



November 30, 2011

Iowa College Student Aid Commission  
Postsecondary Registration Administrator  
200 10<sup>th</sup> Street, Fourth Floor  
Des Moines, IA 50309

To Members of the Iowa College Student Aid Commission:

It is a pleasure to write a letter confirming Southwest Minnesota State University's commitment to delivering the Learning Community format in Iowa. We have provided 82 Learning Communities since 1998 and all have been completed. Of the 2577 students registered within our Learning Communities 98% have graduated. The University has offered Learning Community opportunities as far west as Rapid City, South Dakota, in Sioux Falls, SD and all through Minnesota.

Given the broad number of Learning Communities being offered at any given time we would offer an alternative site should a specific Learning Community not be able to be completed. Southwest Minnesota State University looks forward to providing opportunities for individuals to attain a Masters in Education with an emphasis in Teaching, Learning and Leadership in the Learning Community format in Iowa.

We appreciate your consideration and look forward to working with the Commission in the coming years.

Sincerely,

A handwritten signature in cursive script that reads 'Ronald A. Wood'.

Ronald A. Wood, PhD  
President

/cra

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My commission expires: \_\_\_\_\_

# Iowa College Student Aid Commission

Postsecondary Registration Administrator  
200 10<sup>th</sup> Street, Fourth Floor  
Des Moines, IA 50309

## Exemption Claim Under Iowa Code Chapter 714

**Submit a paper document and a complete duplicate in electronic .pdf format.**

**All items must be completed** before the application will be considered as received by the Commission. Attach additional pages as needed to provide the requested information. Responses are required to have a minimum of a summary paragraph on this form. Responses that include only statements similar to "please see attached", will be considered incomplete. Other documents or materials may also be attached to support the application. Attachments must be tabbed and clearly marked on both the paper and pdf documents..

*Iowa Code* §714.19 provides nine exemptions from the Instructional School filing requirements of Chapter 714. A special exemption is provided for certain trade and vocational schools. Filing an official claim of an exemption is optional – it simply places the school on record as asserting an exemption from registration. A school which falsely or erroneously claims an exemption remains subject to the enforcement authority of Chapter 714.

### DO NOT COMPLETE BOTH THE EXEMPTION AND THE FILING STATEMENT

#### PART A – IDENTIFICATION

1. This claim of exemption is filed on behalf of:

Southwest Minnesota State University Education Department

Name or title of school: Southwest Minnesota State University

Address(es) of principal  
office(s): 1501 State Street

Marshall, MN 56258

Telephone Number (including country or area code): (507) 537-7115

Email Address

Carol.Bossuyt@SMSU.edu

2. State the name, business address, business telephone number, and home address of the chief executive officer of the school:

Dr. Ronald Wood, Interim President

Founders Hall 209, 1501 State Street, Marshall, MN 56258, USA

(507) 537-6272

**PART B – EXEMPTION**

3. The school is exempt from filing a statement of financial responsibility pursuant to the following exception in *Iowa Code* §714.19: (check one) (if claiming trade/vocational school exemption, skip Items 3 and 4 and go to Item 5)
- X 1. Colleges or universities authorized by the laws of Iowa or any other state or foreign country to grant degrees.
2. Schools of nursing accredited by the board of nurse examiners or an equivalent public board of another state or foreign country.
3. Public schools.
4. Private and nonprofit schools recognized by the department of education or a local school board for the purpose of complying with chapter 299 and employing certified teachers. (See instructions.)
5. Nonprofit schools exclusively engaged in training persons with physical disabilities in the state of IA.
6. Schools and educational programs conducted by firms, corporations, or persons for the training of their own employees, for which no fee is charged.
7. Seminars, refresher courses and schools of instruction sponsored by professional, business, or farming organizations or associations for the members and employees of members of such organizations or associations.
8. Private business schools accredited by the accrediting commission for business schools or an acknowledged accrediting agency.
9. Private college preparatory schools accredited or probationally accredited under section 256.11, subsection 13.  
(See instructions.)

4. Describe the course of instruction offered and set forth the facts establishing the appropriateness of the exemption.

Southwest Minnesota State University is a public university in Minnesota, which is making application to offer a Master of Science in Education: Teaching, Learning, and Leadership degree in Iowa. Therefore, the institution is requesting exemption. For the university's public status see Minnesota Statutes 136F.10 and 136F.11 in Appendix A.

The school is a trade or vocational school which has met the conditions for exemption

**All items must be completed** before the application will be considered as received by the Commission. Attach additional pages as needed to provide the requested information. Responses are required to have a minimum of a summary paragraph on this form. Responses that include only statements similar to "please see attached", will be considered incomplete. Other documents or materials may also be attached to support the application. Attachments must be tabbed and clearly marked on both the paper and pdf documents..

5. Each *one* of the following: (do not complete Item 5 if the school has completed Items 3 and 4)

*Option A* - A copy of a continuous corporate security bond payable to the state of Iowa in the sum of \$50,000 conditioned upon the faithful performance of all contracts and agreements with students. (See instructions for sample bond language).

*Option B* - A copy of an annual sworn C.P.A.'s financial statement showing a net worth of at least \$250,000 which *is not* filed on the school's behalf by a parent corporation, *and* which *does not* include a parent corporation's net worth in the financial statement. (See instructions).

*Option C* - A copy of an annual sworn C.P.A.'s financial statement showing a net worth of at least \$250,000 which *is* filed on the school's behalf by a parent corporation, *or* which *does* include a parent corporation's net worth in the financial statement. (See instructions). The parent corporation hereby designates the following person as the corporation's registered agent under §714.18(2) (indicate name, address, and telephone number):

**PART C - SIGNATURE**

*Ronald R. Wood*

Signature

*12-01-11*

Date

If the claimed exemption becomes inapplicable, the school must immediately file the statement of financial responsibility or cease offering the course(s) of instruction, or follow other applicable registration requirements under Iowa Code Chapter 261B or Chapter 714.

# Iowa College Student Aid Commission

Postsecondary Approval and Registration Administrator  
200 10<sup>th</sup> Street, Fourth Floor  
Des Moines, IA 50309  
(515) 725-3470

## Application for Approval and Registration of Postsecondary School Iowa Code Chapter 261B

Pursuant to Iowa Code Chapter 261B, the undersigned school applies for registration to conduct or maintain one or more courses of instruction, including courses of instruction by correspondence, where the courses are offered in Iowa or the school has a presence in Iowa and desires to offer courses in other states or foreign countries.

Submit a paper document and a complete duplicate in pdf format on a CD.  
Applications may be submitted electronically by contacting the Postsecondary Approval Administrator at the Iowa College Student Aid Commission.

Applications for an initial approval and registration must include a *non-refundable* check for \$4,000 payable to the State of Iowa.

Applications fees are to be sent to:

Postsecondary Approval and Registration Administrator  
200 10th Street, Fourth Floor  
Des Moines, IA 50309

**All items must be completed** before the application will be considered as received by the Commission. Attach additional pages as needed to provide the requested information. Responses are required to have a minimum of a summary paragraph on this form. Responses that include only statements similar to "please see attached", will be considered incomplete. Other documents or materials may also be attached to support the application. Attachments must be tabbed and clearly marked on both the paper and pdf documents..

(Registrations must be renewed every four years or upon any substantive change in program offerings, location, or accreditation.)

Name of school and address of the principal office as defined in Iowa Code Section 490.140 or 510.141:  
[(261B.4(2))] and [(261B.4(1))]

Name of School: Southwest Minnesota State University

Suite: Founders Hall 209

Street: 1501 State Street

City: Marshall

State: Minnesota

Zip: 56258

Country: United States of America

Telephone Number (including country or area code): (507) 537-6772

Type of corporation:

- For-profit  
 Non-profit

Address of this school in all in other states, and in foreign countries:

Suite	Street	City	State	Zip	Country	Telephone
Not applicable						

Address of all locations in Iowa where instruction is to be provided

Suite	Street	City	State	Zip	Country	Telephone
TBA	TBA	Algona	IA	50511	USA	TBA
TBA	TBA	LeMars	IA	51031	USA	TBA
TBA	TBA	Carroll	IA	51401	USA	TBA
TBA	TBA	Cherokee	IA	51020	USA	TBA
TBA	TBA	Denison	IA	51442	USA	TBA
TBA	TBA	Fort Dodge	IA	50501	USA	TBA
TBA	TBA	Esterville	IA	51334	USA	TBA
See Appendix B for a list of all locations in Iowa considered for the program						

Tuition charges, fees and other costs payable to the school by a student. [(261B.4(3))]

Program to be Offered in Iowa	Tuition	Fees	Books and Supplies	Other	Total
Master of Science in Education: Teaching, Learning, and Leadership	\$11,900 (2/year program)	\$394.74 (2/year program)	\$600 (2/year program)	\$400 (2/year program)	\$13,294.74 (2/year program)

Refund policy of the school for the return of refundable portions of tuition, fees, or other charges [(261B.4(4))] If the refund policy is attached, please summarize the policy below. Students withdrawing from an off-campus course after the first class meeting and prior to the second class meeting will receive 100% of tuition and fees. Students withdrawing after the second class meeting will not receive a refund. See Appendix C for refund policy.

Degrees granted by the school [(261B.4(5))]

Offered in Iowa [(261B.4(11))]

In Iowa, Southwest Minnesota State University will offer a 34 credit Master of Science in Education: Teaching, Learning, and Leadership.

Offered outside of Iowa

Founded in 1963, Southwest Minnesota State University (SMSU) is a public university located in Marshall, Minnesota. SMSU offers over 45 baccalaureate majors, 4 associate degree majors, 20 minors, and 16 pre-professional programs. In addition, SMSU offers a variety of masters degrees in business, education, and special education. For an entire listing of degrees offered at SMSU, see catalog at <http://www.smsu.edu/catalog/>.

Name, business address and telephone number of the chief executive officer of the school: [(261B.4(7))]

Name: Dr. Ronald Wood, Interim President

Suite: Founders Hall 209

Street: 1501 State Street  
 City: Marshall  
 State: Minnesota  
 Zip: 56258  
 Country: United States of America  
 Telephone Number (including country or area code): (507) 537-6272

Provide a copy or description of the means by which the school intends to comply with 261B.9 [(261B.4(8))]. Code section 261B.9 is as follows:

**261B.9 DISCLOSURE TO STUDENTS.**

Prior to the commencement of a course of instruction and prior to the receipt of a tuition charge or fee for a course of instruction, a school shall provide written disclosure to students of the following information accompanied by a statement that the information is being provided in compliance with this section:

1. The name or title of the course.
2. A brief description of the subject matter of the course.
3. The tuition charge or other fees charged for the course. If a student is enrolled in more than one course at the school, the tuition charge or fee for all courses may be stated in one sum.
4. The refund policy of the school for the return of the refundable portion of tuition, fees, or other charges. If refunds are not to be paid, the information shall state that fact.
5. Whether the credential or certificate issued, awarded, or credited to a student upon completion of the course or the fact of completion of the course is applicable toward a degree granted by the school and, if so, under what circumstances the application will be made.
6. The name of the accrediting agency recognized by the United States department of education or its successor agency which has accredited the school.

Response:

Southwest Minnesota State University will send a letter to students prior to enrolling in semester courses. The letter "  
will address the courses and course descriptions for the semester's offered courses, tuition and fees for offered  
courses, the refund policy, the degree the courses will be applied to, and accreditation information for SMSU.

See Appendix D for a template of the disclosure letter that will be sent to Iowa students.

Name, address, and telephone number of a contact person in Iowa. [(261B.4(10))]

Name: Marta Mohr  
 Suite: Suite 350  
 Street: 30 7th Street E.  
 City: St. Paul  
 State: Minnesota  
 Zip: 55101-7804  
 Country: United States of America

Telephone Number (including country or area code): (651) 201-1683

Per phone conversation with Carolyn Small on 11/23/2011, as Southwest Minnesota State University is a public institution under MnSCU, our contact person could be from that governing body as per usual. The information above reflects our normal contact person.

Name, address, and title of the other officers and members of the legal governing body of the school:  
 [(261B.4(6))]

Officer Number 1

Name: Minnesota State Colleges and Universities

Suite: 350

Street: 30 7th Street East

City: St. Paul

State: Minnesota

Zip: 55101-7804

Country: United States of America

Telephone No. (including country or area code): (651) 201-1800

For officers 2 or more, add pages as needed:

Owner Number 2

Names and addresses of persons owning more than 10% of the school: [(261B.4(6))]

Name: Not applicable

Suite: \_\_\_\_\_

Street: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Country: \_\_\_\_\_

Telephone Number (including country or area code): \_\_\_\_\_

For owners 2 or more, add pages as needed

Name all agencies accrediting the institution. For each agency, include **name, address, telephone number, and whether the agency is recognized by the U.S. Department of Education.** [(261B.4(9))] Attach copies of accreditation certificates of status for each agency. If the Iowa location is not accredited, provide accrediting agency certification that the Iowa location will be granted accreditation upon approval by the College Student Aid Commission. **Provide documentation that every location of applicant school is approved by the accrediting agency and in good standing, for all locations throughout the world.**

Accrediting agency 1

Name: The Higher Learning Commission

Suite: Suite 7-500

Street: 230 South LaSalle Street

City: Chicago

State: Illinois

Zip: 60604-141

Country: United States of America

Telephone Number (including country or area code): (800) 621-7440 / (312) 263-4056

Contact Person: Dr. John Taylor

See Appendix E for approval documentation or "qprkpg at

[http://www.ncahlc.org/component/com\\_directory/Action,ShowBasic/Itemid,/instid,1408/](http://www.ncahlc.org/component/com_directory/Action,ShowBasic/Itemid,/instid,1408/)

Is this agency recognized by the U. S. Department of Education?  Yes [ ] No

Accrediting Agency 2

Name: Not applicable  
 Suite: \_\_\_\_\_  
 Street: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_  
 Country: \_\_\_\_\_  
 Telephone Number (including country or area code): \_\_\_\_\_  
 Contact Person: \_\_\_\_\_

Is this agency recognized by the U. S. Department of Education? [ ] Yes [ ] No

Accrediting Agency 3

Name: Not applicable  
 Suite: \_\_\_\_\_  
 Street: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Zip: \_\_\_\_\_  
 Country: \_\_\_\_\_  
 Telephone No. (including country or area code): \_\_\_\_\_  
 Contact Person: \_\_\_\_\_

Is this agency recognized by the U. S. Department of Education? [ ] Yes [ ] No

Accrediting Agency 4+

Respond on a separate page:

Describe the procedures followed by the school for permanent preservation of student records. [(261B.4(12))]

Permanent records contain all information in the electronic student record system. These permanent records are located in the Registration and Records Office, which is under the direct supervision of the Registrar. Refer to G-009 Student Records for the Privacy of Student Records under the Federal Family Educational Rights and Privacy Act (FERPA) and Minnesota Government Data Practices Act located in Appendix F or online at:  
<http://www.smsu.edu/nca/policies/G-009%20Student%20Records.pdf>

Provide the contact information to be used by students and graduates who seek to obtain transcript information.

Name: Pat Carmody, Registrar  
 Suite: Individualized Learning Center 148  
 Street: 1501 State Street  
 City: Marshall  
 State: Minnesota  
 Zip: 56258  
 Country: United States of America  
 Telephone Number. (including country or area code): (507) 537-6206  
 Transcript Website Access: http://www.smsu.edu/CampusLife/RegistrationRecords/Index.cfm



Provide the name and contact information for a U. S. Department of Education official who can verify the LST statement.

Not Applicable  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do you:

Enroll students in Iowa?  Yes  No  
Employ Iowa faculty?  Yes  No

Do you intend to:

Enroll students in Iowa?  Yes   
No Employ Iowa faculty?  Yes  No

Describe current operations or plans to enroll students in Iowa or employ Iowa faculty.

Regarding enrollment, brochures describing the Master of Science in Education program offered via learning communities will be distributed via email or mailed to prospective students in the marketing areas. Informational meetings will be scheduled based on market interest. The informational meetings will provide learning community faculty and the Graduate Office Director an opportunity to meet with prospective students. Information provided at these meetings includes the application form, financial aid form, and catalog information about the classes to be taken at the learning community sites.

Enrollment will determine the sites chosen to offer the Master of Science in Education program. Once the site is determined, SMSU will contact the Iowa College Student Aid Commission within 90 days

Regarding employment of Iowa faculty, SMSU presently employs one part-time Iowa resident to teach in the... Continues in Appendix H for a description of plans to enroll students in Iowa or employ Iowa faculty.

Name, address, and telephone number of full-time employees in Iowa.

Name: Tamra Hummel  
Suite: P.O. Box 44  
Street: 212 Elm Street  
City: Westfield  
State: Iowa  
Zip: 51062  
Country: United States of America  
Telephone Number (including country or area code): (712) 568-2055

Note: The cdqxx Iowa resident is employed as a part-time co-facilitator for the Master of Science in Education: Teaching, Learning and Leadership learning community, which is held in Dakota Valley in North Sioux City, SD. She is a licensed teacher and administrator. See attached licensure documentation for Iowa in Appendix I and South Dckota in Appendix J.

