental well-being, recent photograph, etc.

**Step 3:** If the student is not found in a reasonable amount of time (as determined by the Director for Residence Life) or it is immediately apparent the student is a missing person (as in the case of a witnessed abduction), the Director for Residence Life will contact the Williston Police Department. Williston Police Department agents will take charge of further investigation or location efforts.

**Step 4:** No less than 24 hours after determining a resident student is missing, the Director for Residence Life will notify the student's designated contact that the student is believed to be missing.

Additional conditions for minors:

If the student is under the age of 18 and is not an emancipated adult, WSC is required to notify a custodial parent or guardian, in addition to any contact person specifically designated by the student. The Director for Residence Life will notify the parent or guardian no more than 24 hours after the

student is determined to be missing by the Williston Police Department or other appropriate law enforcement agency.

Failure to designate a contact:

In the event a student residing in a residence hall is determined to be missing by the Williston Police Department or other law enforcement agency, and has not previously identified a missing persons contact, the Director for Residence Life will notify the individual identified in the student's Campus Connection account as the emergency contact.

If no emergency contact information is on record, the Director for Residence Life will use his or her discretion to notify the most appropriate individual while keeping the safety and well-being of the missing person in mind.

Communication related to missing persons:

All communications regarding missing persons will be handled by outside law enforcement authorities, as they are best suited to provide information to the media that is designed to elicit public assistance in the search for the missing person. All inquiries to WSC regarding missing students or information provided to any individual at WSC about a missing student shall be referred to the Director for Residence Life, who shall refer inquiries and information to law enforcement authorities as appropriate.

At no time shall information be shared with the media or other outside communication sources if doing so may hinder the investigation or other efforts to locate a missing person.

**XI. Sexual Harassment Policies and Procedures**

WSC, in compliance with state and federal regulations, will not tolerate sexual

harassment of its students, employees, or visitors by anyone including supervisors, faculty, customers, employees, visitors or other students.

Sexual harassment is defined as:

1. Unwelcomed or unwanted sexual advances. This means patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual;
2. Requests or demands for sexual favors. This includes subtle or blatant expectations, pressures, or requests for any type of sexual favor;
3. Verbal abuse or kidding that is sexually-oriented and considered unacceptable by another individual. This includes commenting about an individual's appearance where such comments go beyond mere courtesy; telling "dirty jokes" that are clearly unwanted or considered offensive by others; or any other tasteless, sexually-oriented comments, innuendoes or offensive actions;
4. Engaging in any type of sexually-oriented conduct that would interfere with another's regular day-to-day performance; and
5. Creating a college environment that is intimidating, hostile or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts or attentions.

Normal, courteous, mutually respectful, pleasant, non-coercive interactions between men and women that are acceptable to both parties are not considered sexual harassment.

Supervisory responsibility:

1. Employees are expected to deal swiftly and vigorously with any sexual harassment situation;

2. Any employee or student who engages in sexual harassment is subject to standard disciplinary procedures; and
3. Any employee in a supervisory role who becomes aware of sexual harassment but fails to take prompt action against it will also be subject to disciplinary procedures. Failure to take prompt action may be viewed as condoning the behavior.

Reporting Sexual Harassment of or by a Student

1. Complaints and reports of sexual harassment, of or by any student of this institution, shall be brought to the attention of the Vice President for Student Affairs (VPSA). In the event the VPSA is the subject of a complaint, the report or complaint shall be brought to the college President;
2. The VPSA (if not the subject of a complaint) shall make an initial investigation and attempt to informally resolve the complaint, reporting in writing to the complainant and, when appropriate, to the accused with his or her recommendations to resolve the complaint;
3. If the problem is not resolved to the satisfaction of the complainant through the informal process, the complainant may file a grievance with the Student Review Committee (if the subject of the complaint is a student) or to the Director for Human Resources (if the subject of the complaint is an employee); and
4. College officials shall take all reasonable precautions to ensure there is no retaliation toward the complainant.

**XII. Sexual Assault Policy**

WSC is committed to creating a campus community free from interpersonal abuse, including sexual assault.

For the purpose of this policy, sexual assault is any sexual behavior between two or more people where one person does not or cannot consent. WSC prohibits sexual acts or contacts with others that can involve compelling a victim to submit to sexual acts or contacts by force or threat of force, use of intoxicants to substantially impair the victim's power to give consent, engaging in such acts when there is reasonable cause to believe the other person suffers from a mental state which renders him or her incapable of understanding the nature of the contact or where the victim is under 15 years of age. The abuse of alcohol or other substances does not relieve individuals of their responsibilities to themselves or others. Prohibited behavior includes all forcible and non-forcible sex offenses provided for under North Dakota state law. Examples of prohibited behavior include but are not limited to the following:

1. Acquaintance or date rape;
2. Stranger rape;
3. Attempted sexual acts by use of verbal or non-verbal threats; or
4. Indecent exposure.

All reports of sexual assault are treated with respect to the privacy of the individuals involved. Incidents are reported to appropriate external departments and agencies in consideration of safety concerns and investigative needs. In addition, WSC publishes and disseminates annual statistics on incidents of sexual assault.

WSC imposes appropriate sanctions upon violators of the sexual assault policy. These sanctions can include but are not limited to suspension and expulsion. In addition, an individual charged may be subject to prosecution under North Dakota criminal laws.

WSC considers physical surroundings in addressing the prevention of campus sexual assault. The college continually reviews and modifies the physical surroundings to foster security and safety. The college examines such factors as campus signs, lighting, surveillance systems and locking procedures. For further safety information, contact the WSC Director for Residence Life.

The guiding principle in the report of a sexual assault is to avoid re-victimizing the sexual assault survivor by forcing the person into any plan of action. Sexual assault survivors may contact any one of several community agencies for assistance. The following resources provide immediate aid or on-going consultation:

- Emergency (from campus phone)  
**9-911**
- Emergency (from non-campus phone)  
**911**
- Family Crisis Shelter/Center  
(701) 572-0757
- Mercy Medical Center  
(701) 774-7400
- Williston Police Department  
(701) 577-1212
- Williams County Sheriff's Office  
(701) 577-7700
- Northwest Human Service Center  
(701) 774-4600
- 24-hour crisis line  
(701) 572-9111
- Confidential E-mail  
[dhsnwhsc@nd.gov](mailto:dhsnwhsc@nd.gov)
- Rape Victim Hotline  
1 (800) 472-2911
- Crisis Help Line (available 24 hours a day, 7 days a week)  
1 (800) 472-2911
- Upper Missouri District Health Unit  
(701) 774-6400
- Williams County Social Services  
(701) 774-6300

A report of sexual assault will be handled by the following procedures:

1. In the event of a medical emergency, medical response personnel will be contacted.
2. It is recognized that a sexual assault victim may be undecided about reporting the assault to the police. A report to the police can empower the survivor in exercising legal rights and aid in the protection of others. If a report is to be made to the police, the victim will be encouraged not to destroy evidence by bathing, changing clothes or cleaning up in any way. If the sexual assault victim is undecided about reporting, the victim will be encouraged to preserve evidence anyway, in case he or she decides to file a police report at a later date.
3. The sexual assault victim who does not wish to see the police will be encouraged to go to the hospital. A medical exam will treat physical problems and may diminish fears about injury, venereal disease or pregnancy. The medical exam includes preserving evidence in the event the sexual assault victim later chooses to file a police report.
4. If the victim has agreed to contact the Williston Police Department to report the assault, WSC personnel will contact the Williston Family Crisis Advocate and the North West Human Service Center for immediate emergency assistance upon consent of the victim. These individuals will support the victim, aid in developing options and help the survivor understand the processes involved.

If the assault occurred on-campus and the sexual assault victim contacts the campus Title IX Coordinator, he or she will be encouraged to file a formal campus report as well as a police report. The victim may also be encouraged to seek assistance at the NW

Human Service Center. The victim may choose to file a formal campus report and not file a police report. On-campus investigation and adjudication is conducted through the office of the Vice President for Student Affairs in collaboration with the Title IX coordinator as outlined in Section V in this Code.