Will your school comply with *Iowa Code* section 261B.7 limiting the use of references to the Secretary of State, State of Iowa, or College Student Aid Commission in promotional material (See the *Iowa Code* for details)

Yes  No

Will your school comply with the requirements of *Iowa Code* section 261.9(1)"e" to "g"?

(See the *Iowa Code* for details.)  Yes  No

For 261.9(1)e see Appendix K for SMSU policy G-012, for 261.9(1)f see Appendix L for SMSU policy P-013 and Appendix M for MnSCU policy 1.B.3.1, and for 361.9(1)g see Appendix N for MnSCU policy 5-12.1 and Appendix O for SMSU official letter

Does the school agree to file annual reports that the Commission requires from all Iowa colleges and universities?

Yes  No

Attached a copy of the applicant school's most recent audit prepared by a certified public accounting firm no more than 12 months prior to the application and state below where, in the audit report, there is evidence that the auditor is providing an unqualified opinion.

See Appendix P for SMSU Annual Financial Report For Years Ended June 30, 2011 and 2010. The audit was completed by LarsonAllen LLP. The evidence that the auditor provided an unqualified opinion is on pages 9-10 of the report.

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Describe how students will be provided with access to learning resources, including appropriate library and other support services requisite for the schools' degree programs.

The Graduate Office Director serves as the weekday contact for administrative issues, including admission requirements, transcript reviews/transfer credits, course enrollment information, and graduation requirements. A graduate faculty member of the Education Department and a co-facilitator guide the students through the curriculum and are the assigned advisors for the learning community students. Students have contact with advisors during weekend sessions and accessibility via e-mail and telephone throughout the week. The Graduate Program Director is also available to answer questions via e-mail and phone during weekdays. SMSU strives to have a 48-hour turn-around time for answering student questions.

Once students are admitted to the graduate program, they are provided access codes for all university services, including Mustang ID numbers, e-mail accounts, and library access codes. Library and computer services are... Continues in Appendix Q for description of how students will be provided with access to support services.

Provide evidence that faculty within an appropriate discipline are involved in developing and evaluating curriculum for the program(s) to be registered in Iowa.

SMSU currently consists of six full-time graduate faculty members who are responsible for the design, development, and evaluation of all curriculums in the Master of Science in Education: Teaching, Learning and Leadership program. The 2010-11 graduate faculty members are: Dr. John Engstrom; Dr. Sharon Kabes; Dr. Dennis Lamb, Dr. Lon Richardson; Dr. Deborah VanOverbeke; and Dr. Tanya McCoss-Yerigan.

In addition to the above-mentioned faculty, SMSU also involves two distinct committees that are involved with providing approval, oversight, and guidance with curricular initiatives and changes within the Master of Science in Education program. The SMSU Graduate Council consists of faculty members, who are representatives from all of the departments that offer graduate-level courses. This committee meets on a regular basis throughout the academic year. The second graduate committee is the Graduate Curriculum Committee, which also meets on a regular basis... Continues in Appendix R for evidence that appropriate faculty develop and evaluate curriculum.

Provide evidence that the school has adequate physical facilities appropriate for the program(s) to be offered and are located in the state. Include a copy of a signed agreement for a facility purchase or lease or option to purchase or lease. Please include a photograph of the location.

The city locations of learning communities are chosen every two years based on marketing and enrollment. Once marketing has determined a learning community will be offered in a city, a site for the learning community is chosen. Specific learning community sites are generally located in public facilities such as schools, community/technical colleges, state universities, or hotel conference centers, where parking is readily available on weekends and where accessibility issues related to ADA are addressed by the facility in advance as required by law. Sites are located within reasonable driving distance of the registered students. Site facilities are selected based on the experience of previous learning communities. Feedback has shown that spaciousness is important for large group instruction/discussion, warm-ups, and active learning. Multiple semi-private areas are necessary for break-out sessions, small group discussions, and individual conferencing. Access to wireless Internet is also considered... Continues in Appendix S for evidence that SMSU ensures adequate physical facilities.

Include a statement, signed by the chief executive officer of the applicant school, on school letterhead, demonstrating the school's commitment to the delivery of programs located in Iowa, and agreeing to provide alternatives for students to complete programs at other institutions if the applicant school closes the program before students have completed their courses of study.

Statement may be in an attached document.

See Letter from President Ronald Wood"

Provide an organizational plan that shows the location and physical address, telephone number, fax number and contact information for all internet-based and site-based educational locations, administrative, and service centers operated by the applicant and any parent organization.

"Vj g'O cuvtu'lp"Uekpeg'y kj "c"Vgcej lpi . "Ngctplpi . "cpf "Ngcf gtuj k "f gi tgg'lu"qhtgf "lp"; "rqecvqpu'f wt lpi "j g"4233/2012 academic year. The sites operate on a two-year basis and move to new sites determined by marketing and enrollment. The sites are listed below: - Minnesota West Community & Technical College, 1593 11th Avenue Granite Falls, MN 56241, (507) 537-7115, Carol Bossuyt Education Office and Administrative Specialist. - Dakota Valley School, 1150 N Shore Dr., N Sioux City, SD 57049, (507) 537-7115, Carol Bossuyt Education Office and Administrative Specialist. - Owatonna School District, 515 West Bridge St., Owatonna, MN 55060, (507) 537-7115, Carol Bossuyt Education Office and Administrative Specialist. - Central High School, 443 Mt Rushmore Road, Rapid City, SD 57701, (507) 537-7115, Carol Bossuyt Education Office and Administrative Specialist. - Park Rapids School, 301 Huntsinger Ave., Park Rapids, MN 56470, (507) 537-7115...  
Continues in Appendix T for SMSU site-based education locations.

Provide documentation showing the school's policy for the resolution of student and graduate comments and complaints. Provide complete contact information to which complainants may be referred.

Resolution of student and graduate comments and complaints are governed by SMSU policy G-011 Institutional Record of Student Complaints on SMSU's Policies and Procedures website at <http://www.smsu.edu/nca/policies/G-011%20Institutional%20Record%20of%20Student%20Complaints.pdf> or in Appendix U, and as shared with students in the SMSU 2011-2012 Student Handbook located at <http://www.smsu.edu/Administration/President/Student%20Handbook%202011%202012.pdf> or in Appendix V. As noted in policy G-011, complaints about any aspect of academic and non-academic programs are taken to the Academic Dean's Office, BA 269. The contact information for the Graduate Academic Dean is:  
Dr. Raphael Onyeaghala, Interim Dean  
Southwest Minnesota State University, BA 269, 1501 State Street, Marshall, MN 56258  
(507) 537-7120= Raphael.Onyeaghala@SMSU.edu

Provide a copy of a current Certificate of Authority provided by the applicant's home state and the Iowa Secretary of State.

Not applicable

Provide the U.S. Department of Education cohort default rate for each associated organizational entity for which the U.S. Department of Education reports a cohort default rate.

SMSU's 2009 default rate y cs 5.8%, the most recent default rate posted on the U.S. Department of Education's website at [http://www.nsls.ed.gov/nsls\\_SA/defaultmanagement/cohortdetail.cfm?sno=0&opecid=002375](http://www.nsls.ed.gov/nsls_SA/defaultmanagement/cohortdetail.cfm?sno=0&opecid=002375)

Provide the average debt upon graduation of individuals completing programs at each branch location and the entire organization,

The average debt amount for SMSU students in 2010 was \$18,909. Information was obtained from The Project on Student Debt website: [http://projectonstudentdebt.org/state\\_by\\_state-view2011.php?area=MN](http://projectonstudentdebt.org/state_by_state-view2011.php?area=MN)

Provide the U. S. Department of Education cohort graduation rate for each branch location and the total organization, showing rates for graduates of diploma, two-year, and four-year, programs if those rates are reported to the U. S. Department of Education National Center for Education Statistics.

The Master of Science in Education program offered via learning communities started in the spring of 1998. During this time, 82 learning communities have been offered and all completed. Within these learning communities, 2577 students enrolled with a 98% graduation rate.

The most recent data (Fall 2003 cohort-2009 cohort) had an overall graduation rate of 42% for undergraduate students.

**SIGNATURE**

**Applicant School Chief Executive Officer**

Ronald A. Wood  
Name

President  
Title

Ronald A. Wood  
Signature

12-01-11  
Date

If any information in this application changes between the time of application Commission action, the school must inform the Commission by filing an Amended Application clearly indicating the information which is being amended. Amendments must be received before the Commission takes action.

Appendix A

Minnesota Statutes 136F.10 and 136F.11

**136F.10 DESIGNATION.**

The following are designated as the Minnesota State Colleges and Universities: the community colleges located at Austin, Bloomington, Brainerd, Brooklyn Park, Cloquet, Coon Rapids, Ely, Fergus Falls, Grand Rapids, Hibbing, International Falls, Inver Grove Heights, Minneapolis, Rochester, Thief River Falls, Virginia, White Bear Lake, Willmar, and Worthington; the community college centers located at Cambridge, Duluth, and Owatonna; the state universities located at Bemidji, Mankato, Marshall, Moorhead, St. Cloud, Winona, and the Twin Cities metropolitan area; and the technical colleges located at Alexandria, Albert Lea, Anoka, Austin, Bemidji, Brainerd, Brooklyn Park, Canby, Detroit Lakes, Duluth, East Grand Forks, Eden Prairie, Eveleth, Faribault, Granite Falls, Hibbing, Hutchinson, Jackson, Minneapolis, Mahtomedi, Moorhead, North Mankato, Pine City, Pipestone, Red Wing, Rochester, Rosemount, St. Cloud, St. Paul, Staples, Thief River Falls, Wadena, Willmar, and Winona.

**History:** *1995 c 212 art 4 s 14; 2008 c 179 s 40*

**136F.11 CHANGES IN DESIGNATION AND STATUS OF EDUCATIONAL INSTITUTIONS.**

Educational institutions heretofore known and described as state normal schools and state teachers colleges as designated in Minnesota Statutes have been redesignated as state universities. All property of the Duluth State College has been transferred and all obligations of the college have been assumed by the regents of the University of Minnesota in accordance with Minnesota Statutes 1974, section 137.13, and this college is now part of the university. The Southwest State University has been established in accordance with the provisions of Minnesota Statutes 1976, section 136.016.

**History:** *1957 c 576 s 1; 1965 c 331 s 2; 1975 c 321 s 2; 1982 c 424 s 35; 1995 c 212 art 4 s 64*

Appendix B

Address of all Locations in Iowa Where Instruction is to be Provided

Address of all locations in Iowa where instruction is to be provided:

Suite	Street	City	State	Zip	Country	Telephone
TBA	TBA	Algona	IA	50511	USA	TBA
TBA	TBA	Ankeny	IA	50015, 50021	USA	TBA
TBA	TBA	Carroll	IA	51401	USA	TBA
TBA	TBA	Cherokee	IA	51012	USA	TBA
TBA	TBA	Denison	IA	51442	USA	TBA
TBA	TBA	Des Moines	IA	50301, 50302, 50303, 50304, 50305, 50306, 50307, 50308, 50309, 50310, 50311, 50312, 50313, 50314, 50315, 50316, 50317, 50318, 50319, 50320, 50321, 50322, 50323, 50324, 50325, 50327, 50328, 50329, 50330, 50331, 50332, 50333, 50334, 50335, 50336, 50339, 50340, 50359, 50360, 50361, 50362, 50363, 50364, 50367, 50368, 50369, 50380, 50381, 50391, 50392, 50393, 50394, 50395, 50396, 50398, 50936, 50940, 50947, 50950, 50980, 50981, 50982, 50983	USA	TBA
TBA	TBA	Esterville	IA	51334	USA	TBA
TBA	TBA	Fort Dodge	IA	50501	USA	TBA
TBA	TBA	LeMars	IA	51031	USA	TBA
TBA	TBA	Mason City	IA	50401, 50402	USA	TBA
TBA	TBA	Sioux City	IA	51101, 51102, 51103, 51104, 51105, 51106, 51108, 51109, 51111	USA	TBA
TBA	TBA	Storm Lake	IA	50588	USA	TBA
TBA	TBA	West Des Moines	IA	50061, 50265, 50266, 50398	USA	TBA

\*Southwest Minnesota State University (SMSU) is requesting permission to offer the Master of Science in Education with a Teaching, Learning, and Leadership emphasis in the cities listed above. We will only offer the program in a specific site in the city once we have marketed and have obtained enrollment. When the specific site is determined, SMSU will notify the Iowa State College Commission within 90 days.

Appendix C

Refund Policy for Withdrawal from SMSU Courses

## 2011-2012 Catalog » Financial Information

**Note:** While every effort is made to ensure accuracy, SMSU reserves the right to correct any clerical errors herein. Also, you can [submit feedback](#).

 **Select Catalog Section**

 Share

 Print

 Expand All

 Minimize All

Financial Information

[Expand](#) 

Withdrawal

[Minimize](#) 

### Withdrawal From a Course

#### Notes:

Students may withdraw from a course by using the online registration system. Students withdrawing from (dropping) a course after the drop/add period ends (see above), will not receive a refund for the course. The course will remain on your transcript with a grade of "W," but it will not affect your grade point average. Students may withdraw from (drop) a class and receive a grade of "W" between the 5th and 50th instructional days of the fall and spring semester or between the 3rd and 10th instructional days of the summer session. After the 50th instructional day of the fall or spring semester or the 10th day of the summer session, you cannot drop a course and receive a grade of W (withdrawn). This includes those students withdrawing from the University. If you withdraw from (drop) a course after the drop/add period and after having financial aid applied, the "W" grade may affect your financial aid satisfactory academic progress. Please check with the Financial Aid Office (IL 145) before withdrawing from (dropping) a course if you are receiving financial aid.

*\*REFUND: Refunds for on-campus daytime courses dropped will be allowed only through the fifth (5th) instructional day of the semester.*

First five instructional days . . . . . 100% refund

After fifth instructional day . . . . . 0% refund

*\*REFUND: Refunds for off-campus and evening courses dropped:*

1st class meeting but before second . . . 100%

2nd class meeting and later . . . . . 0%

Students enrolled in courses who are no longer attending SMSU must officially withdraw from the University by notifying the Advising Office, 148 Individualized Learning Building, 507-537-6245.

During Fall and Spring semesters from the 5th through the 50th instructional days you can withdraw from a course and receive a "W" grade. Contact the Office of Registration for summer withdrawal time periods.

### Withdrawal From the University

#### Notes:

If you wish to withdraw entirely from the University during the academic semester, you must complete a University Withdrawal Form, that can be obtained at the Advising Center located in IL 148 phone 507-537-6245. Withdrawing students are encouraged to discuss their withdrawal plans with the Director of the Advising Office. The date of an official Withdrawal from the University is the earliest of the dates students began their Withdrawal process or date students otherwise provided official notice. Should you decide to return to the University at a later date, you may be considered for readmission, see the [Admission](#) page for information.

If you withdraw entirely from the University, refunds of tuition and fees will be made according to the following schedule:

#### Regular Academic Year On-Campus Courses

##### Date of Withdrawal Refund Allowed:

1st through 5th business day	100%
6th through 10th business day	75%
11th through 15th business day	50%
16th through 20th business day	25%
After 20th business day	none

#### Summer Session

##### Date of Withdrawal Refund Allowed:

1st through 5th business day	100%
6th through 10th business day	50%
After 10th business day	none

The above refund schedule is set by the MnSCU Board and is subject to change.

Refunds of room and meals are pro-rated on the unused portion of the room and meals previously paid. Students withdrawing from the residence halls must withdraw at the appropriate Commons Building.

Students who are dismissed or expelled from the University because of conduct violations will be responsible for payment of all tuition, fees, and appropriate room and meal charges.

**IF YOU RECEIVED FINANCIAL AID, YOUR WITHDRAWAL MAY INCUR REPAYMENT OBLIGATIONS.**

### Return of Title IV Federal Financial Aid

*Notes:*

The Federal formula requires a return of Title IV aid if you received Federal assistance in the form of a Pell Grant, ACG Grant, SMART Grant, Supplemental Education Opportunity Grant (SEOG), Federal Perkins Loan, Federal Stafford Loan or a PLUS Loan and withdrew on or before completing 60 percent of the semester. The Federal government mandates that if you withdraw from all classes, you may only keep the financial aid you have "earned" up to the time of withdrawal.

The Title IV funds that were disbursed in excess of the earned amount will be returned to the Federal government by the University. The amount to be returned to the University will be calculated from the date on which you officially withdrew.

If any funds are remaining after the return of Title IV aid, they will be used for repayment obligations for the University's funds, State funds and other private sources. If an unpaid balance(s) exists, all aid sources will be repaid before any funds are returned to you.