If the victim chooses not to file a formal on campus report, the Title IX coordinator will inform the complainant that honoring this request may limit campus' ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The Title IX Coordinator will also remind the complainant that they may file a formal complaint at any time regardless of the time elapsed from the date of the incident. Campus officials will make every attempt to provide a safe and non-discriminatory environment for all students regardless of whether or not a formal complaint is filed.

In the event of a criminal prosecution, the College reserves the right to proceed with discipline pursuant to its policies and completely separate from the outcome of the accused in a court of law. The College will determine proof of wrong doing using a standard preponderance of the evidence. In the event of an acquittal following proceedings in a court of law, the college reserves the right to continue with on-campus adjudication if/as requested by the victim.

WSC offers the following services to students who have been victimized by sexual assault:

1. Change in on-campus room assignment if living in on-campus housing;
2. Referral to domestic violence advocate for assistance in obtaining a judicial restraining order;
3. Academic schedule adjustments; and
4. College withdrawal.

### **XIII. Student Eligibility to Participate in Activities**

Eligibility for participation in intercollegiate athletics is established by the National Junior College Athletic Association. To participate in any competition as a representative of WSC, students must meet established standards of academic progress.

Only students in good academic and disciplinary standing are permitted to participate in extracurricular activities other than intramural or residence hall programs. Extracurricular activities are organized, college-related student activities outside the regular curricular requirements, in which students participate voluntarily.

Any student who files for an elective position or applies for an appointed position must meet the requirements at the time of filing or applying, and must have the intention of being enrolled and on campus during the entire period of the elected or appointed term for which he or she has filed or applied.

A student must have a minimum 2.0 GPA in the semester preceding election or appointment, and must have a cumulative average of 2.0 to hold any of the following positions:

1. Student Senate;
2. Student Ambassador;
3. Chair of any all-college event;
4. Editor or staff member of a publication;
5. President of an organization; or
6. Member of a faculty-student standing committee.

Should a student's GPA fall below 2.0 at the end of any given semester, he or she may forfeit the right to any position held as listed in the preceding paragraph.

### **XIV. Security Policy**

In accordance with the 1994 Student Right-to-Know and the Campus Security Act, WSC has determined the following:

1. The campus law enforcement unit shall be the Williston City Police Department;
2. All criminal offenses shall be reported to Williston police, phone (701) 577-1212, or 911 for emergency situations;
3. The college authority, as identified in the Emergency Preparedness Plan (EPP), will disclose to students and employees information deemed necessary for them to know a threat exists;
4. The final decision as to how and what information is to be released rests with the designated college authority; and
5. Options for notifying the campus community of the existence of a threat include:
  - i. NotiFind;
  - ii. WSC Website;
  - iii. E-mail/campus mail;
  - iv. Campus radios;
  - v. Bulletin boards/announcements;
  - vi. All college assembly;
  - vii. News media; and
  - viii. Other.

#### Procedure to Report a Crime

**Step 1:** Report all crimes immediately. Contact the Williston Police Department by calling (701) 577-1212 (available on a 24-hour basis), or go directly to the Student Services Office, Stevens Hall 105, during campus business hours. **Always call 911 to report emergencies.**

**Step 2:** It is the responsibility of the Williston Police Department to respond to all police emergencies.

**Step 3:** Additional responsibilities of the Williston Police Department include keeping and maintaining essential records of crimes

committed. This information is used for annual reporting purposes.

It is important to note that all situations cannot be anticipated, and it is the expectation that in these cases common sense will prevail. For a complete copy of the WSC Emergency Preparedness Plan, contact the Director for Facilities, Stevens Hall 222. The Emergency Preparedness Plan is also available at [www.willistonstate.edu](http://www.willistonstate.edu).

### **XV. Disability Support Services**

WSC affirms and recognizes its commitment to nondiscrimination on the basis of disability and its intention to comply with all laws prohibiting such discrimination including Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990.

WSC provides academic support services to eligible students with disabilities, promotes student development and serves as a resource for disability awareness and accommodations.

WSC defines a disability as a professionally verified condition that substantially limits a major life activity (Section 504, ADA). This includes, but may not be limited to cognitive, motor and psychiatric disabilities, as well as, speech, hearing and visual impairments.

To obtain disability services, a student must identify him or herself to the Office of Disability Support Services (Creighton Building, Office 105A) and provide current professional documentation of his or her specific disability. The Disability Support Services Coordinator determines the appropriate accommodations for each individual student and issues a notice to them with the specified accommodations. Students eligible for disability accommodations have the responsibility to meet with instructors and

provide them with the notice. Students utilizing support services must observe the same college policies and academic regulations required of all students.

### **XVI. Service Animals at WSC**

#### Visitors

An individual with a disability who utilizes a service animal and is a visitor at WSC is welcome to request any specific accommodations related to the needs of the visitor or the service animal. If accommodations or additional information are needed, a visitor may contact the Disability Support Services Office. No registration with the Disability Support Services Office is required.

#### Students or Employees

Students and employees with a disability who regularly utilize a service animal shall register with either the Disability Support Services Office (if a student) or with the Human Resources Office (if an employee). The student or employee shall provide the relevant office with documentation of the disability and the need for a service animal within 30 days of beginning to use the service animal on campus. Documentation for students or employees with a disability who use a service animal must include the following:

1. Diagnostic statement identifying the disability or impairment;
2. Description of the current functional limitations; and
3. Specific tasks the service animal will perform to meet the accommodation needs of the individual and assist with the provided functional limitations.

#### Responsibilities of Persons Using Service Animals:

The care and supervision of a service animal is the responsibility of the individual who uses the animal's service. This person is considered

the service animal's handler. It is important for the handler to maintain control of the animal at all times. Requirements for animal waste clean-up are based on the City of Williston's Policy. The handler is responsible for following the City's policy. The City of Williston's animal ordinance and pet license policy can be found at [www.cityofwilliston.com](http://www.cityofwilliston.com). If the handler is unable to physically remove the waste, an alternative arrangement should be coordinated through the Disability Support Services Office. When appropriate, spaces will be designated as animal toileting areas by the college's facilities management and residence life staff.

Service animals need to be immunized against diseases common to that animal. Dogs should wear a current rabies vaccination tag. Service animals to be housed in a college residence hall or apartment must have an annual clean bill of health from a licensed veterinarian. The college has authority to direct that a service animal receive veterinary attention at the student's or employee's expense.

Students and employees utilizing a service animal are required to follow the City of Williston licensing and animal tag policy. The City of Williston has an ordinance requiring pets, including service animals, to remain on a leash when not on the owner's property.

Members of the College community are expected to follow these guidelines regarding service animals:

1. Allow a service animal to accompany the handler at all times and everywhere on campus except where animals are specifically prohibited due to safety or health restrictions, where the animal may be in danger or where the integrity of research may be compromised due to the presence of chemicals and/or organisms;

2. Do not touch or feed a service animal unless invited to do so;
3. Refrain from startling a service animal; and
4. Do not separate or attempt to separate a service animal from its handler.

#### Expectations for Service Animal Behavior

A service animal whose behavior is disruptive or presents a direct threat to the safety of others may be removed from WSC. For purposes of public health and safety, service animal handlers are asked to keep service animals well groomed and to not bring sick service animals onto the campus or other WSC locations.

#### Areas Off Limits to Service Animals

The college may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger or where their use may compromise the integrity of research.

#### Service Animals in Residence Halls and Campus Apartments

Service animals may not reside in residence halls or campus apartments without approval from the Director for Residence Life. Such requests will be processed as follows:

**Step 1:** An individual must provide the Coordinator for Disability Support Services appropriate documentation at least 60 days before housing is needed for the service animal. Such advance notice helps to ensure that accommodations are appropriate and that the student will have a smooth transition into college housing.

**Step 2:** The Coordinator for Disability Support Services will review the documentation and arrange for a meeting of the Director for Residence Life and the person making the request to facilitate accommodations.