### Determining Title IV Federal Aid Earned

*Notes:*

To determine the amount of aid you earned up to the time of withdrawal, the University will divide the number of calendar days you attended classes by the total number of calendar days in the semester (less any scheduled break of 5 days or more). The resulting percentage is then multiplied by the total Federal funds that were disbursed for the semester. This calculation determines the amount of aid that you are allowed to keep. The unearned amount of aid will be returned to the Federal government by the University. You will receive notification and a bill if there is a balance due.

[To Top](#) ↑

Financial Aid

[Expand](#) +

Application Procedure for Financial Aid

[Expand](#) +

Financial Aid Satisfactory Academic Progress

[Expand](#) +

Appendix D

Disclosure Letter Sent to Iowa Students



(The Iowa students will receive this letter prior to registering for courses at SMSU.)

Dear \_\_\_\_\_,

For the \_\_\_\_\_ semester, the following graduate courses for the Master of Science in Education with an emphasis in Teaching, Learning, and Leadership will be offered:

- a. Course number and name: Course Description.
- b. Course number and name: Course Description.
- c. Course number and name: Course Description.

The tuition and fees for the \_\_\_\_\_ semester will be \_\_\_\_\_. If for some reason, you need to withdraw from a course, the following refund policy will be followed:

Students withdrawing from an off-campus course after the first class meeting and prior to the second class meeting will receive a refund of 100% of tuition and fees. Students withdrawing after the second class meeting will not receive a refund. For additional information on the refund policy, please refer to the Academic Catalog at <http://www.smsu.edu/Catalog/index.cfm?catalogYear=69&categoryId=393>

Sincerely,

*Cori Ann Dahlager*

SMSU, Graduate Office Director

Appendix E

Approval Documentation from The Higher Learning Commission



**The Higher Learning Commission**

A Commission of the North Central Association of Colleges and Schools



Review Alpha Document List

Site  Documents

*Serving the common good by assuring and advancing the quality of higher learning.*

---

**HLC Home**

- About HLC
- Maintaining Accreditation
- Resources for Institutions
- Resources for Peer Reviewers
- Commission Policies
- HLC Events
- Understanding Accreditation
- Feedback on the Web Site
- Site Map

Home

Currently or Previously Affiliated Institutions - 11/21/2011

*Information provided on the Statement of Affiliation Status reflects the most recent actions of the Commission. The Commission has a multi-level decision process. Any institutional changes that are currently under review are not made public until final action has been taken.*

## Southwest Minnesota State University

**1501 State St.  
Marshall, MN 56258**

<http://www.smsu.edu>

### Statement of Affiliation Status [Click here for definitions...](#)

**Chief Executive Officer: Dr. Ronald A. Wood, Interim President**

*Name change notes: Southwest Minnesota State College to Southwest State University to Southwest Minnesota State University (7/1/03)*

HLC Institution ID: **1408**  
 Current Accreditation Status: **Accredited**  
 Candidacy Date(s): **1970\***

*Pre-accreditation notes: Pre-accreditation status: Federal Fund Eligibility Approval (1965); Correspondent status extended one year (1968); Recognized Candidate for Accreditation (1970)*

Accreditation Date(s): **(1972- .)**  
 Commission Participation: **PEAQ PARTICIPANT**

Year of Last PEAQ Comprehensive Evaluation: **2003 - 2004**  
 Year of Next PEAQ Comprehensive Evaluation: **2013 - 2014**

Last Action: **11/21/2011**

Legal Status: **Public**  
 Degrees Awarded (details below): **A, B, M**

---

**Stipulations on Affiliation Status:**

**Accreditation at the Master's level is limited to the Master of Science in Education, Management, and Special Education degrees, and the Master of Business Administration.**

**Approval of New Degree Locations:**

**The Commission's Notification Program is only available for offering existing degree programs at new sites within the state or to offer Master of Science in Education cohort programs at out-of-state locations in South Dakota and Iowa, and to offer the Master of Science in Management cohort programs in Iowa.**

**Approval of Distance and Correspondence Courses and Programs:**

**New Commission policy on institutional change became effective July 1, 2010. Some aspects of the change processes affecting distance delivered courses and programs are still being finalized. This entry will be updated in early 2011 to reflect current policy. In the meantime, see the Commission's Web site for information on seeking approval of distance education courses and programs.**

**Reports Required:**

**None.**

**Other Visits Scheduled:**

**None.**

---

### Organizational Profile [Click here for definitions...](#)

**Enrollment Headcount** (last updated: 06/16/2011)

	Full-Time	Part-Time
Undergraduate:	2344	380
Graduate:	304	204

Dual enrollment (high school) programs: 3468

**Degree Programs** (last updated: 06/16/2011)

	Programs Offered	Degrees Awarded in Last Reported Year
Associate Degrees	4	4
Bachelors Degrees	52	557
Masters Degrees	3	212
Specialist Degrees	0	0
Doctoral Degrees	0	0

**Certificate Programs** (last updated: 06/16/2011)

	Programs Offered	Certificates Awarded in Last Reported Year
Certificates	0	0

**Off-Campus Activities** (last updated: 05/06/2011)

In-State: Campuses: None

Additional Locations: Albert Lea (Albert Lea (Riverland)); Alexandria (Alexandria); Austin (Austin (Riverland)); Brainerd (Brainerd); Brooklyn Park (Hennepin Technical College); Faribault (MBA); Fergus Falls (Fergus Falls); Granite Falls (Granite Falls 2); Hutchinson (Hutchinson); Mankato (South Central); Melrose (Melrose); Pine City (Pine Technical College); Red Wing (Southeast Technical College); Rosemount (Dakota County Technical College); St. Cloud (St. Cloud Technical College); Wadena (MSCTC); Wadena (Wadena); Waseca (Waseca); Willmar (Willmar); Worthington (Worthington)

Course Locations: 87

Out-of-State: Campuses: None

Additional Locations: Rapid City, SD (Rapid City); Sioux City, SD (N Sioux City); Sioux Falls, SD (Kilian Community College); Sioux Falls, SD (Sioux Falls)

Course Locations: None

Out-of-U.S.: Campuses: None

Additional Locations: None

Course Locations: None

**Distance Learning** (last updated: 11/21/2011)**Distance Ed**

Bachelor - 13.1209 Kindergarten/Preschool Education and Teaching (Early Childhood Education) (Internet)  
 Bachelor - 52.0201 Business Administration and Management, General (Management) (Internet)  
 Bachelor - 52.1399 Management Sciences and Quantitative Methods, Other (Management) (Internet)  
 Master - 13.1001 Special Education and Teaching, General (Special Education) (Internet)  
 Master - 13.1305 English/Language Arts Teacher Education (Education, emphasis in English) (Internet)  
 Master - 13.1311 Mathematics Teacher Education (Education, emphasis in Mathematics) (Internet)  
 Master - 52.0201 Business Administration and Management, General (Masters Business Administration) (Internet)

**Correspondence Ed**

None

Higher Learning Commission • 230 South LaSalle Street, Suite 7-500 • Chicago, IL 60604

[Contact Us](http://www.ncahlc.org) • [webmaster@hlc.com](mailto:webmaster@hlc.com) • 800.621.7440

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Appendix F

G-009 Student Records

Code: G-009  
 Date: January 28, 1983  
 Approved: Greg Diemer  
 Revised: August 2001  
 Approved: David C. Danahar  
 Revised: May 10, 2007  
 Approved: David C. Danahar

## SOUTHWEST MINNESOTA STATE UNIVERSITY

### POLICY

#### STUDENT RECORDS

#### **Privacy of Student Records under the Federal Family Educational Rights and Privacy Act and Minnesota Government Data Practices Act**

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and the Minnesota Government Data Practices Act, (MGDPA) Minn. Stat. Ch 13, are federal and state laws that provide for the review and disclosure of student educational records.

**Definitions:** For the purposes of this policy, Southwest Minnesota State University has used the following definitions and terms:

*Student:* An individual currently or formerly enrolled or registered and/or applicants for enrollment or registration, or individuals who received shared time educational services from SMSU.

*Educational Data or Educational Records:* Data in any form (print, handwritten, film, electronic, etc) directly relating to an individual student maintained by the University or by a person acting for the University.

#### **Educational records do not include:**

1. Financial records of the student's parents or guardian;
2. confidential letters or statements of recommendation placed in education records before January 1, 1975 or after January 1, 1975, if the student waived right of access;
3. records of instructional, administrative, and educational personnel which are kept in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute for the maker and are destroyed at the end of the school year;
4. records of law enforcement units (if law enforcement unit is a separate entity and the records are maintained exclusively by and for law enforcement purposes);
5. employment records related exclusively to a student's employment capacity (not employment related to status as a student, such as work study) and not available for use for any other purpose;
6. medical and psychological treatment records, which are maintained solely by the treating professional for treatment purposes;
7. records that only contain information about a student after that individual is no longer a student at the institution (i.e., alumni data).

**Notice of Policy**

Students are informed of their rights under federal and state privacy laws through this policy which is included in the SMSU Student Handbook and on the SMSU Web Page. Additionally, the SMSU Student Handbook will be available for inspection through the Dean of Students Office, Library and most administrative offices.

**Access to Student Records****Consent for Release Generally Required**

SMSU will not permit access to or the release of personally identifiable information contained in student educational records without the written consent of the student to any third party, except as authorized by the MGDPA and FERPA or other applicable law. A copy of an informed consent release form is available from the Registration and Records Office. A written consent generally must: 1) specify the records that may be disclosed; 2) state the purpose of the disclosure; 3) identify the party or class of parties to whom the disclosure may be made; and 4) be signed and dated by the student. If the release is for disclosure to an insurer or its representative, the release must also include an expiration date no later than one year from the original authorization, or two years for a life insurance application. If the student requests, the school shall provide him or her with a copy of the records released pursuant to the informed consent.

**Release without Consent**

As allowed by the MGDPA and FERPA, SMSU will release student records without consent as follows:

1. To appropriate school officials who require access to educational records in order to perform their legitimate educational duties (see explanation below);
2. to officials of other schools in which the student seeks or intends to enroll, upon request of these officials, and upon the condition that the student be notified and receive a copy of the record if desired;
3. to federal, state, or local officials or agencies authorized by law;
4. in connection with a student's application for, or receipt of, financial aid;
5. to accrediting organizations or organizations conducting educational studies, provided that these organizations do not release personally identifiable data and destroy such data when it is no longer needed for the purpose it was obtained;
6. upon adequate proof, to the parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954;
7. in compliance with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance unless such subpoena specifically directs the institution not to disclose the existence of a subpoena;
8. to appropriate persons in an emergency situation if the information is necessary to protect the health or safety of the students or other persons; or
9. to an alleged victim of a crime of violence (as defined in 18 U.S.C. Sect 16) or non-forcible sex offense, the final results of the alleged student perpetrator's disciplinary proceeding may be released;
10. to another educational agency or institution, if requested by the agency or institution, where a student is enrolled or receives services while the student is also in attendance at the college or university, provided that the student be notified and receive a copy of the record, if desired.

**“School Officials” with a “legitimate educational interest”**

SMSU will release information in student education records to appropriate school officials as indicated in (1) above when there is a legitimate educational interest.

A school official is a person employed by the SMSU in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

**Record of Requests for Disclosure**

Where required by law, a record of requests for disclosure and such disclosure of personally identifiable information from student education records shall be maintained by the Registration and Records Office for each student and will also be made available for inspection pursuant to this policy. If the institution discovers that a third party who has received student records from the institution has released or failed to destroy such records in violation of this policy, it will prohibit access to educational records for five (5) years. Records of request for disclosure that are not subject to audit, nor presently under request for access, will be maintained according to the school’s applicable records retention policy.

**Directory Information**

The following information on students at SMSU is designated as public Directory Information:

- (1) student’s name, address, telephone number
- (2) place of birth
- (3) major field of study
- (4) participation in officially recognized activities and sports
- (5) dates of attendance
- (6) most recent previous educational institution attended
- (7) classification
- (8) degrees, honors, and awards received
- (9) date of graduation
- (10) physical factors of athletes (excluding injuries and other health related issues)
- (11) photographs
- (12) e-mail address
- (13) enrollment status (e.g., undergraduate, graduate, full-time, or part-time)

**Notice to students about Directory Information:**

Students may direct that any or all of the above-listed Directory Information be withheld from public disclosure by notifying the Office of the Registrar in writing each academic year. The student has until the 10th class day of the Semester in which to make the request. The university will honor the request only during the academic year in which the request was made. The student must make the request each academic year they wish the information to be withheld.

**Access to Educational Records by Student**

Upon written request, the University shall provide a student with access to his or her educational records. There is no charge for viewing the records even if the college or university is required to make a copy of the data in order to provide access. Responses to requests by students to review their educational records shall be within ten business days.

Upon request, the meaning of educational data shall be explained to the student by SMSU personnel assigned to, and designated by, the appropriate office.

Students have the right to review only their own records. When a record contains private information about other student(s), disclosure cannot include information regarding the other student(s).

Requests for educational records should be made to the following offices. If a student is not clear as to which office to make the request, he or she should contact the SMSU Dean of Students Office.

A. Academic Records

Registrar's Office: Registrar

B. Student Services Records

Counseling Office: Director of Counseling

Student Activities Office: Director of Student Activities

Student Services: Dean of Students

C. Financial Records

Business Office: Vice President of Finance

Financial Aid Office: Director of Financial Aid

**Challenge to Record**

Students may challenge the accuracy or completeness of their educational records. Note: the right to challenge a grade does not apply under this policy unless the grade assigned was allegedly inaccurately recorded. Other challenges to grades would be made in accordance with SMSU Policy G-005.2.

Students who believe that their educational records contain information that is inaccurate, misleading, incomplete, or is otherwise in violation of their privacy rights may challenge the record through a written appeal to the SMSU Dean of Students Office.

It is recommended that a student discuss his or her situation informally with SMSU office or offices that they believe provided the inaccurate information. If agreement is reached with respect to the student's request, the appropriate record(s) will be amended, and a reasonable attempt will be made to notify past recipients of inaccurate or incomplete data, including recipients named by the student. If not, the student will be notified within a reasonable period of time that the records will not be amended, and they will be informed by the Dean of Students Office of their right to a formal appeal. Student requests for an appeal must be made within 10 class days of notification. The request must be in writing, and must be directed to the SMSU Dean of Students Office.

If after an SMSU Formal Appeal is completed and the student is still not satisfied with the outcome, the student may request a formal hearing with the Minnesota Commissioner of Administration. Student requests for a formal hearing must be made in writing to the Minnesota Commissioner of Administration within 60 days of receiving the final SMSU decision. The request must be directed to: Commissioner of Administration, State of Minnesota, 50 Sherburne Avenue, St. Paul, MN 55155, who, within a reasonable period of time after receiving the request, will inform the student of the date, place, and the time of the hearing. The hearing will be conducted by the Office of Administrative Hearings (OAH) and according to the procedures set forth in Minn. Stat. Ch. 14. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the student's expense.

Decisions of the hearing officer will be based solely on the evidence presented at the hearing, will consist of the written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned.

The education records will be corrected or amended in accordance with the decision of OAH if the decision is in favor of the student. If the decision is unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records or statements setting forth any reasons for disagreeing with the decision of the hearing officer, or both. The statements will be placed in and maintained as part of the student's educational records, and released whenever the records in question are disclosed.

**Copies**

Students may have copies of their educational records and this policy. The copies of records will be made at the student's expense at a rate of 25 cents per page, up to a maximum of \$25.00.

**Complaints**

Complaints regarding alleged failures to comply with the provisions of FERPA may be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605. Complaints about compliance with the MGDPA may be brought to the SMSU Dean of Students Office, or to the Minnesota Commissioner of Administration.

Appendix G

Description of the Academic and Instructional Methodologies and Delivery Systems

Describe the academic and instructional methodologies and delivery systems to be used by the school and the extent to which the school anticipates each methodology and delivery system will be used, including, but not limited to, classroom instruction, correspondence, internet, electronic telecommunications, independent study, and portfolio experience evaluation. [(261B.4(13))]

The Master of Science in Education program is offered via learning communities. Each cohort studies together for two academic years, meeting an equivalent of 20 times, or 10 weekends (Saturday and Sunday) each year. Meeting dates are determined by the members of the learning community and can be scheduled August through June. The courses are offered through on-site instruction with the availability of Desire2Learn (online course room) as a repository of handouts, assignments, etc. In addition, communication is augmented with use of email. A facilitator, who is a member of the Education Department graduate faculty, and a co-facilitator, who is a current or former K-12 practitioner and a graduate of the program, guide the students through a curriculum designed to scaffold theory and practice. Each facilitator is required to deliver the approved curriculum and serve as the academic advisor for students enrolled in the learning community. The lead facilitator is the liaison between the learning community and the appropriate University services.

The learning community program provides educators in the region an opportunity to pursue graduate study while building valuable professional relationships with fellow educators. The curriculum provides educators an in-depth understanding of educational issues pertinent to quality instruction and school renewal. Collaborative study and research, reflective teaching, action-based research projects, and active leadership provide the foundation for professional growth. Each student becomes a member of a cohort group called an advisory team which stays together throughout the program to critique and review presentations, writing, portfolios, and action research projects. Other cooperative groups include job-alike groups in which students are grouped by teaching levels such as secondary, middle-school, special education, upper elementary, primary, and pre-primary, or by some other common denominator. Students work in these groups when studying best practices or curriculum development, or for sharing ideas for the classroom. Students may also be mixed in groups for various activities, for example, special interest groups which conduct research on specific topics and present the findings to their peers.

Appendix H

Description of Plans to Enroll Students in Iowa or Employ Iowa Faculty

Describe current operations or plans to enroll students in Iowa or employ Iowa faculty.

Regarding enrollment, brochures describing the Master of Science in Education program offered via learning communities will be distributed via email or mailed to prospective students in the marketing areas. Informational meetings will be scheduled based on market interest. The informational meetings will provide learning community faculty and the Graduate Office Director an opportunity to meet with prospective students. Information provided at these meetings includes the application form, financial aid form, and catalog information about the classes to be taken at the learning community sites.

If students have follow-up questions, they will be directed to the Graduate Office and to SMSU's Website, which provides answers to questions about the program. View website at <http://www.smsu.edu/campuslife/graduateoffice/Index.cfm?Id=6214>.

Enrollment will determine the sites chosen to offer the Master of Science in Education program. Once the site is determined, SMSU will contact the Iowa College Student Aid Commission within 90 days.

Regarding employment of Iowa faculty, SMSU presently employs one part-time Iowa resident to teach in the existing Master of Science in Education program offered via learning communities. Enrollment will guide plans to employ a full-time faculty member from Iowa.

Appendix I

Documentation of Tamra Hummel for Iowa



**Iowa Board of Educational Examiners** **Online Licensing Application**

**Search for a Practitioner**

*This information is best viewed with Netscape 7.0, Internet Explorer 6.0 or Firefox 1.0.  
Enter your search criteria and click 'Search' to see the results. If searching by name, you must enter at least the first three characters of the person's last name and the first character of the first name.*

*The details for the requested Practitioner are shown below.*

[Home](#)  
[BOEE Logon](#)  
[Practitioner Logon](#)  
[Download Forms](#)

Last Name  First Name

**OR**

Folder Number  (if known-not required)

**Search**

Practitioner Name TAMRA L HUMMEL

**Folder Number: 308452**

License Professional Administrator License Expiration Date 6/30/2009

Endorsements PK-8 Principal   
 Evaluator Approval   
 Evaluator (New)

Assignments (no assignments)

Appendix J

Documentation of Tamra Hummel for South Dakota



November 22, 2011

## Hummel, Tamra Lynn (Dakota Valley)

[HQT Status](#)

### Other Links

- [Certification Process](#)
- [Highly Qualified Teachers \(HQT\)](#)
- [Praxis II Test Information](#)
- [Initial Application](#)
- [Renewal Application](#)
- [Additional Authorizations \(Professional Preparation and/or Endorsements\)](#)

### Certificate Information

Type: **Ten-year based on date of degree completion**

Issue Date: **2/8/2011**      Expire Date: **7/1/2017**

### Degree Information

- Baccalaureate of Science - University Of South Dakota, Vermillion (MAJOR: Elementary Education)
- Doctor in Education - University Of South Dakota, Vermillion (MAJOR: Educational Administration)
- Specialist in Education - University Of South Dakota, Vermillion (MAJOR: Educational Administration)
- Master of Art - University Of South Dakota, Vermillion (MAJOR: Educational Administration)

### Professional Preparations

- 203 - K-8 Elementary Education W/ 5-8 Middle Level
- 301 - Preschool-8 Elementary Principal
- 304 - Career School Superintendent

**Endorsements**

- 2001 - 5-8 Middle Level Education - Language Arts
- 2002 - 5-8 Middle Level Education - Social Science
- 2004 - 5-8 Middle Level Education - Mathematics
- 7021 - 7-12 Assistant Varsity Coach
- 7022 - Middle School/Junior High Coach
- 7023 - K-8 Elementary Coach

**Most Recent Assignments**

School districts submit personnel data and verify all data by October fifteenth of each year.

School Year	Attendance Center	Assignment
2012	System Wide	Curriculum Specialist / Coordinator
2012	System Wide	Elementary Principal/Bldg. Mgr.

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Appendix K

SMSU Policy G-012 Alcohol Use Policy

**SOUTHWEST MINNESOTA STATE UNIVERSITY****POLICY****ALCOHOL USE****ALCOHOL AND DRUG USE/ABUSE*****Introduction and Philosophy Statement***

As an institution of higher education, Southwest Minnesota State University strives to provide experiences that enhance the development of responsible behavior in the academic and social areas of student's lives. In accordance with the Standards of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse (1988), Southwest Minnesota State University's goal is to create a campus environment that promotes learning, along with healthy, responsible lifestyles. Respect for campus, as well as community standards and regulations, is supported by the University. Alcohol abuse and illicit drug use are viewed as contrary to the educational process and goals of higher education.

Southwest Minnesota State University recognizes that students are adults, ultimately responsible for their own conduct, and responsible for the consequences of their behavior as well. Students are expected to adhere to state and university regulations. Campus violators of the alcohol/drug policies are subject to disciplinary actions.

**Alcohol on Campus**

Possession, consumption, distribution, or knowingly being in the presence of alcohol on University property is prohibited.

Exception: The one-time (single event) use of alcohol or 3.2% malt liquor (beer) at Southwest Minnesota State University events shall be allowed under the following criteria:

1. The President of Southwest Minnesota State University has been delegated the authority to approve use of alcohol or 3.2% malt liquor (beer) at a specific campus event or at University sponsored events off-campus consistent with MnSCU Board Policy 5.18 Alcoholic Beverages or Controlled Substances on Campus, and MnSCU Board Policy 5.18.1, Alcoholic Use and Controlled Substances on Campus.
2. The sponsor of the event must demonstrate compliance with local ordinances and state law with regard to licensing the event.
3. The sponsor of the event must demonstrate that adequate general liability and dram shop liquor liability insurance has been obtained for the event to be held.
4. The sponsor of the event must complete Southwest Minnesota State University's **Alcoholic Beverages or 3.2% Malt Liquor (Beer) One-Time Event Application Form** at least four (4) weeks prior to an event involving service of alcoholic beverages or 3.2% malt liquor.
5. The sponsor of the event must make a deposit to cover the cost for facility rental, special facility setups, security staff, and other costs associated with holding the event not covered under the usual and customary rental fee for a Southwest Minnesota State University facility.
6. The sponsor of the event must take proper steps to insure any person under the legal age as specified by Minnesota statutes is **not** served any alcoholic beverage or 3.2% malt liquor upon the premises or grounds of Southwest Minnesota State University or at any Southwest Minnesota State University sponsored off-campus events.

7. An event involving the serving of alcohol or 3.2% malt liquor will adhere to the following time guidelines:
  - A. Open Bar – two (2) hour maximum
  - B. Outdoor Events – Two (20 house maximum)
  - C. Events requiring the serving of alcohol or 3.2% malt liquor longer than two (2) hours must:
    - 1) Utilize a “ticket system” that attempts to limit the number of drinks an individual may consume.
    - 2) The sponsor of the event shall provide a variety of food/soft drinks and coffee to all participants throughout the duration of the event.
8. The use of alcohol or 3.2% malt liquor in an alcohol use awareness program/laboratory and/or classroom instruction must adhere to Southwest Minnesota State University’s alcohol use procedure.
9. No state funds may be used to purchase alcoholic or 3.2% malt liquor beverages, insurance, or be used in connection with the services of these beverages.

**INSTRUCTIONS FOR COMPLETION OF EVENT APPROVAL CHECK LIST**  
**for use or possession of Alcohol and Controlled Substances**  
**at Southwest Minnesota State University**

A review of the following information and completion of the approval form is essential four (4) weeks prior to approval of an event at which alcoholic beverages or 3.2 malt liquor will be served.

**NAME/DESCRIPTION OF EVENT:** Indicate the name of the event (if there is one, e.g. A Founders Club Banquet or University Spring Fling.) Give a brief description of what the event actually is and what its purpose is. Since the law is different for types of beverages being served, the type of beverage should also be indicated. See the glossary of terms below for guidance.

**DATE AND TIME OF EVENT:** Self explanatory.

**SPONSOR OF EVENT:** Indicate if there is some campus club or group, local community organization, or other group that the actual promoter of the event. This should be the group, organization, or individual that is organizing the event.

**HOW LIQUOR IS DISPENSED:** It is important to identify who will dispense the beverages and how that person/group will be paid.

**LOCATION OF EVENT:** Indicate where on campus the event is to be held. If this is an off-campus event (albeit sponsored by the institution), also indicate the off-campus location.

**SOUTHWEST MINNESOTA STATE UNIVERSITY CONTACT PERSON:** This should be the individual others can go to for specific information about the event. This will be the primary contact person for information at the campus.

**SPONSOR RESPONSIBLE PERSON:** This should be the primary contact person in the group or organization that is sponsoring the event. This may or may not be a State employee.

**INSURANCE PROVIDED:** This insurance information is extremely important. At a minimum, insurance up to the statutory limits must be provided. [Per Minn. Stat. 3.736, Subd. 4, the minimum coverage shall be \$300,000 per individual/\$1,000,000 per incident tort coverage] The state is not insured for public liability or dram shop (liquor event) liability. This insurance must be purchased by the event sponsor. **If the sponsor is a State agency (other than MnSCU), the insurance must be purchased through the Risk Management Division per Minn. Stat. 16B.85. If a MnSCU institution (per Minn. Stat. 15.38, Subd. 3) is the sponsor, the insurance must be purchased either on the local market or by arrangement through the Department of Administration Division of Risk Management (Fred Johnson, 651-296-1001).** The institution must first attempt to have the sponsoring organization purchase the insurance for the institution. If the sponsor already has insurance, then the institution, MnSCU and the state of Minnesota must be added as an insured on the sponsor's policy. (For example, frequently a group such as the local Jaycees or Lions will host the event, and they usually already have this kind of insurance.) If the institution purchases its own insurance coverage, it must do so out of non-general fund money.

The current state requirements are for general liability coverage in an amount no less than \$300,000 per individual and \$1,000,000 per occurrence. Pursuant to M.S. 3.736, Subd. 4, these are the maximums for which the state can be sued if there is no insurance and for which it, MnSCU, and the institution must be protected.

**LICENSE INFORMATION:** Most municipalities require a license for events where alcohol or 3.2 percent malt liquor beverages are being sold. There may be other local restrictions on the service of alcohol as well. The institution and/or sponsor must check with the local authorities in order to determine if the contemplated event is one that requires some type of license.

**SOURCE OF FUNDING:** As noted above, no state money may be used to purchase, serve, or underwrite the sale or service of alcoholic beverages or 3.2 percent malt liquor. This includes state general fund, and grant funds. The Attorney General has always considered student activity funds to be "state money" even though the expenditure of these funds for this purpose does not go through the state treasury. Spending should generally be limited to donated or foundation money. Please call for guidance on specific questions. If there is a cash bar or the beverages are included in the price of the ticket, the school should not become involved in the financial transaction. Contributions by the foundation or a business should be separate transactions and not a part of the liquor event.

The Attorney General has also advised that payment or donations to an event where alcohol service is incidental to or part of a meal is also covered by state law relating to liquor (Chapter 340A).

## **GLOSSARY OF TERMS**

**ALCOHOLIC BEVERAGE.** "Alcoholic beverage" is any beverage containing more than one-half of one percent alcohol by volume.

**DISTILLED SPIRITS.** "Distilled spirits" is ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, rum, brandy, gin, and other distilled spirits, including all dilutions and mixtures thereof, for non-industrial use.

**INTOXICATING LIQUOR.** "Intoxicating liquor" is ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing more than 3.2 percent of alcohol by weight.

**LOW ALCOHOL MALT LIQUOR.** "Low alcohol malt liquor" is a fermented malt beverage containing two percent or less of alcohol by weight. Notwithstanding any law or rule to the contrary, if either: (a) the term "low alcohol" appears on the label of the beverage container; or (b) a brewer has provided written certification to the Department of Public Safety establishing an alcoholic content of two percent or less by weight; no further label shall be required on that container.

**MALT LIQUOR.** "Malt liquor" is any beer, ale, or other beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

**3.2 PERCENT MALT LIQUOR.** (Previously termed Non-Intoxicating Malt Liquor) "3.2 percent malt liquor" is malt liquor containing not less than one-half of one percent alcohol by volume nor more than 3.2 percent alcohol by weight.

**OFF-SALE.** "Off-sale" is the sale of alcoholic beverages in original packages for consumption off the licensed premises only.

**ON-SALE.** "On-sale" is the sale of alcoholic beverages for consumption on the licensed premises only.

**WINE.** "Wine" (formerly called venous spirits) is the product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, perry and sake, in each instance containing not less than one-half of one percent nor more than 24 percent alcohol by volume for non-industrial use. Wine does not include distilled spirits as defined above.

**WINE TASTING.** "Wine tasting" (M.S. 340A.418) is an event of not more than four hours' duration at which persons pay a fee or donation to participate, and are allowed to consume wine by the glass without paying a separate charge for each glass.

**SOUTHWEST MINNESOTA STATE UNIVERSITY  
ALCOHOLIC BEVERAGES OR 3.2% MALT LIQUOR (BEER)  
ONE-TIME EVENT APPLICATION FORM**

The President of Southwest Minnesota State University has been delegated the authority to approve use of alcohol or 3.2% malt liquor (beer) at specific on-campus events or at University sponsored events off-campus consistent with MnSCU Board Policy 5.18 to assure that potential legal, liability, and insurance issues have been addressed. *(See the attached instructions for further explanation of each of these items.)* The sponsor of the event must submit the Application Form to the President of Southwest Minnesota State University four (4) weeks prior to an event involving service of alcoholic beverages or 3.2% malt liquor.

NAME/DESCRIPTION OF EVENT: \_\_\_\_\_

TYPE OF ALCOHOL TO BE SERVED: \_\_\_\_\_

DATE AND TIME OF EVENT: \_\_\_\_\_

SPONSOR OF EVENT: \_\_\_\_\_

LOCATION OF EVENT: \_\_\_\_\_

**SOUTHWEST MINNESOTA STATE UNIVERSITY CONTACT PERSON:**

*Name:* Ron Schoephoerster

*Title:* Scheduling Officer

*Address:* SC 231, 1501 State Street, Southwest Minnesota State University, Marshall, MN 56258

*Telephone:* (507) 537-7110      *Fax:* (507) 537-6119      *Email:* scheduling@southwestmsu.edu

**SPONSOR RESPONSIBLE PERSON:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

**DISPENSING OF BEVERAGES:** Indicate who will dispense the beverages and how that person/group will be paid.

\_\_\_\_\_  
\_\_\_\_\_

**INSURANCE PROVIDED:**

Name of Insurance Company: \_\_\_\_\_

Name of Agent/Agency: \_\_\_\_\_

Coverage Limits: \_\_\_\_\_

*Indicate (and identify) if insurance is held by organization other than State or event sponsor. Note: Minimum requirements are \$300,000 per person/\$1,000,000 per incident coverage per MN Statute 3.736, Subd. 4.*

**LICENSE REQUIRED BY MUNICIPALITY?**

If so, has it been secured? \_\_\_\_\_ In whose name is the license issued? \_\_\_\_\_

SOURCE OF FUNDING: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
President, Southwest Minnesota State University      Date

Appendix L

SMSU Policy P-013 Sexual Violence Policy

Code: P-013  
Approved: David C. Danahar  
Date: January 24, 2005

## **SOUTHWEST MINNESOTA STATE UNIVERSITY**

### **POLICY**

#### **SEXUAL VIOLENCE POLICY**

This policy and procedure is intended to further implement MnSCU Board Policy 1B.3 and Procedure 1B.3.1 and provides a process through which SMSU students and employees alleging sexual violence may pursue a complaint. In support of the MnSCU Board policy and procedure, SMSU reaffirms the policy that sexual violence in all forms will not be tolerated and the University will take appropriate remedial action against any individual found responsible for acts in violation of this policy.

#### **1. Definitions**

The definitions in MnSCU Board Policy 1B.3 and Procedure 1B.3.1 also apply to this policy and procedure.

#### **2. Reporting Incidents of Sexual Violence**

##### **A. Prompt Reporting**

The University urges victims of sexual violence to report incidents as soon as possible so that authorities can take whatever action is necessary to preserve evidence, pursue the assailant, or take other appropriate action. A medical examination within 72 hours is critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. However, an incident of sexual violence can be reported at any time.

##### **B. Reporting Incidents of Sexual Violence**

Complainants are strongly encouraged to report incidents of sexual violence to local law enforcement officials and to the University Public Safety Office. Complainants are also encouraged to contact the local victim/survivor services office and counseling and health care providers.