**Step 3:** Accommodations for the individual and/or service animal will be determined on a case-by-case basis.

**Step 4:** A person with a service animal on campus is financially responsible for property damage caused by his or her service animal.

#### Dispute Resolution Procedure

In the event of a dispute or disagreement about a disability determination, appropriateness of an accommodation, service quality and/or an animal restriction, a student should confer with the Coordinator for Disability Support Services. If the matter is not resolved, the student may follow the grievance procedure as outlined in Section VIII of this document. An employee with a dispute or disagreement may file a grievance and submit it to the Office of Human Resources. A visitor with a dispute regarding the use of a service animal at WSC should contact the Coordinator for Disability Support Services.

### **XVII. WSC Student Alcohol and Other Drug Policy and Sanctions**

WSC, in accordance with North Dakota State Board of Higher Education Policy 918, prohibits the possession, sale, dispensation, use or consumption of alcoholic beverages and/or illicit drugs on land or in buildings owned by the Board or its institutions. WSC policy further prohibits the display of alcoholic containers (empty or full) on campus.

WSC has a concern for its students, faculty and staff as well as for the community in which it operates. For this reason, WSC is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and to

the safety and welfare of all members of the college community.

The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to the health and welfare of the WSC Community.

To see WSC's complete Alcohol and Other Drug Policy, please refer to Appendix A. This document applies to all WSC students and employees as well as to campus visitors.

#### Sanctions

Students found in violation of the college alcohol/drug policy may be subject to one or more of the following sanctions and requirements:

1. \$50 fine and 5 hours of community restitution, along with completing 3 hours of alcohol and drug counseling with the WSC Mental Health Counselor. Substance abuse evaluation and compliance with subsequent treatment/intervention may be as indicated;
2. \$100 fine and 10 hours community restitution, along with completing 5 hours of alcohol and drug counseling with the WSC Mental Health Counselor. Substance abuse evaluation and compliance with subsequent treatment/intervention may be as indicated;
3. Parental notification;
4. Eviction from college housing for students living on campus; and/or
5. Suspension or dismissal from WSC.

Failure to complete sanctions or requirements within a reasonable amount of time may result in a registration and/or graduation hold being placed on the student's account or suspension from WSC.

### Appeal

A student may appeal this decision through the appeal process detailed in Section V of this Code.

### Residence Life

Alcoholic beverages and the possession of empty alcoholic beverage containers are prohibited in WSC residence halls and campus apartments, regardless of an occupant's age. Possession of illicit drugs and drug paraphernalia is prohibited.

### Student Organizations

Student organizations found in violation of city or state laws and college regulations involving the use or possession of alcohol and drugs are also subject to disciplinary action. In general, disciplinary penalties for student organizations are the same as those listed for individual students. However, it is possible that an offending student organization may be denied recognition or affiliation with the college as part of the disciplinary action. Advisors are expected to conduct themselves in accordance with college employee alcohol and drug policy, as well as policies outlined in the faculty handbook when involved in any capacity (on and off campus) with student organizations, field trips and/or other related academic activities.

### Off Campus Alcohol and Drug Violations

Students may be subject to on campus sanctions for off campus alcohol and drug related behavior. The campus may receive reports regarding students from law enforcement and other agencies in the form of summons to appear in court, reports of loud parties, minor in possession, minor consuming/under the influence, driving under the influence of alcohol/drugs or other similar alcohol and drug violations. In accordance with the Basic Regulations of Conduct, as outlined in Section IV of this Code, the Vice President for Student Services may apply

sanctions for off-campus alcohol and drug violations as previously defined in Section V.

### Advertising

Public display, advertising, or promotion of alcoholic beverages in college buildings or any other public campus area including all college owned housing areas is prohibited. This includes, but is not limited to, banners, lighted beer/liquor signs and large inflatable advertising, etc.

### Financial Aid Eligibility

A student who has been convicted of any offense under federal or state law involving the possession or sale of a controlled substance will not be eligible to receive certain grant, loans or work assistance from the time of conviction through a period of ineligibility. Eligibility may resume prior to the end of the ineligibility period if rehabilitation requirements are completed as outlined in the Higher Education Opportunity Act of 2008, § 485(a)(7)(c) and (a)(9).

### Parental Notification Policy

Parents or guardians of students under the age of 21 may be contacted by a WSC Student Affairs administrator following alcohol and/or other drug related policy violations.

### Alcohol or Other Drug Policy Violations in Classrooms, Shops or Labs

Students who come to class under the influence of alcohol or otherwise impaired as a result of the unlawful usage of a controlled substance, will be held to the same standards as those defined above. The following additional sanctions may also be imposed:

1. Exclusion from the class for a designated period of time to be determined by the faculty member in consultation with the department chair and the Vice President for Student Affairs;
2. Expulsion (permanent removal) from the class;

3. Parental notification; and/or
4. Suspension or dismissal from WSC.

### **XVIII. Firearms/Explosives/Other Policy**

The possession, display, storage or use of weapons on college owned and/or leased property including in personal vehicles and at WSC sponsored events is prohibited.

Weapons include, but are not limited to: BB guns, bombs, bows and arrows, dart guns, explosives, handguns, knives (blade length of five inches or more), martial arts implements, paint ball guns, pellet guns, rifles, shotguns, swords, tasers and other incendiary devices whether purchased or manufactured. Other items may be considered weapons when they are used to inflict bodily harm or to threaten the infliction of bodily harm to others.

Concealed weapons permits are not valid on WSC property or at college sanctioned events and activities.

Fireworks and other explosives, including chemical and other combustible or inflammatory agents, are prohibited on College owned and/or leased property, including in personal vehicles and at WSC sponsored events.

This policy does not apply to law enforcement officers.

Dependent upon the nature of the violation as determined by the Vice President for Student Affairs, sanctions for violation of this policy range from, but are not limited to, a \$100 fine, eviction from College housing and/or expulsion. Possession of a knife or firearm in or on college owned buildings, grounds or controlled property, including personal vehicles while on college grounds, may result in immediate expulsion.

### **XIX. North Dakota University System Computer and Network Usage Policy**

The following are excerpts from the North Dakota University System (NDUS) Policy 1901.2. To read the full policy, please refer to the NDUS website: [www.ndus.edu](http://www.ndus.edu). NDUS Procedures 1901.2 are also available at this same website.

#### Authorized Use

Use of computing and networking resources shall be limited to those resources and purposes for which access is granted. Use for political purposes is prohibited (See section 39-01-04 of the ND Century Code). Use for private gain or other personal use not related to job duties or academic pursuits is prohibited, unless such use is expressly authorized under the governing institution or system procedures, or, when not expressly authorized, such use is incidental to job duties or limited in time and scope, and such use does not: (1) interfere with NDUS operation of information technologies or electronic mail services; (2) burden the NDUS with incremental costs; or (3) interfere with the user's obligations to the institution or NDUS.

#### Authorized User(s)

Computing and networking resources are provided to support the academic research, instructional, outreach and administrative objectives of the NDUS and its institutions. These resources are extended to accomplish tasks related to the individual's status with NDUS or its institutions. Authorized users are: (1) current faculty, staff and students of the NDUS (2) individuals connecting to a public information service (see section 5.3); and (3) other individuals or organizations specifically authorized by the NDUS or an NDUS institution. For the purposes of this policy, no attempt is made to differentiate among users by the user's group. These policies treat all users similarly, whether

student, faculty, staff or other authorized user, in terms of expectations of the user's conduct.

### Privacy

In general, all electronic information shall be free from access by any but the authorized users of that information. Exceptions to this basic principle shall be kept to a minimum and made only when essential to:

1. Meet the requirements of the state open records law and other statutory or regulatory requirements;
2. Protect the integrity of the college or university and the rights and property of the State; and
3. Allow system administrators to perform routine maintenance and respond to emergency situations such as combating "viruses" and the like (see NDUS Procedure 1901.2, Sections 4.3 and 4.4).

### Encryption and Password Protection

When using encryption utilities or password protection schemes on institutional information or computing equipment, a unit-level recovery process must be used. No data protection schemes may be used to deprive a unit or institution from access to data or computing equipment to which they are entitled.

### Freedom from Harassment and Undesired Information

All members of the campus community have the right not to be harassed by another's computer or network use (see NDUS Procedure 1901.2, Section 3.1.3.).

### Appeals of Sanctions

Individuals may appeal any sanctions according to the process defined in Section VIII of this document.

### Individual Responsibilities

Each member of the campus community enjoys certain privileges and is responsible for

his or her own actions. The interplay of these privileges and responsibilities engenders the trust and intellectual freedom that form the heart of this community.

### Respect for Rights of Others and Legal and Policy Restrictions

Users are responsible to all other members of the campus community in many ways. These include the responsibility to:

1. Respect and value the right of privacy;
2. Recognize and respect the diversity of the population and opinion in the community; and
3. Comply with NDUS and institution [WSC] policy and all laws and contracts regarding the use of information that is the property of others.

### Privacy of Information

All electronic information which resides on NDUS and institution [WSC] computers, and any data on any device that connects, wired or wireless, to the campus network may be determined to be subject to the open records laws of North Dakota.

Individuals are prohibited from looking at, copying, altering or destroying another individual's electronic information without explicit permission (unless authorized or required to do so by law or regulation). The ability to access a file or other information does not imply permission to do so unless the information has been placed in a public area such as a website.

The NDUS Chief Information Officer is authorized to develop and publish standards for the NDUS institutions. The NDUS Data Classification and Information Technology Security Standard further defines and explains NDUS and institution data classifications, standards and security responsibilities.

Except to the extent that a user lacks control over messages sent to the user, electronic information is deemed to be in the possession of a user when that user has effective control over the location of its storage.

#### Intellectual Property

Users are responsible for recognizing and honoring the intellectual property rights of others. Users are prohibited from using, inspecting, copying, storing and redistributing copyrighted material and computer programs in violation of copyright laws. Software subject to licensing must be properly licensed and all users must strictly adhere to all license provisions (installation, use, copying, number of simultaneous users, term of license, etc.).

When reproducing or distributing information, users are responsible for the observation of copyright rights and other intellectual property rights of others and all state and federal laws, as well as Institutional and NDUS policies. Generally, materials owned by others cannot be used without the owner's permission. Written consent from the copyright owner is normally necessary to reproduce or distribute copyrighted material. There are some exceptions such as fair use in teaching and in research.

Documentation of consent to use copyrighted materials must be kept on record and made available to institution officials upon request. The NDUS assumes no obligation to monitor users for infringing activities, but will, when such activities are called to the appropriate official's attention, investigate to determine if there is likely infringement and make appropriate responses.

Users should also be careful of the unauthorized use of trademarks. Certain uses of such marks online on websites or in domain names can constitute trademark infringement. Unauthorized use of an institution's name in

these situations can also constitute trademark infringement.

#### Harassment

Users may not use NDUS or NDUS institution [WSC] computers or networks to harass any other person.

Prohibited activities include, but are not limited to:

1. Intentionally using the computer to annoy, harass, terrify, intimidate, threaten, offend or bother another person by conveying obscene language, pictures, or other materials or threats of bodily harm to the recipient or the recipient's immediate family;
2. Intentionally using the computer to contact another person repeatedly with the intent to annoy, harass or bother, whether or not an actual message is communicated, and/or the purpose of legitimate communication exists, and where the recipient has expressed a desire for the communication to cease;
3. Intentionally using the computer to contact another person repeatedly regarding a matter for which one does not have a legal right or institutional sanction to communicate, once the recipient has provided reasonable notice that he or she desires such communication to cease;
4. Intentionally using the computer to disrupt or damage the academic, research, administrative or related pursuits of another; or
5. Intentionally using the computer to invade the privacy, academic or otherwise, of another or the threatened invasion of the privacy of another.

#### Attempts to Circumvent Security

Users are prohibited from attempting to circumvent or subvert any system's security measures. Any security incidents should be reported to the system administrators and the campus IT security officer.

### Decoding Access Control Information

Users are prohibited from using any computer program or device to intercept or decode passwords or similar access control information.

### Denial of Service

Deliberate attempts to degrade the performance of any computer system or network or to deprive authorized personnel of resources or access to any computer system or network are prohibited.

### Harmful Activities

Harmful activities are prohibited. Examples include, but are not limited to: IP spoofing; creating and propagating viruses; port scanning; disrupting services; damaging files; or intentional destruction of or damage to equipment, software or data.

### Unauthorized Activities

Authorized users may not:

1. Damage computer systems;
2. Obtain extra resources not authorized to them;
3. Deprive another user of authorized resources; or
4. Gain unauthorized access to systems by using knowledge of a special password, loopholes in computer security systems, another user's password and/or access abilities used during a previous position.

### Unauthorized Monitoring

Authorized users may not use computing resources for unauthorized monitoring or scanning of electronic communications without prior approval of the campus [WSC] CIO or the campus or NDUS IT security officer.

### Personal Business

Computing and networking resources may not be used in connection with compensated

outside work or for private business purposes unrelated to the NDUS or its institutions, except in accordance with the NDUS Consulting Policy.

### NDUS and NDUS Institution Privileges

Imposition of sanctions:

The institution (WSC) may impose sanctions on anyone who violates the Computer and Network Usage Policy.

Suspension of individual privileges:

NDUS and Institutions operating computers and networks (WSC) may suspend computer and network privileges of a user to protect the integrity, security or functionality of the institution (WSC) or NDUS and/or their resources, or to protect the institution (WSC) or NDUS from liability; to protect the safety or well-being of members of the community or upon receipt of a legally served directive of appropriate law enforcement agencies or others. Access will be promptly restored when the protections are assured, unless access is suspended as a result of formal disciplinary action imposed by Campus Judicial Officers, HECN or other legal officers.

### First and Minor Incident

Minor infractions of these policies are generally resolved informally by the unit administering the accounts or network in conjunction with the campus IT security officer. Minor infractions are those in which the impact on the computer or network resource is minimal and limited to the local network. Resolution of the infraction will include referral to the WSC Student Code of Conduct, staff or faculty handbooks or other resources for self-education about appropriate use. In the case of students, a copy of the resolution will be sent to the Vice President for Student Affairs.

### Subsequent and/or Major Violations

Repeated minor infractions or more serious misconduct may result in immediate loss of computer access privileges or the temporary or permanent modification of those privileges. More serious violations include, but are not limited to, unauthorized use of computing facilities, attempts to steal passwords or data, unauthorized use, distribution or copying of licensed software or other copyrighted materials, use of another's account, harassment or threatening behavior or crashing the system. Policy violators will be referred by the campus IT security officer or to the Vice President for Student Affairs for sanctioning and further action.

### Range of Disciplinary Sanctions

Users who violate this policy are subject to the full range of sanctions, including the loss of computer or network access privileges, disciplinary action, dismissal from the institution and legal action. Use that is judged excessive, wasteful or unauthorized may result in denial of access to computing and networking resources and may subject the user to appropriate disciplinary and/or legal procedures. Any offense which violates local, state or federal laws may result in the immediate loss of all computing and networking resource privileges and will be referred to the Vice President for Student Affairs and/or law enforcement authorities.

### Appeals

Notice of violations and appeals of decisions will follow campus procedures as outlined beginning in Section VI of this Code.

## **XX. Residence Life: Standard Regulations and Expectations**

Students are expected to know and abide by the terms and conditions of the Housing and Dining License/Contract and rules and

regulations specified in the WSC Student Code of Conduct.

Regulations governing College residential facilities are established by state and federal laws, college administration and NDUS policies and procedures. All violations are dealt with in accordance with established procedures. The ultimate goal of all community standards and expectations is to promote responsible citizenship and self-discipline.