Emergency - 911  
Marshall Police – 537-7000  
University Public Safety – 537-7252  
Weiner Memorial Medical Center 532-9661  
SMSU Health Center – 537-7202  
SMSU Counseling – 537-7150  
New Horizons Crisis Center – 532-5764  
SMSU Affirmative Action Officer – 537-6243

Incidents of sexual violence can also be reported to a University Official who has significant responsibility for housing and campus activities, including but not limited to, student housing, student discipline and campus judicial proceeding; and athletic coaches.

##### **C. Support Resources**

There are a number of resources available on the University campus or in the local area to assist a victim in recovering from and dealing with an incident of sexual violence.

New Horizons Crisis Center – 532-5764  
SMSU Counseling – 537-7150  
Western Human Development – 532-3236

### 3. Notice of Complainant Rights

Complainants shall be notified of the following:

- A. The right to file criminal charges with local law enforcement officials.
- B. Victims of sexual violence have rights under the “Campus Sexual Assault Victims’ Bill of Rights” part of the *Higher Education Amendments of 1992* (Public Law: 102-325, section 486(c)) and the Crime Victims Bill of Rights (Minnesota Statute 611A.01-06), including the right to assistance from the Crime Victims Reparation Board (651) 282-6256 or 800-247-0390, and the Minnesota Office of Crime Victims Ombudsman at 800-247-0390.
- C. The University Public Safety staff, when informed of an alleged incident of violence, will promptly assist the complainant, including providing guidance in filing complaints with outside agencies including law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with the University Community Expectations Program (UCEP) Coordinator and Affirmative Action Officer.
- D. The University Public Safety personnel will assist in preserving materials related to a campus disciplinary proceeding.
- E. Complaints of incidents of sexual violence made to the University Public Safety Office will be promptly and appropriately investigated and resolved.
- F. At the complainant’s request, the University will take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or to alternative college-owned housing, if such alternatives are available or feasible.

### 4. Complaint Procedure

- A. If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in MnSCU Board Procedure 1.B.1.1, except for the use of the optional “Personal Resolution” described in Part 3. The Designated Officer conducting the investigation will be the Director of University Public Safety, Mike Munford, 537-7858.
- B. If the respondent is a student, the investigation and disciplinary action shall be conducted pursuant to MnSCU Board Policy 3.6 Student Conduct and SMSU Student Code of Conduct. The conduct panel will make written findings and recommendations, including proposed sanctions, if any, which will be submitted to a decision maker designated by the President. If the decision maker issues an adverse decision against the student, the student may appeal to the president or designee.
- D. If the respondent is both an employee and a student, the investigation shall be conducted pursuant to the procedures outlined in MnSCU Board Procedure 1.B.1.1. The Designated Officer conducting the investigation will be the Director of University Public Safety, Mike Munford, 537-7858. The results of the investigation will be submitted for review to both the decision maker appointed under Procedure 1.B.1.1, Part 2, Subpart B, concerning personnel action, and to the President or designee concerning the student action.

- E. If a complainant does not desire to pursue a complaint through the University's proceeding, SMSU reserves the right to investigate and resolve the complaint as it deems appropriate.
- F. SMSU reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the University.
- G. Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of student, or termination from employment. The appropriate sanction will be determined on a case-by case basis taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

#### **5. Confidentiality of Reporting**

Absolute confidentiality of reports cannot be promised. However, personally identifiable information about a complainant of sexual violence without the complainant's consent will not be disclosed except as may be required or permitted by law. There may be instances in which SMSU determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, SMSU will investigate and take appropriate action, taking care to protect the identity of the complainant and any other report in accordance with this procedure.

#### **6. Required Reporting**

Any SMSU employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow University procedures for making a report for the annual crime statistics report. In addition, University Public Safety shall report to other University officials, as appropriate, such as the Affirmative Action Office, the UCEP and/or the Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

#### **7. Retaliation Prohibited**

Actions by a student or employee intended as retaliation, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

#### **8. Sexual Violence Prevention and Education**

SMSU conducts a number of programs aimed at preventing sexual violence and making the SMSU community aware of the potential of such crimes. These programs include nightly security patrols of the campus, providing escorts, inspecting the campus for potentially dangerous areas, and implementing programs to inspect campus lighting and shrubbery. In addition, Residence Hall staff, University Public Safety, Health Center, and Counseling Offices provide educational programs concerning sexual assault awareness.

Appendix M

MnSCU Policy 1.B.3.1 Sexual Violence Procedure



## Minnesota State Colleges and Universities System Procedures Chapter 1B – System Organization and Administration / Equal Education and Employment Opportunity

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### Procedure 1B.3.1 Sexual Violence Procedure

**Part 1. Procedure objective.** This procedure is designed to further implement Minnesota State Colleges and Universities Board Policy 1B.3 prohibiting sexual violence. This procedure provides a process through which individuals alleging sexual violence may pursue a complaint.

This procedure is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation and reprisal.

#### Part 2. Definitions.

**Subpart A. Policy definitions.** The definitions in Policy 1B.3 also apply to this procedure.

**Subpart B. Campus security authority.** Campus security authority includes the following categories of individuals at a college or university:

1. A college or university security department;
2. Other individuals who have campus security responsibilities in addition to a college or university security department;
3. Any individual or organization identified in a college or university security policy as an individual or organization to which students and employees should report criminal offenses;
4. An official of a college or university who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings; advisors to recognized student organizations, and athletic coaches. Professional counselors, whose official responsibilities include providing mental health counseling, and who are functioning within the scope of their license or certification are not included in this definition.

#### Part 3. Reporting incidents of sexual violence.

**Subpart A. Prompt reporting encouraged.** Complainants of sexual violence may report incidents at any time, but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

Complainants are strongly encouraged to report incidents of sexual violence to law enforcement for the location where the incident occurred. Complainants are also encouraged to contact the local victim/survivor services office, counseling and health care providers, and Minnesota State Colleges and Universities campus security authorities for appropriate action.

**Subpart B. Assistance in reporting.** When informed of an alleged incident of sexual violence, all Minnesota State Colleges and Universities students and employees are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, local victim/survivor services and campus security authorities.

Minnesota State Colleges and Universities campus security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, including providing guidance in filing complaints with outside agencies including law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with campus officials responsible for enforcing the student conduct code or employee conduct standards.

When appropriate, Minnesota State Colleges and Universities may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under the applicable student or employee conduct standard.

#### **Part 4. Confidentiality of reporting.**

**Subpart A. Confidential reports.** Because of laws concerning government data contained in Minnesota Statutes chapter 13, the Minnesota Government Data Practices Act, colleges and universities cannot guarantee confidentiality to those who report incidents of sexual violence except where those reports are privileged communications with licensed health care professionals. Some off-campus reports also may be legally privileged by law, such as reports to clergy, private legal counsel, or health care professionals.

**Subpart B. Reports to campus security authorities.** Complainants of sexual violence may contact any campus security authority for appropriate assistance or to report incidents. Absolute confidentiality of reports made to campus security authorities cannot be promised. However, campus security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainant's consent except as may be required or permitted by law. There may be instances in which Minnesota State Colleges and Universities determines it needs to act regardless of whether the parties have reached a personal resolution or if the complainant requests that no action be taken. In such instances, Minnesota State Colleges and Universities will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

**Subpart C. Required Reports.** Any campus security authority or any college or university employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow college or university procedures for making a report for the annual crime statistics report. In addition, the campus security authority shall report to other school officials, as appropriate, such as the campus affirmative action office, the campus office responsible for administering the student conduct code, and/or the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

Campus security authorities may be obligated to report to law enforcement the fact that a sexual assault has occurred, but the name or other personally identifiable information about the complainant will be provided only with the consent of the complainant, except as may be required or permitted by law.

## **Part 5. Policy notices.**

**Subpart A. Distribution of policy to students.** Each college or university shall, at a minimum, at the time of registration make available to each student information about its sexual violence policy and procedure, and shall additionally post a copy of its policy and procedure at appropriate locations on campus at all times. A college or university may distribute its policy and procedure by posting on an Internet or Intranet Web site, provided all students are directly notified of how to access the policy by an exact address, and that they may request a paper copy.

**Subpart B. Distribution of policy to employees.** All colleges, universities and the Office of the Chancellor shall make available to all employees a copy of its sexual violence policy and procedure. Distribution may be accomplished by posting on an Internet or Intranet Web site, provided all employees are directly notified of the exact address of the policy and procedure and that they may receive a paper copy upon request.

**Subpart C. Required Notice.** Each college or university shall have a sexual violence policy, which shall include the notice provisions in this part.

**1. Notice of complainant options.** Following a report of sexual violence the complainant shall be promptly notified of:

- a. Where and how to obtain immediate medical assistance; complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.
- b. Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate Minnesota State Colleges and Universities system contacts for employees, students and others. Such contacts should be identified by name, location and phone number for 24-hour availability, as applicable.
- c. Resources for where and how complainants may obtain on- or off-campus counseling, mental health or other support services.

**2. Notice of complainant rights.** Complainants shall be notified of the following:

- a. Their right to file criminal charges with local law enforcement officials in sexual assault cases;
- b. Rights under the crime victims bill of rights, Minnesota Statutes Sections 611A.01 – 611A.06, including the right to assistance from the Crime Victims Reparations Board and the commissioner of public safety;
- c. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing and maintaining evidence in connection with a sexual violence incident;
- d. Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;

- e. That complaints of incidents of sexual violence made to campus security authorities shall be promptly and appropriately investigated and resolved;
- f. That, at a sexual assault complainant's request, the college, university or Office of the Chancellor may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or to alternative college-owned housing, if such alternatives are available and feasible.

**Subpart D. Complaint procedure.** Each college and university shall notify students of the process used to investigate and resolve allegations of sexual violence, as provided in part 6, subpart H.

**Part 6. Investigation and disciplinary procedures.**

**Subpart A. Immediate action.** A college or university may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy, in accordance with the procedures in System Procedure 1B.1.1. Such action must be consistent with the applicable collective bargaining agreement or personnel plan.

A college or university may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy, in accordance with System Procedure 1B.1.1 or Board Policy 3.6.

**Subpart B. General principles.** Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization. Mediation or other negotiated dispute resolution processes between the complainant and the respondent concerning allegations of sexual violence shall be used only if both parties voluntarily consent. No party shall be required to participate in mediation.

College and university investigation and disciplinary procedures concerning allegations of sexual violence against employees or students shall:

1. Be respectful of the needs and rights of individuals involved;
2. Proceed as promptly as possible;
3. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
4. Employees shall have the right to representation consistent with the appropriate collective bargaining agreement or personnel plan;
5. Be conducted in accordance with applicable due process standards and privacy laws;
6. Inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.

The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered.

A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

**Subpart C. Relationship to parallel proceedings.** In general, Minnesota State Colleges and Universities investigation and disciplinary procedures for allegations of sexual violence will proceed independent of any action taken in criminal or civil courts. A college or university need not, and in most cases should not, delay its proceedings while a parallel legal action is on-going. If a college or university is aware of a criminal proceeding involving the alleged incident, they may contact the prosecuting authority to coordinate when feasible. Criminal or civil court proceedings are not a substitute for Minnesota State Colleges and Universities procedures.

**Subpart D. False statements prohibited.** Minnesota State Colleges and Universities takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during the investigation of such a complaint or report may be subject to discipline or under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.

**Subpart E. Withdrawn complaint.** If a complainant no longer desires to pursue a complaint through the college or university's proceeding, the college or university reserves the right to investigate and resolve the complaint as it deems appropriate.

**Subpart F. Minnesota State Colleges and Universities discretion to pursue certain allegations.** Minnesota State Colleges and Universities reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college or university.

**Subpart G. Minnesota State Colleges and Universities discretion to deal with policy violations disclosed in investigation.** Minnesota State Colleges and Universities reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness, that come to light during the investigation of an incident of sexual violence. In order to encourage reporting of sexual violence, under appropriate circumstances college or university administrators may choose to deal with violations of Minnesota State Colleges and Universities policy in a manner other than disciplinary action.

**Subpart H. Procedure for employees, students and individuals who are both an employee and student.**

1. **Employees.** If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in Board Procedure 1.B.1.1 except that use of the optional "Personal Resolution" described in Part 3. Subpart B. should not be encouraged in dealing with allegations of sexual violence due to the seriousness of the conduct.

Nothing in this procedure is intended to expand, diminish or alter in any manner any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

2. **Students.** The college or university may elect to process complaints against students under this procedure using either the investigation and decisionmaking process of System Procedure 1B.1.1 or Board Policy 3.6. The college or university shall notify students of the process used as required by Part 5.

If a college or university elects to use its procedures under Board Policy 3.6 for *incidents of sexual violence*, the conduct panel shall make written findings and recommendations, including proposed sanctions, if any, which will be submitted to a decisionmaker designated by the President. If the decisionmaker issues an adverse decision against the student, the student may appeal to the president or designee.

3. **Individuals who are both an employee and a student.** If the respondent is both a student and employee, the investigation shall be conducted by the designated officer, as defined by Board Procedure 1.B.1.1., Part 2, Subpart A. The results of the investigation shall be submitted for review to both the decisionmaker appointed under Procedure 1.B.1.1 Part 2, Subpart B, concerning the personnel action, and to the President or designee concerning the student action.

**Subpart I. Sanctions.** Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of students or termination from employment. The appropriate sanction will be determined on a case-by-case basis taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.

**Subpart J. Retaliation prohibited.** Actions by a student or employee intended as retaliation, reprisal or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

## **Part 7. Sexual violence prevention and education.**

**Subpart A. Campus-wide training.** Colleges, universities, and the Office of the Chancellor must include in their sexual violence policy a description of educational programs that they offer to students and employees to promote the awareness of sexual violence offenses, including sexual violence prevention measures and procedures for responding to incidents. Education shall emphasize the importance of preserving evidence for proof of a criminal offense. Colleges and universities and affiliated student organizations are encouraged to develop educational programs, brochures, posters and other means of information to decrease the incidence of sexual violence and advise individuals of the legal and other options available if they are the complainants of an incident or they learn of such an incident.

**Subpart B. Training for individuals charged with decision making authority.** Each college, university and the Office of the Chancellor shall provide appropriate training and other resources to individuals charged with decision making responsibilities under applicable procedures in order to facilitate a fair, respectful and confidential procedure on allegations of sexual violence in accordance with this and other applicable policies, procedures and laws.

**Part 8. Maintenance of report/complaint procedure documentation.** Data that is collected, created, received, maintained or disseminated about incidents of sexual violence will be handled in accordance with the privacy requirements of the Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act), and other applicable laws.

Information on reports of incidents of sexual violence that are made to Campus Security Authorities shall be documented in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, codified at 20 United States Code section 1092 (f). Such information will be used to report campus crime statistics on college and university campuses as required by that Act.

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location. Access to complaint file information shall be in accordance with the applicable collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act and other applicable law and policy.

---

*Approval Date: 05/17/04,*

*Effective Date: 05/17/04,*

*Date and Subject of Revision:*

Appendix N

MnSCU Policy 5-12.1 Military Service and Disabled Veterans



**Minnesota State Colleges and Universities**  
**System Procedures**  
**Chapter 5 – Administration**  
**Procedures associated with Board Policy 5.12**

### **5.12.1 Military Service and Disabled Veterans**

**Part 1. Authority.** Board Policy 5.12, Tuition and Fee Due Dates, Refunds, Withdrawals, and Waivers, requires colleges and universities to develop guidelines to implement this policy.

**Part 2. Purpose.** To provide consistent guidelines for students within the Minnesota State College and University System who are called to active duty with the military service and veterans, as defined in section 197.447, who have a service-connected disability as certified by the United States Department of Veterans Affairs, who are students and whose service-connected medical condition or medical treatment requirements reasonably prevent the person's attendance at or progress in part or all of the person's higher educational training or studies at any given time. The terms "medical condition" and "medical treatment requirements" must be broadly construed and without regard for whether or not they relate directly to the person's service-connected disability.

#### **Part 3. Options.**

**Subpart A.** Students who are members of any branch of the U.S. military and who are unable to complete a semester due to having been called to active duty and veterans with a service connected disability as described in Part 2 of this procedure, shall to the extent possible be provided one of the following options:

1. The student may withdraw from one or more courses for which tuition and fees have been paid that are attributable to the courses and be given a full refund of tuition. The tuition and fees must be credited to the person's account at the postsecondary institution. Any refunds are subject to the requirements of the state or federal financial aid programs of origination.

Students receiving financial aid who choose this option should be made aware that they may be liable for any required refunds of state or federal financial aid funds. In such a case, the student must not receive credit for the courses and must not receive a failing grade, an incomplete, or other negative annotation on the student's record, and the student's grade point average must not be altered or affected in any manner because of action under this item.

2. The student may be given a grade of incomplete in a course and complete it upon release from active duty or upon completion of medical treatment, or upon sufficient medical recovery. Course completion may be accomplished by independent study or by

retaking course without payment of tuition. Under federal financial aid policies a course that is retaken this way may not be counted toward a student's enrollment load.

3. The student may continue and complete the course for full credit. Class sessions the student misses due to performance of active military service or due to the person's medical treatment or medical condition must be counted as excused absences and must not be used in any way to adversely impact the student's grade or standing in the class. Any student who selects this option is not, however, automatically excused from completing assignments due during the period the student is performing active military service or receiving medical treatment or recovering from a medical condition.

A letter grade or a grade of pass must be awarded only if, in the opinion of the faculty member teaching the course, the student has completed sufficient work and has demonstrated sufficient progress toward meeting course requirements to justify the grade. If in the instructor's judgment the student has completed sufficient course work to earn a grade of C or better, the student may be given credit for completion of a course.

**Subpart B.** Military Service members or veterans with a service connected disability covered by this procedure shall be eligible to receive a refund of amounts paid for room, board, and fees attributable to the time period during which the student was serving in active military service or receiving medical treatment or dealing with the person's medical condition and did not use the facilities or services for which the amounts were paid. Any refund of room, board, and fees is subject to the requirements of the state or federal financial aid programs of origination.

**Subpart C.** If the student chooses to withdraw, the student shall be readmitted and reenrolled as a student at the postsecondary education institution, without penalty or redetermination of admission eligibility, within two years following release from the state or federal active military service or following completion of medical treatment or sufficient recovery from the person's medical condition.

*Date of Implementation:* 05/07/99,

*Date of Adoption:* 05/07/99,

*Date and Subject of Revision:*

*4/05/10 - Clarified requirements and language expanded to match the updated statute for this benefit; revised wording to match statute for words such as Military Service and Disabled Veterans both in the title of this procedure and within the text as needed; and all links were checked and updated.*

*06/21/00 - Contains language formerly in system procedure 5.8.1;*

Appendix O

SMSU Official Letter Extending Policy to Spouse of a Member

November 30, 2011

Iowa College Student Aid Commission  
Postsecondary Registration Administrator  
200 10th Street, Fourth Floor  
Des Moines, Iowa 50309

To Members of the Iowa College Student Aid Commission:

We have discovered a difference between the State of Iowa and the State of Minnesota with regard to 261.9, College Student Aid Commission, g. The Minnesota policy does not allow for the spouse with a dependent child to be allowed the privileges of the military service member called to active duty. As President I have the ability to waive and refund tuition and fees for currently registered courses under extenuating circumstance. As part of the agreement I consider this to be extenuating circumstance.

Thus,

“g. {1) Adopts a policy to offer not less than the following options to a student who is a member, or the spouse of a member if the member has a dependent child, of the Iowa national guard or reserve forces of the United State and who is ordered to state military service or federal service or duty:

- (a) Withdraw from the student's entire registration and receive a full refund of tuition and mandatory fees.
- (b) Make arrangements with the student's instructors for course grades, or for incompletes that shall be completed by the student at a later date. If such arrangements are made, the student's registration shall remain intact and tuition and mandatory fees shall be assessed for the courses in full.
- (c) Make arrangements with only some of the student's instructors for grades, or for incompletes that shall be completed by the student at a later date. If such arrangements are made, the registration for those courses shall remain intact and tuition and mandatory fees shall be assessed for those courses. Any course for which arrangements cannot be made for grades or incompletes shall be considered dropped and the tuition and mandatory fees for the course refunded.

We will maintain the following which is in addition to that stated within the Iowa policy. The statement below would be in reference to (a) of the Iowa policy that states, "Withdraw from the student's entire registration and receive a full refund of tuition and mandatory fees."

MnSCU- System Procedures associated with Board Policy 5.12

"Students receiving financial aid who choose this option should be made aware that they may be liable for any required refunds of state or federal financial aid funds. In such a case, the student must not receive credit for the courses and must not receive a failing grade, an incomplete, or other negative annotation on the student's record, and the student's grade point average must not be altered or affected in any manner because of the action under this item."

I believe with the statement in paragraph one and the above addition we have exceeded the requirements stipulated within 261.9, 1g.

Thank you for your consideration of our application.

Sincerely,

A handwritten signature in black ink that reads "Ronald A. Wood". The signature is written in a cursive style with a large initial 'R' and 'W'.

Ronald A. Wood  
President

/era

Appendix P

SMSU Annual Financial Report for Years Ended June 30, 2011 and 2010

# **SOUTHWEST MINNESOTA STATE UNIVERSITY**

**A MEMBER OF THE  
MINNESOTA STATE COLLEGES AND UNIVERSITIES SYSTEM**

## **ANNUAL FINANCIAL REPORT**

**FOR THE YEARS ENDED JUNE 30, 2011 and 2010**

Prepared by:

Southwest Minnesota State University  
1501 State Street  
Marshall, Minnesota 56258

Upon request, this publication is available in alternate formats by calling one of the following:  
General number (651) 201-1800  
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For TTY communication, contact Minnesota Relay Service at 7-1-1 or 1-800-627-3529.

## SOUTHWEST MINNESOTA STATE UNIVERSITY

ANNUAL FINANCIAL REPORT  
FOR THE YEARS ENDED JUNE 30, 2011 and 2010

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# INTRODUCTION

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October 25, 2011

Minnesota State Colleges and Universities  
Members of the Board of Trustees  
Chancellor Steven Rosenstone  
Wells Fargo Place  
30 7<sup>th</sup> St. E., Suite 350  
St. Paul, MN 55101-7804

Dear Chancellor Rosenstone and Trustees:

I am pleased to present the audited Annual Financial Report for Southwest Minnesota State University for the fiscal year ended June 30, 2011. The report is a compilation of financial statements and disclosures that accurately present the financial condition of the university and reflects its mission and vision. The leadership of Southwest Minnesota State University is responsible for assuring the accuracy, reliability, fairness, and completeness of its content.

The University's financial statements were audited by LarsonAllen LLP. Included in these statements are statements of net assets, statements of revenues, expenses, and changes in net assets, and statements of cash flows. I invite you to read the information in the Management Discussion and Analysis section and the Notes to the Financial Statements. These sections of the Annual Financial Report review and explain the financial statements. They should assist you in understanding how we have provided appropriate levels of stewardship in managing the University's assets for the benefit of the public we serve. The completion of this report represents a combined effort by the University finance and administrative staff as well as the finance staff from the Office of the Chancellor.

Southwest Minnesota State University is committed to our mission of preparing students to meet the complex challenges of this century as engaged citizens in their local and global communities. Our comprehensive degree programs, taught in the liberal arts tradition, are dedicated to connecting students' academic and practical professional development experiences in southwestern Minnesota to the wider world.

This past year the University made a commitment to review all programs, focus on the university strengths, and create efficiencies to provide assessable, affordable, and quality educational programs. In fiscal year 2011, the University served over 7,700 students. On campus students totaled over 2,500 students. Graduate programs served more than 620 students on the Marshall campus, online and at multiple locations, bringing education to the students. We offer undergraduate programs that provide online courses, again allowing students access to education when unable to physically attend at the University. Southwest is one of the leaders in the concurrent enrollment programs in Minnesota providing college classes to more than 4,000 high school students. The University program known as College Now is the longest running concurrent enrollment program in Minnesota and is fully accredited by the National Alliance of Concurrent Enrollment Partnerships.

Southwest Minnesota State University is very proud of the accomplishments of its students during this past year. Two Southwest Minnesota State University agronomy majors took first place in a National Postsecondary Agricultural Student competition. A senior Speech Communication and Philosophy major

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was named to the All-American team of the American Forensic Association's National Individual Events Tournament and was one of only 13 students in the nation selected for the team. This is the first SMSU student to earn this prestigious honor. The Student in Free Enterprise group at Southwest Minnesota State University won the regional tournament in Minneapolis to qualify for the national event. It was SMSU's ninth consecutive regional victory. A team of Southwest Minnesota State University students won the Research Chefs Association Student Culinology Competition in Atlanta, Ga.

The placement rate of Southwest graduates is the highest of all MnSCU institutions. Over 85% of Southwest graduates are employed in a position related to their major, another 12% are employed but seeking a position in a related field and just under 3% are still looking. Over 11% of our graduating students also continue their education.

SMSU is proud of its community involvement. The University has been host to the Minnesota Boy's State program for the past five years and was recently awarded a contract to host the program for the next five years. Area businesses partner with the University to provide festivities such as Ag Bowl and Smokefest. Senior College has grown to provide significant learning opportunities to well over 200 seniors in the regions offering programs in two sessions each year. Our athletic training program partners with the Orthopedic Institute to provide athletic trainer outreach to area high schools. SMSU provides many rich cultural and entertainment options for the region.

The economic forecasts continue to be discouraging for the region, state and nation. The university will continue to examine all activities for efficiencies and cost containment. Enrollment for this fall has fallen below expectations. Therefore the University is looking to focus recruitment efforts in three significant areas: Upward Bound Students, Transfer students with at least 60 completed credits, and College Now students. A concerted effort to focus additional recruitment efforts on our 19 county region is also planned. The enrollment goal is to increase new freshman enrollment to 600 students in the fall of 2012.

Three task forces focusing on a Bachelor of Science in Nursing program, two plus two articulation agreements, and a School of Agriculture are working extremely hard to create programs to meet the needs of our students and our region. It is an exciting time as we plot some new directions for us. It is a process of building onto a solid foundation. As we begin the process we have had some surprising partners join us. The furthest being Riverland College located in the southeast corner of the state.

The construction of a modern residential building, Sweetland Hall, in 2008-09, increased debt service and depreciation expenditures. These additional expenses along with decreased occupancy have burdened the financial resources of the University. The focused recruitment, enrollment goals and academic changes discussed above along with continued cost containment is projected to help relieve some of the financial pressures in the next few years.

The administration of Southwest Minnesota State University takes their fiduciary responsibilities to the citizens of the state of Minnesota and especially to the regional community seriously. It is our duty to be good stewards of the state's resources. We are proud of the efforts of the faculty, service faculty, and staff of the University and their commitment to provide a solid academic and student leadership enriching experience to all students.

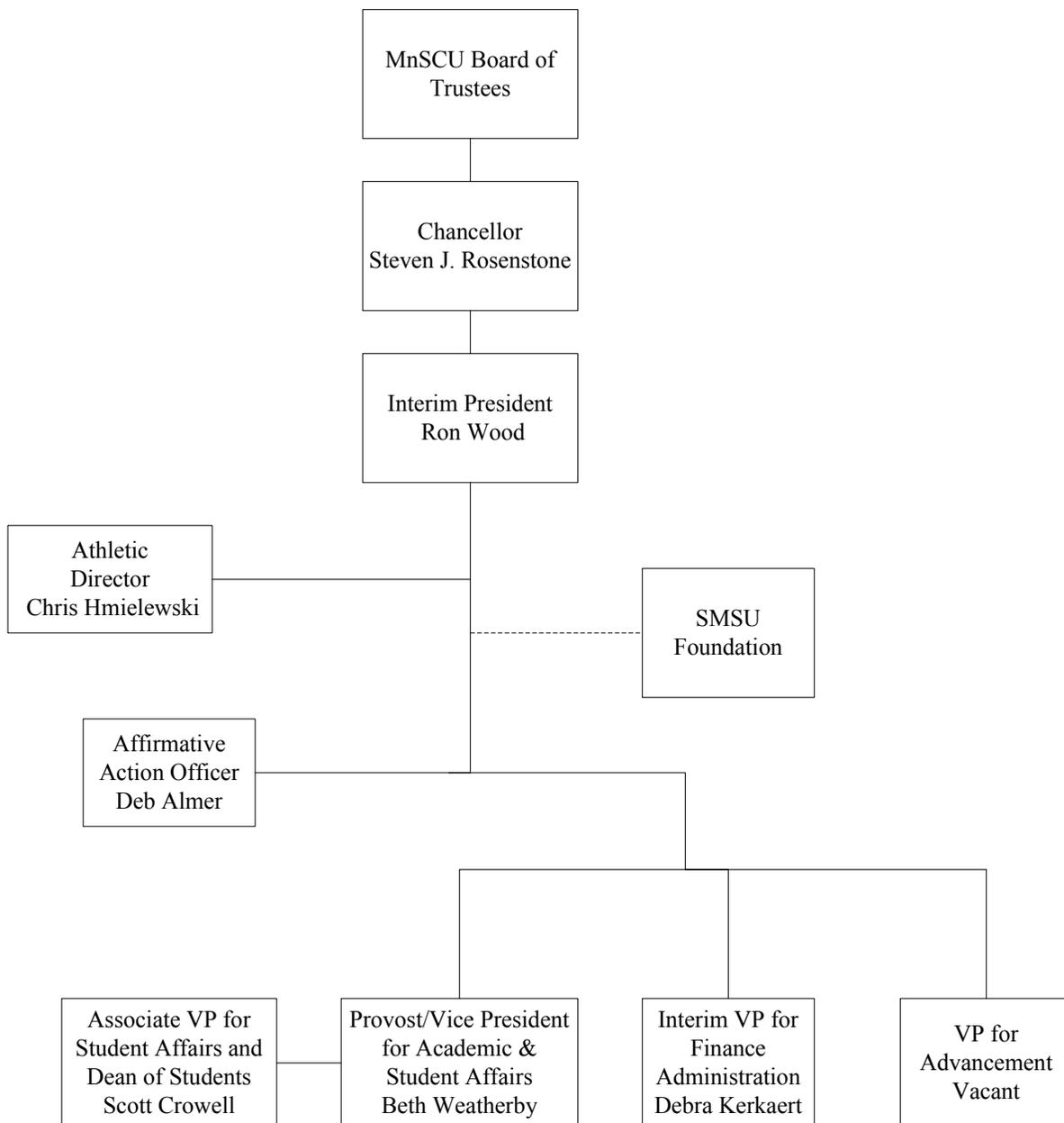
Sincerely,



Ronald A. Wood, PhD  
Interim President



## Organizational Chart



The financial activity of the Southwest Minnesota State University is included in this report. The University is one of 32 colleges and universities included in the Minnesota State Colleges and Universities Annual Financial Report which is issued separately.

The University's portion of the Revenue Fund is also included in this report. The Revenue Fund activity is included both in the Minnesota State Colleges and Universities Annual Financial Report and in a separately issued Revenue Fund Annual Financial Report.

All financial activity of Minnesota State Colleges and Universities is included in the state of Minnesota Comprehensive Annual Financial Report.

## FINANCIAL SECTION

## INDEPENDENT AUDITORS' REPORT

Board of Trustees  
Minnesota State Colleges and Universities  
St. Paul, Minnesota

We have audited the accompanying financial statements of Southwest Minnesota State University (the University), a campus of Minnesota State Colleges and Universities, as of and for the years ended June 30, 2011 and 2010, as listed in the table of contents. These financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these financial statements based on our audits. We did not audit the financial statements of Southwest Minnesota State University Foundation, a discretely presented component unit of Southwest Minnesota State University. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for the discretely presented component unit mentioned above, is based on the report of the other auditors.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The financial statements of the Southwest Minnesota State University Foundation were not audited in accordance with *Government Auditing Standards*. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, based on our audits and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the financial position of Southwest Minnesota State University as of June 30, 2011 and 2010, and the respective changes in financial position and cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 25, 2011, on our consideration of the University's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

The accompanying *Management Discussion and Analysis* and the *Schedule of Funding Progress for Net Other Postemployment Benefits*, as listed in the table of contents, are not required parts of the basic financial statements but are supplementary information required by U.S. generally accepted accounting principles. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Our audit was conducted for the purpose of forming an opinion on the basic financial statements. The accompanying introductory section, as listed in the table of contents, is presented for purposes of additional analysis and is not a required part of the basic financial statements. The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we express no opinion on it.



**LarsonAllen LLP**

Minneapolis, Minnesota  
October 25, 2011

## MANAGEMENT'S DISCUSSION AND ANALYSIS (Unaudited)

### INTRODUCTION

The following discussion and analysis provides an overview of the financial position and activities of Southwest Minnesota State University, a member of the Minnesota State Colleges and Universities system, at June 30, 2011, 2010 and 2009, and for the years then ended. This discussion has been prepared by management and should be read in conjunction with the financial statements and accompanying footnotes, which follow this section.

Southwest Minnesota State University (SMSU) is one of 32 colleges and universities comprising Minnesota State Colleges and Universities. The Minnesota State Colleges and Universities system is governed by a 15 member Board of Trustees appointed by the Governor. Twelve trustees serve six-year terms, eight representing each of Minnesota's congressional districts and four serving at-large. Three student trustees, one from a state university, one from a community college and one from a technical college, serve two-year terms. The Board of Trustees selects the Chancellor and has broad policy responsibility for system planning, academic programs, fiscal management, personnel, admissions requirements, tuition and fees.

The University is a comprehensive public institution of higher learning with a fall 2011 enrollment of 6,460 students including 388 graduate students. SMSU's full year 2010/2011 equivalent enrollment is 3,764 students. The University has approximately 435 full and part-time employees.

SMSU boasts nearly 50 baccalaureate majors including business, education, english, environmental science, agronomy, marketing, culinology and fine arts. SMSU offers 43 minors, 4 associate degree majors, and 16 preprofessional programs as well as graduate degrees in business, education and special education. The University is accredited by the Higher Learning Commission (HLC) of the North Central Association of Colleges. SMSU received a 10 year accreditation from the HLC in August 2004.