Due to the nature of on-campus living, environmental safety and security standards have been established. All students will be held accountable for their behaviors in all campus housing facilities. All students and their guests must cooperate with efforts to establish a secure campus by complying with policies and cooperating with residence hall staff. Any resident found in violation of any of the policies listed in this document is subject to disciplinary sanctions.

Failure to comply with the instructions or directions of college officials, including residence hall staff, in the performance of their duties is prohibited. Such acts may include, but are not limited to, intentionally, knowingly, or recklessly obstructing or delaying any college proceedings, failing to cooperate with an investigation, fleeing a police officer or college personnel, and/or failing to comply with assigned college behavior sanctions. Verbal and/or physical abuse directed toward any college personnel will not be tolerated and shall constitute a violation of this code.

### Housing Expectations

#### **1. Identification**

Failure to produce either a WSC identification card or a state or federal photo identification card upon request by

any college personnel in the performance of their duties is prohibited.

## **2. Keys/Access Cards**

Students are not permitted to duplicate keys/access cards issued by housing personnel. Students also are not allowed to loan keys/access cards to other individuals. Students residing in residence halls must possess a working key.

Students are expected to be responsible for their keys/access cards and for the security of their rooms and apartments. All residents are required to report lost/missing keys to a housing staff member immediately. Lost keys will result in charges being assessed for costs incurred to re-key all necessary locks. Room, apartment and suite doors should be locked whenever a student leaves. Students are responsible for carrying their keys. If a housing staff member is repeatedly required to unlock doors during the year, disciplinary action and/or fines may be assessed.

Loaning keys or access cards to another individual is a serious breach in security and disciplinary action may be taken.

## **3. Safety/Security Devices**

Tampering with any safety or security device, including but not limited to security cameras, door locks, fire alarms, etc., is strictly prohibited. Doing so will result in substantial fines and/or eviction from campus housing.

## **4. Facilities Tampering**

Due to safety and facility concerns, window screens are not to be removed from windows for any reason. A substantial fine, in addition to a charge for any resulting damages and repairs, will be

assessed for screen removal. Windows are not to be used for entrances or exits to and from buildings unless an emergency exists. Residents are responsible for any objects thrown from windows and will face disciplinary action.

Hanging from pipes, wires or other exposed surfaces is strictly prohibited. Doing so will result in substantial fines, in addition to charges for resulting damages and repairs. Multiple offenses may result in eviction from campus housing.

Residents and their guests are not allowed on rooftops for any reason. Entering a rooftop area will result in substantial fines and possible eviction from campus housing.

## **5. Smoking/Open Flame**

Smoking is not prohibited in any residential facility. Fire hazards including, but not limited to, any item having an open flame, e.g. open heating coils, candles, incense, and halogen lamps are strictly prohibited. No liquids or materials of an explosive or combustible nature shall be kept on the premises.

## **6. Disorderly or Disruptive Conduct**

Residents should not engage in disruptive or disorderly conduct. This includes, but is not limited to, activities which are excessively noisy or otherwise disruptive to other residents. Being under the influence of alcohol/drugs is not an excuse for misconduct.

## **7. Lewd or Obscene Behavior**

Lewd or obscene behavior that flagrantly violates community standards with respect to sexuality is prohibited. Pictures and posters obviously intended to be of an adult nature may be displayed only if they are not in any way visible from outside the

private room and do not offend or intimidate others who reside in that room.

**8. Firearms, Weapons, Chemicals & Fireworks**

Firearms and other weapons are prohibited on WSC campus including in residence hall and college-owned apartments. Fireworks, chemicals or other explosive or flammable devices are also prohibited in campus residence facilities. See Section XIX of this code for detailed information.

**9. Animals/Pets**

Animals and pets are prohibited in all residence halls and apartments unless required as a service animal. See Section XVI of this code for policy and procedure related to permitted use of service animals on campus.

**10. Sporting Activity Restrictions**

Due to safety and facility concerns, riding skateboards or scooters and using in-line skates, roller skates and bicycles are prohibited inside all residential facilities. Use of water guns, water balloons and throwing of flying discs (Frisbees™), balls or other objects are also prohibited indoors, except when authorized.

**11. Guests and Visitation**

Residents are responsible for knowing the identity of their guests and are responsible for guest behavior. Residents are held liable for loss or damages to property caused by their guests. All visitors must be accompanied by the hall resident, must be at least 17 years of age and must possess a photo ID when entering the hall. Minor children must be accompanied by their parents or guardians.

**12. Overnight Residence Hall Guests**

Guests of the same sex are permitted to stay overnight in the residence halls with approval from residence life staff. Residents must register their overnight guests before 10 p.m. with residence hall staff. Guests may not stay more than three consecutive nights. Residents with guests of the opposite sex (such as a parent or other relative) must make prior arrangements for their stay through the Director for Residence Life. Cost for a room is \$25.00 per person per night. Co-habitation is strictly prohibited.

**13. Visitation hours**

Visitation hours are:

Sunday through Thursday, 10:00 a.m. – 12:00 a.m.

Friday and Saturday, 10:00 a.m. – 2:00 a.m.

Visitation hours will be supervised and enforced by housing staff. Please be aware the college retains the right to alter and/or cancel visitation hours whenever believed necessary.

**14. Quiet Hours/Noise**

Residents and guests must respect quiet hours in all residential facilities. Specific quiet hours are posted in each hall and apartment building. Courtesy hours are in effect 24 hours a day to allow students to pursue their academic studies and promote a comfortable living environment.

**15. Escorting Guests**

Entrance doors for the residence hall and college apartment buildings are locked 24 hours a day. Guests must meet their resident-host at an entrance door to gain entry into the building. Non-residents must be escorted by a resident at all times when in the residence halls or college apartments. Students are not allowed to

prop doors open or to allow unauthorized persons into campus housing facilities.

### **16. Theft of Property**

Theft or removal of college property and/or furnishings including, but not limited to, furniture, artwork, plants, electronics, and signs from their designated locations is prohibited. Theft and/or unauthorized use of another resident's property is also prohibited. Unless immediate restoration of property occurs, such actions will be reported to the Williston Police Department for criminal action. Students are encouraged to secure all valuables. WSC retains no responsibility for lost or stolen items.

### **17. Property Damage or Destruction**

Intentional or malicious damage, destruction or defacement of residence hall facilities or college property is prohibited by college policy and state law. Any student determined to have been involved in the damage or destruction of college property will be referred to the Vice President for Student Affairs for disciplinary action, and may be referred to the Williston Police Department for criminal action.

### **18. Gambling**

Illegal gambling at any time and in any form is prohibited in all college residence halls and apartments.

### **19. Sales and Solicitation**

Unauthorized sales or solicitation in any campus buildings are strictly prohibited. For questions regarding sales in residential facilities, see the Director for Residence Life.

No private business shall be established or operated on the premises of any college-owned housing facility.

### **20. Inspection**

The college retains the right to inspect rooms and apartments for the purposes of maintenance, cleaning, personal safety and for purposes of administering provisions of a resident's contract. Such entry by the college shall not be regarded as a search but is separately agreed to and authorized by the resident as part of their contract. Entries and/or searches of rooms and apartments by law enforcement officials, Williston Police Department officers or officers of other local law enforcement agencies (Williams County Sheriff, and North Dakota Highway Patrol) will only be conducted in accordance with North Dakota Century Code and federal laws.

Housing personnel have the authority and responsibility to enter a resident's room or apartment when there is sufficient reason to suspect a probable violation of college policy and/or state or federal laws is occurring therein. Suites are deemed common areas and do not require permission for entry.

### Housing Sanctions, Terms and Conditions

A sanction is a consequence placed upon a student for conflicts with specified college policies, regulations and expectations. Sanctions help define the student relationship with the college in the context of current and potential future behavior, including a notice that further conflicts may lead to more severe behavioral sanctions.

In assigning one or more sanctions for inappropriate student behavior, the Director for Residence Life will consider:

1. Facts of the case as presented from all relevant sources, including the accused student;

2. Existence of any physical evidence or written or oral information provided by the accused student and/or witnesses;
3. Type and severity of the offense; and/or
4. Previous incidents of inappropriate behavior committed by the accused student.

If a student is found not responsible for the alleged code violation(s), no action will be taken against the accused student.

If a student is found responsible for violating one or more policies, the Director for Residence Life may impose one or more of the following terms and conditions:

1. Verbal and/or written warning that continuation or repetition of prohibited conduct may result in more severe disciplinary action;
2. Referral to special classes or counseling sessions;
3. Community/campus service hours;
4. Confiscation;
5. Loss of privileges;
6. Compliance with a conduct agreement;
7. Restitution and/or fines;
8. Referral to the Vice President for Student Services;
9. Eviction from college housing; and/or
10. Suspension or expulsion from WSC.

With each sanction, other educational or restorative actions or other terms and conditions may be assigned. In addition, notification may be given to other college officials as necessary.

### **XXI. Dining Services (Teton Grill): Standard Regulations and Expectations**

Students are expected to know and abide by the terms and conditions of the Housing and Dining License/Contract and rules and

regulations specified in the WSC Student Code of Conduct.

#### Expectations

All customers in the Teton Grill facilities are expected to conduct themselves in a manner according to set standards for students as defined in this code.

Failure to abide by college and dining services standards, policies and procedures may result in college disciplinary action. Actions showing failure to abide by College and dining services standards will result in a report/statement submitted to the Dining Services Manager by the dining services staff member and/or supervisor in the dining facility witnessing the actions of the student.

The Dining Services Manager will review the report and schedule a meeting with the student regarding the reported incident. The student must attend the scheduled meeting with the Dining Services Manager. Failure to do so will be cause for disciplinary action.

After reviewing the incident report and meeting with the student, the Dining Services Manager may refer the student to the Vice President for Student Affairs for possible investigation, hearing and sanctioning, as outlined in section V of this Code.

The student will be held financially responsible to the college and other students for damage, loss or injury sustained by the College, its employees, agents and students as a result of the student's or his or her guests' acts or omissions. Students are responsible for damages and loss to dining services property resulting from negligence or misuse. Willful damage shall be cause for disciplinary action.

#### Safety, Security and Sanitation

The College deems it unlawful to gain entry to a dining area, facility or room by tampering

with locked doors, pulling open locked doors, gaining entrance or attempting to gain entrance in a fashion that is against policies and procedures as set forth by signage or policies in dining services operations.

Students are required to comply with all safety, security and sanitation procedures and may not tamper with locked and closed doors or admit unauthorized people into the dining areas.

#### Solicitation

Solicitation of any type is not allowed in the Teton Grill by any individuals or groups, with the exception of WSC administrative functions or purposes that have been approved by the Director for Student Auxiliary Services.

#### Contract Cancellation, Termination, Refund Policy and Contract Credits

All plans are “block” plans, meaning customers purchase a specified number of meals. The number of meals on each plan may be used over the course of an entire semester. Meals not utilized during the course of each semester are forfeited and do not carry over to the next semester. No refunds are made for unused meals unless approved by the Director for situations he or she determines to be extenuating as described in the paragraph below. Payment for dining plans is made during regular WSC tuition and fee payment dates at the start of each semester.

Refunds for missed meals are given only in the case of medical illness requiring hospitalization. Documentation of the hospitalization must be submitted to the Chief Financial Officer, along with a written request for refund. The Chief Financial Officer shall determine the level of documentation required, as well as the amount to be refunded, if any.

Refunds for the unused part of a meal contract in the event of withdrawal, suspension or expulsion are governed by State Board Policy, and credit for the unused portion of the contract will be pro-rated by the week in accordance with the State Board of Higher Education’s Refund Policy. Any resulting credit will be placed on the student’s college account and applied to unpaid account balances.

Early withdrawal, whether voluntary or involuntary, from a meal plan will terminate the dining dollars account, and any dining dollars spent will be deducted from any refund that may be received.

WSC reserves the right to terminate this contract based on violation of college policies and rules, dining services standards, failure to pay fees when due or student withdrawal, suspension or expulsion from the college.

#### Payments/Charges

All payments for dining plans are to be made to WSC. Payment is due, along with tuition and fees, during regular tuition and fee payment dates as scheduled at the start of each semester.

### **XXII. Criminal Background Check**

Beginning July 1, 2008, all applications for admission, including common application, reapplication and continuing application, will include the following questions:

1. Have you ever pled guilty (or no contest) to or been convicted of any felony? Yes/No
2. Within the past 10 years, have you pled guilty (or no contest) to or otherwise been convicted of a misdemeanor crime involving violence or the threat of violence in any court? Yes/No
3. Are you currently required to register as a sex offender in any state? Yes/No

4. Have you been dismissed or suspended from a college or university for disciplinary reasons within the last 5 years ("Dismissed for disciplinary reasons" means a permanent separation from an institution due to conduct or behavior. "Suspended for disciplinary reasons" means a sanction imposed for disciplinary reasons that results in a student leaving school for a fixed period but not permanently.) Yes/No

All applications are received in the Enrollment Services Office. Those students who indicate 'yes' or answer that they have pled guilty to or been convicted of a crime will receive a letter stating the applicant must provide a background check from CertifiedBackground.

Williston State College uses CertifiedBackground to obtain records of all criminal history including any pending criminal charges, the nature of the sentence imposed and confirm the completion of all terms and conditions of the required sentence. Any background check not completed through CertifiedBackground will be considered incomplete.

CertifiedBackground checks must be received by the date specified in the aforementioned letter in order for an applicant to be considered for admission. If an applicant ultimately chooses not to attend WSC, any criminal records received will be shredded. If that applicant wishes to reapply for the following term, he or she must resubmit all required documentation.

The Vice President for Student Affairs will review all records and determine if an applicant will be admitted to WSC and/or determine if any conditions are to be imposed.

If the applicant is admitted, an addendum to the letter of admission will be sent to the student and placed in the student's admission file. The addendum will note conditions (if any) under which the student will be admitted. The student may be required to meet with the Vice President for Student Affairs by a specified date.

If the student is not admitted, the student will be informed via letter.

A student who is denied admission, or chooses to appeal the conditions under which admission is allowed, may appeal according to the steps outlined beginning in Section VI of this Code.

Copies of the student's criminal history check and letters or documentation cannot be shared with other non-WSC agencies, offices or departments, and all criminal history documentation will be maintained in a file separate from the official student file. WSC will retain this record throughout the student's time of enrollment at WSC.

Students are advised that their criminal background may preclude them from admission to select programs of study. Students should consult with their academic advisor for information and guidance as necessary.

### **XXIII. Official Means of Communication**

Upon enrollment at WSC, every student is issued an official WSC email address. This college email address is considered the official means of communication, and will be used for all notices, general bulletins and other communications, including mandated provision of consumer information. WSC exercises the right to send e-mail communication to students and expects that e-

mail communication is received and read by students in a timely manner.

Students who are considered collaborative students (those enrolled at another North Dakota University System campus simultaneously while enrolled at WSC) may receive official notifications from WSC via their 'home campus' email.

#### **XXIV. Required Consumer Information**

The U.S. Department of Education has mandated that schools must provide currently enrolled students and/or prospective students a list of the information that must be disclosed with instructions for obtaining full disclosure. The list must be provided annually. Schools are required to list all information that must be disclosed, briefly describe the disclosure information and explain how students may obtain the disclosure information. Schools must promptly make the information available to any student upon request.

Following is a list and description of the required disclosures, along with information on how to obtain them at WSC. Much of the information is contained in this Code and can be referenced herein. WSC strives to understand and comply with all required rules and regulations from many governmental sources, and is subject to periodic reviews and audits to that end.

1. **Rights under the Family Educational Rights and Privacy Act (FERPA).** For additional detailed information, please refer to Section II of this code, consult the Student Services Office in Stevens Hall or consult the College website.
2. **Available financial resources.** For additional detailed information, please refer to the student financial aid section of the WSC Catalog, consult the WSC Student Services Office in Stevens Hall or consult the College website.