The 215 acre campus, built primarily in the late 1960's and early 1970's, offers unique architecture. It consists of 26 accessible buildings with the core academic buildings being interconnected. A recreation/athletic facility was added in 1995. A new student and conference center complex was completed in 2005 after a fire destroyed the Food Service East building in 2002. The library had a major renovation completed in 2005 and the SMSU Foundation completed construction of modern residential apartments in 2007. In 2007, the renovation of several labs on campus and the construction of new softball and football practice fields were completed. Construction is complete on a \$16 million Regional Event Center and the facility was opened in August 2008. The demolition of an old residence hall in 2007 paved the way for construction of a new residence hall designed to meet current student expectations. This project was complete in time for fall 2009 student occupancy. Culinology and hospitality management labs and science labs are currently undergoing a \$9 million renovation scheduled to be completed by June 2012.

### FINANCIAL HIGHLIGHTS

Southwest Minnesota State University's 2011 state appropriation decreased by \$2.2 million from the amount received in 2009. Undergraduate tuition rate increases of 5 percent in fiscal year 2011, 5 percent in fiscal year 2010, and 3 percent in fiscal year 2009 have been necessary to supplement the lagging state appropriation. During fiscal years 2011 and 2010, federal aid was received through the American Recovery and Reinvestment Act of 2009 to mitigate 2 percent of the 5 percent tuition rate increase. The University has continued to meet student needs with enrollment increasing and staffing levels decreasing.

	<u>FY11</u>	<u>Change</u>	<u>FY10</u>	<u>Change</u>	<u>FY09</u>
Student FYE	3,764	(1.5)%	3,822	2.9 %	3,716
State appropriation	\$ 15,660,289	(2.45)%	\$ 16,053,559	(10.3)%	\$ 17,897,164
State appropriation per student	\$ 4,161	(0.9)%	\$ 4,200	(12.8)%	\$ 4,816

Assets totaled \$100.6 million in fiscal year 2011 compared to \$101.1 million in fiscal year 2010 and \$92.5 million in fiscal year 2009. Net assets, which represent the residual interest in the University's assets after liabilities are deducted, totaled \$67.2 million in fiscal year 2011 compared to \$65.8 million in fiscal year 2010 and \$59.6 million

in fiscal year 2009. As of June 30, 2011, net assets is comprised of capital assets, net of related debt of \$59.0 million, restricted assets of \$1.4 million, and unrestricted assets of \$6.8 million.

Operating revenues increased \$1.0 million from fiscal year 2010 to fiscal year 2011 and increased \$1.3 million from fiscal year 2009 to fiscal year 2010. The increases are a result of tuition increases and an increase in housing rates and occupancy.

Total operating expenses, excluding depreciation, decreased \$491 thousand from fiscal year 2009 to fiscal year 2010 and then remained constant in fiscal year 2011. The reduced operating expenditures in fiscal year 2010 and 2011 were the result of budget cuts.

#### USING THE FINANCIAL STATEMENTS

The University's financial report includes three financial statements: the statements of net assets, the statements of revenues, expenses and changes in net assets, and the statements of cash flows. These financial statements are prepared in accordance with applicable generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board (GASB) through authoritative pronouncements.

#### STATEMENTS OF NET ASSETS

The statements of net assets present the financial position of the University at the end of the fiscal year and include all assets and liabilities of the University as measured using the accrual basis of accounting. The difference between total assets and total liabilities (net assets) is one indicator of the current financial condition of the University, while the change in net assets is an indicator of whether the overall financial condition has improved or worsened during the year. Capital assets are stated at historical cost less an allowance for depreciation, with current year depreciation reflected as a period expense on the statements of revenues, expenses and changes in net assets. A summary of the University's assets, liabilities and net assets as of June 30, 2011, 2010 and 2009 respectively, is as follows:

	(In Thousands)		
	2011	2010	2009
Current assets	\$ 17,064	\$ 15,257	\$ 14,597
Restricted assets	3,425	5,360	4,587
Noncurrent assets:			
Student loans receivable, net	858	880	854
Capital assets, net	79,258	79,664	72,500
Total assets	<u>100,605</u>	<u>101,161</u>	<u>92,538</u>
Current liabilities	6,526	8,704	7,997
Noncurrent liabilities	26,831	26,634	24,952
Total liabilities	<u>33,357</u>	<u>35,338</u>	<u>32,949</u>
Net assets	<u>\$ 67,248</u>	<u>\$ 65,823</u>	<u>\$ 59,589</u>

Current assets consist primarily of cash, cash equivalents and investments totaling \$15.4, \$13.7 and \$12.5 million at June 30, 2011, 2010 and 2009, respectively. This represents approximately 4.2 months of operating expenses (excluding depreciation) compared to 3.8 months at June 30, 2010 and 3.4 months at June 30, 2009.

Restricted assets decreased in fiscal year 2011 with the completion of lab improvements.

Current liabilities consist primarily of accounts payable, salaries and related benefits payable. Included are restricted accounts payable for capital projects of \$ 279 thousand at June 30, 2011, \$2.3 million at June 30, 2010 and \$1.7 million at June 30, 2009. Faculty contracts paid over twelve months on a nine month school year account for the majority of the salaries payable.

Net assets represent the residual interest in the University's assets after liabilities are deducted.

The University's net assets as of June 30, 2011, 2010 and 2009, respectively, are summarized as follows:

(In Thousands)			
Net Assets	2011	2010	2009
Invested in capital assets, net of related debt	\$ 59,038	\$ 59,465	\$ 54,869
Restricted	1,447	1,646	1,328
Unrestricted	6,763	4,712	3,392
Total net assets	<u>\$ 67,248</u>	<u>\$ 65,823</u>	<u>\$ 59,589</u>

Invested in capital assets, net of related debt represents the University's capital assets net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction or improvement of those assets.

Restricted net assets include primarily funds for capital projects, donations received for specific purposes, bond covenants, debt service, and faculty contracts.

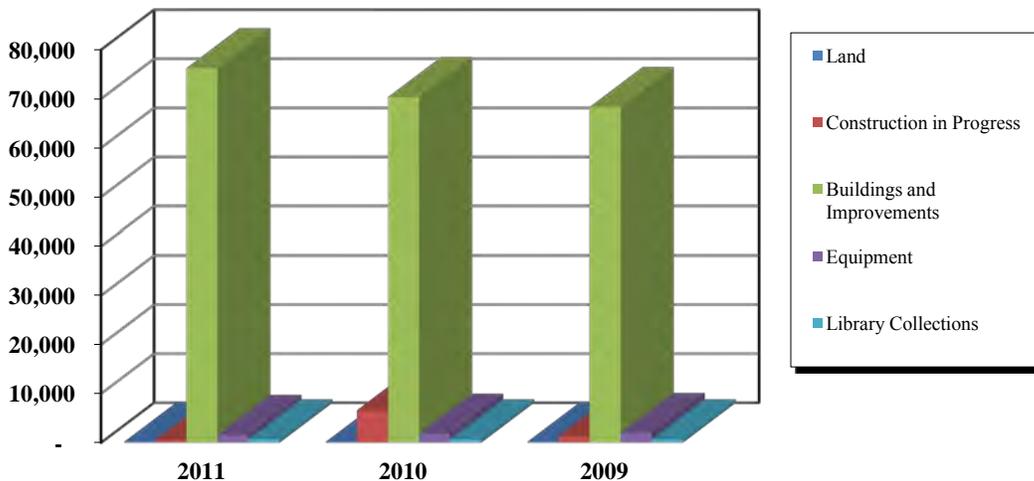
Unrestricted net assets may be designated for specific purposes by action of management, the System Office or the Board of Trustees.

#### CAPITAL AND DEBT ACTIVITIES

One of the critical factors in continuing the quality of the University's academic programs and residential life is the development and renewal of its capital assets. The University continues to implement its long-range plan to modernize its complement of older facilities, balanced with new construction. Capital assets as of June 30, 2011, totaled \$79.3 million, net of accumulated depreciation of \$54.0 million.

Capital outlays totaled \$3.1 million, \$10.4 million and \$16.1 million in fiscal years 2011, 2010 and 2009, respectively. Capital appropriations of \$1.9 million, \$7.0 million and \$1.4 million were received in fiscal years 2011, 2010 and 2009, respectively. The regional event center and a residence hall were completed in fiscal year 2009. Lab renovations and elevator code improvements began in fiscal year 2009, continued through fiscal year 2010 and were completed in fiscal year 2011.

**Capital Assets, Net of Depreciation (In Thousands)**



Bonds are also issued for construction and renovations projects. Additional information on capital and debt activities can be found in the notes 6 and 8 to the financial statements.

## STATEMENTS OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS

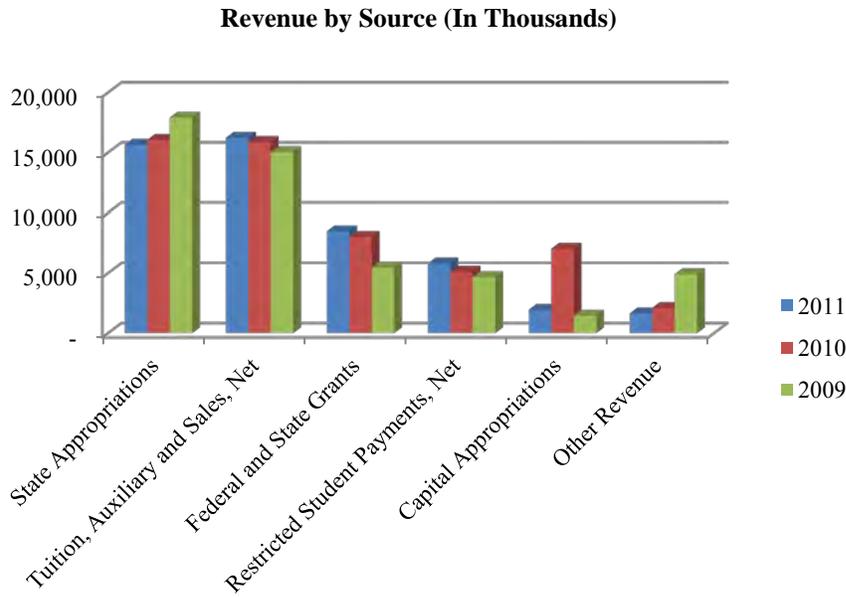
The statements of revenues, expenses and changes in net assets present the University's results of operations for the year. When reviewing the full statements, users should note that certain revenue streams relied upon for operations are recorded as nonoperating revenues, including state appropriations, federal, state and private grants, and investment income.

Summarized statements for the years ended June 30, 2011, 2010 and 2009, respectively, follow:

(In Thousands)			
	2011	2010	2009
Operating revenue:			
Tuition, auxiliary and sales, net	\$ 16,219	\$ 15,861	\$ 15,035
Restricted student payments, net	5,808	5,135	4,667
Other revenue	126	165	162
Total operating revenue	<u>22,153</u>	<u>21,161</u>	<u>19,864</u>
Nonoperating revenue:			
State appropriations	15,660	16,053	17,897
Capital appropriations	1,943	7,026	1,448
Federal grants	6,828	5,830	3,543
State grants	1,655	2,186	1,915
Private and capital grants	1,105	1,681	2,418
Interest income	151	97	311
Other nonoperating revenues	262	158	2,022
Total nonoperating revenue	<u>27,604</u>	<u>33,031</u>	<u>29,554</u>
Total revenue	<u>49,757</u>	<u>54,192</u>	<u>49,418</u>
Operating expense:			
Salaries and benefits	30,977	30,914	31,258
Supplies and services	9,688	9,593	9,914
Depreciation	3,565	3,213	2,972
Financial aid, net	769	872	549
Other	2,323	2,409	2,558
Total operating expenses	<u>47,322</u>	<u>47,001</u>	<u>47,251</u>
Nonoperating expense	1,010	957	698
Total expense	<u>48,332</u>	<u>47,958</u>	<u>47,949</u>
Change in net assets	1,425	6,234	1,469
Net assets, beginning of year	65,823	59,589	58,120
Net assets, end of year	<u>\$ 67,248</u>	<u>\$ 65,823</u>	<u>\$ 59,589</u>

Tuition and state appropriations are the primary sources of funding for the University's academic programs. Tuition rate increases and state appropriation funding are discussed above in the Financial Highlights section. Restricted student payments have increased each year because of increased occupancy and rate increases in residential life. In fiscal years 2011 and 2010, federal grants revenue increased from additional Pell grants and \$1.1 million and \$864 thousand from the American Recovery and Reinvestment Act of 2009, respectively.

Private grants of \$363 thousand and \$1.1 million were received in fiscal years 2010 and 2009, respectively, for the construction of the alumni plaza and regional event center. Donations of capital assets, scoreboards and lighting at the regional event center, increased other nonoperating revenue in fiscal year 2009.



The University is relying to a greater extent on student tuition as a revenue source.

#### COMPONENT UNIT

The Southwest Minnesota State University Foundation is a component unit of Southwest Minnesota State University and includes the University's Alumni Association and Mustang Booster Club (athletics) in its assets. As such, the separately audited financial statements for the Foundation are included, but shown separately from those of the University in compliance with the requirements of GASB Statement No. 39. The Foundation contributed \$670,649, \$729,901 and \$723,605 to SMSU scholarships for the years ended June 30, 2011, 2010 and 2009, respectively. In fiscal years 2010 and 2009, the Foundation also contributed \$362 thousand and \$2.7 million for the construction of the alumni plaza, regional event center, scoreboards and lighting, respectively.

#### ECONOMIC FACTORS THAT WILL AFFECT THE FUTURE

Looking toward the future, Southwest Minnesota State University is exploring new directions and revisiting others to assist the University in its commitment to position itself for a strong financial future and continued academic excellence. The economic conditions for Minnesota and the rest of the nation have continued and are projected to continue to recover slowly. The University will endure challenges from decreasing state appropriations, competition for students, maintaining a reasonable tuition rate structure, and limited outside resources.

During fiscal year 2011, Southwest Minnesota State University worked diligently to reduce expenditures and look toward ways to conserve funds knowing that the next biennium would be a difficult two years of reduced appropriations, limited tuition increases, and unknown salary compensation packages. Through these efforts, the University was able to increase its unrestricted net assets. A comprehensive review of existing instructional programs was completed this past year and will be used to review programs on an annual basis. This process will assist in identifying programs posed for growth, ailing programs, and assist in other decisions. Additional reductions to budgets in fiscal year 2012 have been made to offset the reduced appropriation of over \$1.1 million as compared to the adjusted appropriation in fiscal year 2011.

The diminished financial resources of the Revenue Fund, particularly Residential Life, continue to be of concern. The debt service and depreciation added from the building of Sweetland Hall in 2008-2009 along with occupancy issues have burdened the financial resources of the Revenue Fund. With the enrollment management changes taking place this next year and the concentrated effort on recruitment, a larger freshman class will help to improve the

overall situation of Residential Life. The administration is committed to do all that is necessary to make this a prospering operation but realizes that it will take time and a concerted effort.

The University is concentrating efforts on new programs, positioning existing programs for growth, and strategically focusing admissions efforts on identified groups of potential students. We are committed to building upon current efforts to enhance the University's academic reputation, reduce operating costs, strengthen internal controls and effectively manage financial risks. By doing so, we feel Southwest Minnesota State University will continue to maintain a sound financial position.

#### REQUESTS FOR INFORMATION

This financial report is designed to provide a general overview of Southwest Minnesota State University's finances for all those with an interest in the University's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to:

Chief Financial Officer  
Southwest Minnesota State University  
1501 State Street  
Marshall, MN 56258

**SOUTHWEST MINNESOTA STATE UNIVERSITY**  
**STATEMENTS OF NET ASSETS**  
**AS OF JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	2011	2010
Assets		
Current Assets		
Cash and cash equivalents	\$ 14,926	\$ 13,320
Investments	494	424
Grants receivable	95	202
Accounts receivable, net	701	531
Prepaid expense	639	554
Student loans, net	189	199
Other assets	20	27
Total current assets	<u>17,064</u>	<u>15,257</u>
Current Restricted Assets		
Cash and cash equivalents	<u>3,422</u>	<u>5,357</u>
Total current restricted assets	<u>3,422</u>	<u>5,357</u>
Noncurrent Restricted Assets		
Other assets	<u>3</u>	<u>3</u>
Total noncurrent restricted assets	<u>3</u>	<u>3</u>
Total restricted assets	<u>3,425</u>	<u>5,360</u>
Noncurrent Assets		
Student loans, net	858	880
Capital assets, net	<u>79,258</u>	<u>79,664</u>
Total noncurrent assets	<u>80,116</u>	<u>80,544</u>
Total Assets	<u>100,605</u>	<u>101,161</u>
Liabilities		
Current Liabilities		
Salaries and benefits payable	3,200	3,151
Accounts payable	565	665
Unearned revenue	407	511
Payable from restricted assets	279	2,270
Interest payable	180	188
Funds held for others	56	52
Current portion of long-term debt	1,270	1,433
Other compensation benefits	534	395
Other liabilities	35	39
Total current liabilities	<u>6,526</u>	<u>8,704</u>
Noncurrent Liabilities		
Noncurrent portion of long-term debt	22,038	22,039
Other compensation benefits	3,797	3,589
Capital contributions payable	996	1,006
Total noncurrent liabilities	<u>26,831</u>	<u>26,634</u>
Total Liabilities	<u>33,357</u>	<u>35,338</u>
Net Assets		
Invested in capital assets, net of related debt	59,038	59,465
Restricted expendable, other	1,447	1,646
Unrestricted	6,763	4,712
Total Net Assets	<u>\$ 67,248</u>	<u>\$ 65,823</u>

The notes are an integral part of the financial statements.