3. **Institutional information.** This Code, along with the WSC catalog, provides considerable institutional information. For even more detailed information, please consult the respective offices.
4. **Completion/graduation rate and transfer out rate information.** This information is published in the Student Planner made available to all students, is also available in the Student Services Office in Stevens Hall and on the College website.
5. **Campus Security and Fire Report.** This report is compiled by the Director for Facilities and contains detailed information on this topic. This office annually distributes this report. All required crime reporting information should be reported to the Director for Facilities. To review a complete copy of the annual [Campus Security and Fire Report](#) visit the Williston State College website.
6. **Athletic program participation rates and financial supporting data.** This information is published in the Student Planner made available to all students. It is also available in the Student Services Office in Stevens Hall.
7. **Right to, and procedures for, inspecting and reviewing student education records.** This information is published in the WSC Catalog and is available in the Student Services Office in Stevens Hall.
8. **Right to, and procedures for, requesting amendment of student's education records if believed to be inaccurate, misleading, or in violation of student's privacy rights.** This information is published in the WSC Catalog and is available in the Student Services Office in Stevens Hall.
9. **Right to consent to disclose personally identifiable information contained in the student's education records.** This information is published in the WSC

Catalog and is available in the Student Services Office in Stevens Hall.

**10. Right to file a complaint with the U.S. Department of Education for alleged school or educational agency failure to comply with FERPA requirements.**

This is published in the WSC Catalog and is also available in the Student Services Office in Stevens Hall.

**XXV. Other Consumer Information**

1. With regard to special facilities and services that may be available to disabled students, please contact the Disability Support Services Coordinator at (701) 774-4221.
2. With regard to the availability of a G.E.D. instruction and testing program, please contact the Williston Adult Learning Center at (701) 572-5886.

**XXVI. Notice of Disclaimer**

WSC reserves the right to make changes in curriculums, rules, and fees whenever such changes are deemed necessary. A special notice from the State Board of Higher Education requires the following announcement to be published in all catalogs and bulletins issued by state educational institutions of North Dakota: Catalogs and bulletins of educational institutions are usually prepared by faculty committees or administrative officers for the purpose of furnishing prospective students and other interested persons with information about the institutions. Announcements contained in printed material are subject to change without notice and may not be regarded in the same nature of binding obligations on the institutes and the State.

Institutional Liability — WSC disclaims liability of any kind for injury or illness of any

student as a result of participation in any college related activities or events, including but not limited to athletics, physical education, field trips, shop or laboratory work, or classroom activities. Every reasonable effort is made to provide safe conditions for the conduct of these activities.

## **APPENDIX A**

### **WSC Alcohol and Other Drug Policy**

#### **Philosophy**

WSC has a genuine caring concern for its people and for the community it serves. For this reason, the campus is committed to maintaining an academic and social environment that is conducive to the intellectual and personal development and to the safety and welfare of all members of the college community.

(Some information has been adapted from North Dakota State University's "Alcohol and Other Drugs: Risks, Policies, and the Law for Students and Employees")

The misuse and abuse of alcohol and other drugs represents a major health problem in the United States today and poses a serious threat to health and welfare of the WSC Community.

This document applies to all WSC students and employees, as well as campus visitors.

#### **Policy Distribution and Notification**

In accordance with the 1989 amendments to the Drug-Free Schools and Communities Act, as articulated in the Education Department General Administrative Regulations (EDGAR) Part 86 (Drug Free Schools and Campuses Regulations), this policy will be distributed to all students and WSC employees each year. For more information on policy notification procedures, please contact the Vice President for Student Affairs at (701) 774-4585.

#### **State Board of Higher Education and WSC Policy**

The State Board of Higher Education prohibits the possession, sale, dispensation, use or consumption of alcoholic beverages upon land or in buildings owned by the board

or its institutions. Exceptions may include the lawful possession of alcohol in family student residences, on-campus professional staff residences, fraternities and sororities (in certain circumstances), the President's residence and other special exceptions as granted by the President or the President's designee. For the complete State Board of Higher Education policy, please refer to [SBHE Policy 918 Alcoholic Beverages](#). For an electronic copy of this policy, go to: [Williston State College Student Code of Conduct](#).

WSC prohibits the unlawful or unauthorized use, possession, storage, manufacture, distribution or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in campus buildings, any public campus area, in campus housing units, college vehicles or at any college affiliated events held on or off-campus, sponsored by students, employees and their respective campus organizations. For WSC employees, compliance with this policy is a term and condition of employment. For WSC students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational registration.

#### **Health Risks of Alcohol and Other Substances**

This section lists the most commonly misused drugs and their effects. This is meant to be an overview and is not an exhaustive list.

##### **Alcohol**

Alcohol consumption causes a number of impairments including changes in behavior and normal body function. Even low doses significantly impair judgment, coordination and mental function therefore increasing the risks of accidents and injuries. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn

and remember information. Very high doses taken acutely can cause respiratory depression and even death. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism and fights. Additional consequences include DUI arrests and serious or fatal car crashes. Continued abuse may lead to dependency that can cause permanent damage to vital organs and deterioration of a healthy lifestyle.

### **Amphetamines**

Amphetamines can cause a rapid or irregular heartbeat, tremors, convulsions, loss of coordination, collapse and death. Heavy users are prone to irrational acts.

### **Cannabis (marijuana, hashish)**

The use of marijuana may impair or reduce short-term memory and comprehension, alter sense of time and reduce coordination and energy levels. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

### **Club Drugs**

Club drugs, e.g. MDMA (Ecstasy), Rohypnol, GHB, LSD, methamphetamine and others are used at all-night parties such as trances or raves, dance clubs and bars. These party drugs, particularly when mixed with alcohol, can cause serious health problems, injuries or even death.

### **Cocaine/Crack**

Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely

addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions and even death.

### **Hallucinogens**

Lysergic acid (LSD), mescaline and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, PCP episodes may result in self-inflicted injuries, violence and aggressive behavior toward others.

### **Heroin**

Heroin is an opiate drug that causes the body to have diminished pain reactions. Overdoses of this highly addictive drug can result in coma or death due to respiratory failure or cardiovascular collapse.

To find out more about these commonly abused agents and other substances of abuse not listed here, please refer to [Commonly Abused Drug Chart](#) at the drugabuse.gov website.

### **Referrals for Counseling and/or Treatment Services**

Alcohol and/or other drug counseling treatment may be arranged through the WSC Mental Health Counseling Office by calling (701) 774-4212 or by calling Northwest Human Services Center (701) 774-4600 or <http://www.nd.gov/dhs/locations/regionalhsc/northwest/index.html>.

### **Alcohol Purchasing and Sale**

Unless otherwise authorized by the College President, the use of alcoholic beverages during all events held on the WSC campus is strictly forbidden (including concerts,

theatrical performances, athletics events, workshops, etc.).

Students and employees and their respective campus organizations may not use organizational or public funds (including general and special funds) for the purchase of alcoholic beverages.

Sale of alcoholic beverages by students, employees and their respective campus organizations is strictly forbidden. This is to include any action that can be remotely construed as alcohol sale such as charging admission to parties, passing the hat, selling empty cups, selling drink tickets, etc.

Off-campus activities conducted by students, employees and their respective campus organizations shall not encourage excessive and/or rapid consumption of alcoholic beverages. The use of alcohol at any such events is expected to be lawful and low-risk.

Registered student organizations planning off campus events at which alcohol will be present must complete and file the WSC Event Risk Management Planning Notification Form with the Vice President for Student Affairs.

When planning an off-campus, work-related event where alcohol will be present, employees with questions about low-risk guidelines should contact the Director for Human Resources at (701) 774-4204.

Alcoholic beverages shall not be used as awards or prizes in connection with events or activities sponsored by students, employees and their respective campus organizations, on or off campus.

### **Alcohol and/or Other Drug Advertising**

The public display of advertising or the promotion of alcoholic beverages in campus

buildings or any other public campus area including all college owned housing areas is prohibited. This includes banners, lighted beer/liquor signs and large inflatable advertising, etc. (Entities that lease commercial or research property from the college may be excluded. However, the college may in these leases include provisions that will assist in its effort to promote the legal and safe use of alcohol and to change the culture that perpetuates alcohol and other drug misuse and abuse.)

Alcohol promotional activities including advertising shall not be associated with otherwise existing campus events, programs or campus organizations functions on or off-campus. This includes, but is not limited to, such items as: cups, t-shirts, beverage can coolers and any other items carrying alcohol/beer advertising.

Advertising of alcoholic beverages shall not appear in campus controlled or affiliated publications (including campus affiliated websites). Advertising of establishments that sell alcohol may appear and must adhere to the following guidelines:

1. Advertising of establishments that sell alcohol shall not include brand names, logos, prices, visual images or verbal phrases that refer to consumption of alcoholic beverages.
2. Advertising of establishments that sell alcohol shall not encourage any form of alcohol abuse nor shall it promote alcohol specials such as two for ones, happy hour drink specials or any ads that encourage rapid and excessive consumption of alcohol.

Advertising of establishments that sell alcohol shall not portray drinking as a solution to personal or academic problems or as

necessary to social, sexual or academic success.

Advertising of establishments that sell alcohol shall not associate consumption of alcoholic beverages with the performance of tasks that require skilled reactions such as the operation of motor vehicles or athletic performance.

### **Campus and Legal Sanctions**

When students, student organizations or employees violate college alcohol policy, they will be subject to campus sanctions. The campus sanctions process may proceed before, during or after any civil or criminal proceedings. Since the campus sanctions are educational and/or managerial in nature, and not criminal proceedings, such simultaneous actions do not constitute double jeopardy and differing judgments may result.

Students may be subject to on campus sanctions for off campus alcohol/drug related behavior. The campus may receive reports regarding students from law enforcement and other agencies in the form of summons to court, reports of loud parties, minor in possession/minor consuming/under the influence, driving under the influence of alcohol/drugs or other similar alcohol and other drug violations.

### **Student Sanctions**

Students found in violation of the WSC Alcohol & Other Drug Policy (on or off campus) may be subject to one or more of the following sanctions:

1. Monetary fine;
2. Community service hours;
3. Required completion of an online educational program (e-Checkup) through the WSC Student Services Office;
4. Required participation in a community education program (CHOICES) conducted by WSC staff;

5. Substance abuse evaluation and compliance with subsequent treatment/intervention as may be indicated;
6. Parental notification;
7. Eviction from college housing for students living on campus; and/or
8. Suspension or dismissal from WSC.

Failure to complete sanctions within a reasonable amount of time may result in assessment of additional sanctions, a registration and/or graduation hold being placed on the student's account or suspension.

### **Sanctions for Alcohol and Other Drug Violations in Classrooms, Shops or Labs**

Students arriving to class chemically impaired will be held to the same standards as those defined above. The following additional sanctions may also be imposed.

1. Exclusion from the class for a designated period of time to be determined by the faculty member in consultation with the division dean and/or Vice President of Student Affairs; and/or
2. Expulsion (permanent removal) from the class.

### **Parental Notification**

Parents or guardians of students under the age of 21 may be contacted by a WSC Student Services administrator following alcohol and/or other drug related policy violations.

### **Student Organizations**

Student organizations found in violation of city or state laws and college regulations involving the use or possession of alcohol/drugs are also subject to disciplinary action. In general, disciplinary penalties for student organizations are the same as those listed for individual students. However, it is possible that an offending student organization may be denied recognition or affiliation with the college as part of the

disciplinary action. Advisors are expected to conduct themselves in accordance with college employee alcohol/other drug policy and policies when involved in any capacity (on and off campus) with student organizations, field trips and other related academic activities.

### **Employee Sanctions**

As stated in SBHE policy 918, WSC employees shall not arrive to or be at work, during normal work hours or other times when required to be at work, while under the influence of alcoholic beverages or as a result of the unlawful use of a controlled substance.

Any employee found in violation of the Alcohol and Other Drug Policy by his or her supervisor(s) will be reported to the Human Resources Manager for consultation prior to action.

If an employee is convicted of violating any alcohol or other drug related statute while in the workplace, college sanctions may include:

1. Requiring the employee to participate in a drug assistance or rehabilitation program approved by the campus; and/or
2. Disciplinary action for a violation of campus alcohol or drug policy up to and including termination of employment. Disciplinary action may include one or more of the following.

- (a) Warning, reprimand or probationary status;
- (b) Ineligibility to receive the next available annual salary increase;
- (c) Suspension without pay for up to five days;
- (d) Termination of employment; or
- (e) Any combination of the above sanctions.

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

### **Financial Aid Eligibility**

A federal or state drug conviction can disqualify a student from receiving federal financial aid funds. The conviction must have occurred during a period of enrollment for which the student was receiving Title IV aid (i.e., Federal Pell Grant, Federal Perkins Loan, Federal Stafford Loan, etc.). Depending on whether the conviction was for sale or possession and if the student has previous offenses, the period of ineligibility can range from one year to an indefinite period. The student regains eligibility the day after the period of ineligibility ends or the student successfully completes a qualified drug rehabilitation program as defined in the Higher Education Amendments.

### **Local and State Law**

Individuals in the state of North Dakota must be at least 21 years of age to buy, possess and/or consume alcohol. Person(s) providing alcohol to individuals under the age of 21 violate state law and may be cited for contributing to the delinquency of a minor among other possible citations depending on the circumstances. There are other important state laws and local rules relating to alcohol including driving under the influence (DUI) and open container. For a first DUI offense, violators are fined at least \$500 and are ordered to have an addiction evaluation. State Law and Williston City Ordinances prohibit driving under the influence of intoxicating liquor or controlled substances. State Law and Williston City Ordinances also prohibit open containers of alcohol in vehicles. It is important to note Williston City Ordinances also prohibit disorderly houses (loud gatherings). For more information on Williston City Ordinances, please see <http://clerkshq.com/default.ashx?clientsite=williston-nd>.

North Dakota has adopted the Uniform Controlled Substances Act, which restricts the manufacture, transfer and possession of narcotic drugs and other drugs that have a potential for abuse or that may lead to physical or psychological dependence. It is a Class A felony to manufacture, deliver or possess with intent to manufacture or deliver controlled substances such as methamphetamines or narcotic drugs such as opium or cocaine in North Dakota. Penalties for a Class A felony can be up to 20 years imprisonment and/or \$20,000 fine.

Possession of drug paraphernalia for marijuana and advertising drug paraphernalia are Class A misdemeanors. Possession of one ounce or less of marijuana is a Class B misdemeanor. Possession of more than one ounce of marijuana is a Class B Felony. Inhaling vapors of a volatile chemical in a manner designed to create intoxication, hallucination or elation is a Class B misdemeanor. Possession of drug paraphernalia for controlled substances other than marijuana is a Class A misdemeanor. Possession of drug paraphernalia for marijuana can be classified as a Class A or Class B misdemeanor. It is a Class A misdemeanor to advertise drug paraphernalia. Class A misdemeanors are punishable up to one year's imprisonment and/or \$3,000 fine. Class B misdemeanors are punishable up to 30 days' imprisonment and/or \$1,500 fine. A Class B felony is punishable up to ten years' imprisonment and/or \$20,000 fine.

For more information please refer to: <http://www.legis.nd.gov/general-information/north-dakota-century-code>.

### **Federal Law**

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. Please refer to

<http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html> for details on federal trafficking penalties for controlled substance violations. Among incarceration and/or fines, there are federal laws allowing the forfeiture of property used in possession or to facilitate possession of a controlled substance. This could include homes, vehicles, boats, aircrafts and any other personal or real property. Fines could range up in the millions of dollars. One becomes ineligible to possess firearms and to receive federal benefits such as student loans and grants.