**SOUTHWEST MINNESOTA STATE UNIVERSITY FOUNDATION**  
**STATEMENTS OF FINANCIAL POSITION**  
**AS OF JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	2011	2010
Assets		
Current Assets		
Cash and cash equivalents	\$ 17	\$ 58
Investments	4,443	2,878
Pledges and contributions receivable	629	472
Other receivables	11	12
Accrued interest and investment income	17	13
Prepaid assets	7	7
Inventory for resale	26	25
Total current assets	<u>5,150</u>	<u>3,465</u>
Noncurrent Assets		
Long-term pledges receivable	480	650
Artwork collection	290	290
Restricted investments	2,726	2,479
Property and equipment, net	7,008	7,281
Other assets	183	203
Total noncurrent assets	<u>10,687</u>	<u>10,903</u>
Total Assets	<u>\$ 15,837</u>	<u>\$ 14,368</u>
Liabilities and Net Assets		
Current Liabilities		
Accounts payable	\$ 64	\$ 44
Interest payable	3	9
Deferred revenue	603	167
Current portion of long-term debt	515	515
Total current liabilities	<u>1,185</u>	<u>735</u>
Noncurrent Liabilities		
Noncurrent portion of long-term debt	6,052	6,794
Total Liabilities	<u>7,237</u>	<u>7,529</u>
Net Assets		
Unrestricted	690	584
Temporarily restricted	4,910	3,503
Permanently restricted	3,000	2,752
Total Net Assets	<u>8,600</u>	<u>6,839</u>
Total Liabilities and Net Assets	<u>\$ 15,837</u>	<u>\$ 14,368</u>

The notes are an integral part of the financial statements

**SOUTHWEST MINNESOTA STATE UNIVERSITY**  
**STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS**  
**FOR THE YEARS ENDED JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	2011	2010
Operating Revenues		
Tuition, net	\$ 13,167	\$ 12,935
Fees, net	1,560	1,514
Sales, net	1,492	1,412
Restricted student payments, net	5,808	5,135
Other income	126	165
Total operating revenues	<u>22,153</u>	<u>21,161</u>
Operating Expenses		
Salaries and benefits	30,977	30,914
Purchased services	6,652	6,265
Supplies	2,169	2,639
Repairs and maintenance	867	689
Depreciation	3,565	3,213
Financial aid, net	769	872
Other expense	2,323	2,409
Total operating expenses	<u>47,322</u>	<u>47,001</u>
Operating loss	<u>(25,169)</u>	<u>(25,840)</u>
Nonoperating Revenues (Expenses)		
Appropriations	15,660	16,053
Federal grants	6,828	5,830
State grants	1,655	2,186
Private grants	1,053	1,318
Interest income	151	97
Interest expense	(1,005)	(927)
Grants to other organizations	(5)	(27)
Total nonoperating revenues (expenses)	<u>24,337</u>	<u>24,530</u>
Loss Before Other Revenues, Expenses, Gains, or Losses	(832)	(1,310)
Capital appropriations	1,943	7,026
Capital grants	52	363
Donated assets and supplies	190	158
Gain (loss) on disposal of capital assets	72	(3)
Change in net assets	<u>1,425</u>	<u>6,234</u>
Total Net Assets, Beginning of Year	65,823	59,589
Total Net Assets, End of Year	<u>\$ 67,248</u>	<u>\$ 65,823</u>

The notes are an integral part of the financial statements.

**SOUTHWEST MINNESOTA STATE UNIVERSITY FOUNDATION**  
**STATEMENTS OF ACTIVITIES**  
**FOR THE YEARS ENDED JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	Unrestricted	Temporarily Restricted	Permanently Restricted	2011 Total	2010 Total
<b>Support and Revenue</b>					
Contributions	\$ 211	\$ 2,194	\$ 49	\$ 2,454	\$ 1,477
In-kind contributions	322	48	-	370	387
Investment income	25	90	-	115	95
Realized gains and losses	(9)	226	-	217	(117)
Unrealized gains	17	235	199	451	525
Program income	136	48	-	184	368
Fundraising income	3	50	-	53	50
Rental income	716	82	-	798	740
Other income	-	3	-	3	16
Net assets released from restrictions	1,569	(1,569)	-	-	-
Total support and revenue	<u>2,990</u>	<u>1,407</u>	<u>248</u>	<u>4,645</u>	<u>3,541</u>
<b>Expenses</b>					
Program services					
Program services	306	-	-	306	241
Scholarships	671	-	-	671	730
Residence hall	605	-	-	605	687
Regional event center and plaza	153	-	-	153	486
University activities	373	-	-	373	450
Total program services	<u>2,108</u>	<u>-</u>	<u>-</u>	<u>2,108</u>	<u>2,594</u>
Supporting services					
Management and general	306	-	-	306	296
Fundraising expenses	470	-	-	470	494
Total supporting services	<u>776</u>	<u>-</u>	<u>-</u>	<u>776</u>	<u>790</u>
Total expenses	<u>2,884</u>	<u>-</u>	<u>-</u>	<u>2,884</u>	<u>3,384</u>
Change in Net Assets	106	1,407	248	1,761	157
Net Assets, Beginning of Year	584	3,503	2,752	6,839	6,682
Net Assets, End of Year	<u>\$ 690</u>	<u>\$ 4,910</u>	<u>\$ 3,000</u>	<u>\$ 8,600</u>	<u>\$ 6,839</u>

The notes are an integral part of the financial statements

**SOUTHWEST MINNESOTA STATE UNIVERSITY**  
**STATEMENTS OF CASH FLOWS**  
**FOR THE YEARS ENDED JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	2011	2010
Cash Flows from Operating Activities		
Cash received from customers	\$ 21,922	\$ 21,252
Insurance proceeds	-	623
Cash repayment of program loans	171	168
Cash paid to suppliers for goods or services	(11,912)	(11,828)
Cash payments for employees	(30,581)	(30,896)
Financial aid disbursements	(779)	(886)
Cash payments of program loans	(157)	(208)
Net cash used in operating activities	<u>(21,336)</u>	<u>(21,775)</u>
Cash Flows from Noncapital Financing Activities		
Appropriations	15,660	16,053
Agency activity	5	(90)
Federal grants	6,892	5,712
State grants	1,655	2,186
Private grants	1,053	1,318
Advance from the System	250	-
Grants to other organizations	(5)	(27)
Net cash flows from noncapital financing activities	<u>25,510</u>	<u>25,152</u>
Cash Flows from Capital and Related Financing Activities		
Investment in capital assets	(5,171)	(9,814)
Capital appropriation	1,943	7,026
Capital private grants	52	363
Proceeds from sale of capital assets	-	1
Insurance proceeds	73	207
Proceeds from borrowing	691	3,060
Proceeds from bond premium (discount)	379	49
Interest paid	(1,029)	(1,000)
Repayment of note principal	(232)	(225)
Repayment of bond principal	(1,239)	(1,086)
Net cash flows used in capital and related financing activities	<u>(4,533)</u>	<u>(1,419)</u>
Cash Flows from Investing Activities		
Proceeds from sales and maturities of investments	223	750
Purchase of investments	(289)	(425)
Investment earnings	96	104
Net cash flows from investing activities	<u>30</u>	<u>429</u>
Net Increase (Decrease) in Cash and Cash Equivalents	(329)	2,387
Cash and Cash Equivalents, Beginning of Year	18,677	16,290
Cash and Cash Equivalents, End of Year	<u>\$ 18,348</u>	<u>\$ 18,677</u>

The notes are an integral part of the financial statements.

**SOUTHWEST MINNESOTA STATE UNIVERSITY**  
**STATEMENTS OF CASH FLOWS**  
**FOR THE YEARS ENDED JUNE 30, 2011 AND 2010**  
**(IN THOUSANDS)**

	2011	2010
Operating Loss	\$ <u>(25,169)</u>	\$ <u>(25,840)</u>
Adjustment to Reconcile Operating Loss to Net Cash Flows used in Operating Activities		
Depreciation	3,565	3,213
Provision for loan defaults	12	6
Loan principal repayments	171	168
Loans issued	(157)	(208)
Loans forgiven	6	12
Donated supplies	190	158
Change in assets and liabilities		
Accounts receivable	(156)	639
Accounts payable	(79)	(36)
Salaries payable	49	34
Other compensation benefits	346	(12)
Capital contributions payable	(10)	(14)
Unearned revenues	(75)	75
Other assets and liabilities	(29)	30
Net reconciling items to be added to operating income	<u>3,833</u>	<u>4,065</u>
Net cash flow used in operating activities	<u>\$ (21,336)</u>	<u>\$ (21,775)</u>
Non-Cash Investing, Capital, and Financing Activities		
Capital projects on account	\$ (305)	\$ (2,318)
Investment earnings on account	2	4
Amortization of bond premium (discount)	(52)	(24)

**SOUTHWEST MINNESOTA STATE UNIVERSITY  
NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEARS ENDED JUNE 30, 2011 AND 2010**

1. SUMMARY OF SIGNIFICANT ACCOUNTING AND REPORTING POLICIES

*Basis of Presentation* — The reporting policies of Southwest Minnesota State University, a member of the Minnesota State Colleges and Universities system, conform to generally accepted accounting principles (GAAP) in the United States, as prescribed by the Governmental Accounting Standards Board (GASB). The statements of net assets; statements of revenues, expenses and changes in net assets; and statements of cash flows include financial activities of Southwest Minnesota State University.

*Financial Reporting Entity* — Minnesota State Colleges and Universities is an agency of the state of Minnesota and receives appropriations from the state legislature, substantially all of which are used to fund general operations. Southwest Minnesota State University receives a portion of the Minnesota State Colleges and Universities' appropriation. The operations of most student organizations are included in the reporting entity because the Board of Trustees has certain fiduciary responsibilities for these resources.

Discretely presented component units are legally separate organizations that raise and hold economic resources for the direct benefit of a college or university in accordance with GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units*. The Southwest Minnesota State University Foundation is considered significant to the University and is included as a discretely presented component unit and separately identified in Note 18. Complete financial statements may be obtained from the Southwest Minnesota State University Foundation, 1501 State Street, Marshall, MN 56258.

*Basis of Accounting* — The basis of accounting refers to when revenues and expenses are recognized and reported in the financial statements. The accompanying financial statements have been prepared as a special purpose government entity engaged in business type activities. Business type activities are those that are financed in whole or in part by fees charged to external parties for goods or services. Accordingly, these financial statements have been presented using the economic resources measurement focus and the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized as they are incurred. Eliminations have been made to minimize the double counting of internal activities. Interfund receivables and payables have been eliminated in the statements of net assets.

Minnesota State Colleges and Universities applies all applicable Financial Accounting Standards Board statements issued prior to November 30, 1989, and GASB statements issued since that date.

*Budgetary Accounting* — University budgetary accounting, which is the basis for annual budgets and the allocation of state appropriations, differs from GAAP. University budgetary accounting includes all receipts and expenses up to the close of the books in August for the budget fiscal year. Revenues not yet received by the close of the books are not included. The criterion for recognizing expenses is the actual disbursement, not when the goods or services are received.

The state of Minnesota operates on a two year (biennial) budget cycle ending on June 30 of odd numbered years. Minnesota State Colleges and Universities is governed by a 15 member board of trustees appointed by the Governor with the advice and consent of the state senate. The Board approves the University biennial budget request and allocation as part of the Minnesota State Colleges and Universities' total budget.

Budgetary control is maintained at the University. The University President has the authority and responsibility to administer the budget and can transfer money between programs within the University without Board approval. The budget of the University can be legally amended by the authority of the Vice Chancellor/Chief Financial Officer.

The state appropriations do not lapse at year end. Any unexpended appropriation from the first year of a biennium is available for the second year. Any unexpended balance may also carry over into future bienniums.

*Capital Appropriation Revenue* — Minnesota State Colleges and Universities is responsible for paying one third of the debt service for certain general obligation bonds sold for capital projects, as specified in the authorizing legislation. The portion of general obligation bond debt service that is payable by the state of Minnesota is recognized by Minnesota State Colleges and Universities as capital appropriation revenue when the related expenses are incurred. Individual colleges and universities are allocated cash, capital appropriation revenue, and debt based on capital project expenses.

*Cash and Cash Equivalents* — The cash balance represents cash in the state treasury and demand deposits in local bank accounts. Cash equivalents are short term, highly liquid investments having original maturities (remaining time to maturity at acquisition) of three months or less. Cash and cash equivalents can include amounts in demand deposits, savings accounts, cash management pools, repurchase agreements, and money market funds.

Restricted cash is cash held for capital projects and cash in the Revenue Fund for capital projects and debt service. The Revenue Fund is used to account for the revenues, expenses and net assets of revenue producing facilities which are supported through usage. It has the authority to sell revenue bonds for the construction and maintenance of revenue producing facilities.

All balances related to the state appropriation, tuition revenues and most fees are in the state treasury. The University also has an account in a local bank. The activities handled through the local bank include financial aid, student payroll, auxiliary, and student activities.

*Investments* — The Minnesota State Board of Investment invests the University's balances in the state treasury, except for the Revenue Fund, as part of a state investment pool. This asset is reported as a cash equivalent. Interest income earned on pooled investments is allocated to the colleges and universities.

Cash in the Revenue Fund is invested separately. The Fund contracts with the Minnesota State Board of Investment and U.S. Bank, N.A. for investment management services. Investments are reported at fair value and reported as a cash equivalent. Restricted investments are investments held in the Revenue Fund for capital projects and debt service.

*Receivables* — Receivables are shown net of an allowance for uncollectible accounts.

*Prepaid Expenses* — Prepaid expenses consist primarily of deposits in the state of Minnesota Debt Service Fund for future general obligation bond payments.

*Capital Assets* — Capital assets are recorded at cost or, for donated assets, at fair value at the date of acquisition. Estimated historical cost has been used when actual cost is not available. Such assets are depreciated or amortized on a straight line basis over the useful life of the assets.

Estimated useful lives are as follows:

Buildings	35-40 years
Building improvements	15-20 years
Equipment	3-20 years
Library collections	7 years

Equipment includes all items with an original cost of \$10,000 and over for items purchased since July 1, 2008; \$5,000 and over for items purchased between July 1, 2003 and June 30, 2008; and \$2,000 and over for items purchased prior to July 1, 2003. Buildings, building improvements, and internally developed software include all projects with a cost of \$250,000 and over for projects started since July 1, 2008, and \$100,000 and over for

projects started prior to July 1, 2008. All land and library collection purchases are capitalized regardless of amount spent.

*Funds Held for Others* — Funds held for others are primarily assets held for student organizations.

*Long Term Liabilities* — The state of Minnesota appropriates for and sells general obligation bonds to support construction and renovation of the Minnesota State Colleges and Universities' facilities as approved through the state's capital budget process. The University is responsible for a portion of the debt service on the bonds sold for some University projects. The University may also enter into capital lease agreements for certain capital assets. Other long term liabilities include notes payable, compensated absences, early termination benefits, other postemployment benefits and workers' compensation claims.

Minnesota State Colleges and Universities may finance the construction, renovation and acquisition of facilities for student residences and student unions through the sale of revenue bonds. These activities are accounted for and reported in the Revenue Fund included herein. Details on the Revenue Fund bonds are available in the separately audited and issued Revenue Fund annual financial report. Copies are available from the Financial Reporting Director, Minnesota State Colleges and Universities, 30 7<sup>th</sup> St. E., Suite 350, St. Paul, Minnesota 55101-7804.

*Operating Activities* — Operating activities as reported in the statements of revenues, expenses and changes in net assets are those that generally result from exchange transactions such as payments received for providing services and payments made for services or goods received. Nearly all of the University's expenses are from exchange transactions. Certain significant revenue streams relied upon for operations are recorded as nonoperating revenues, including state appropriations, federal, state and private grants, and investment income.

*Unearned Revenue* — Unearned revenue consists primarily of tuition received, but not yet earned, for summer session. It also includes amounts received from grants which have not yet been earned under the terms of the agreement.

*Federal Grants* — The University participates in several federal grant programs. The largest programs include Pell, TRIO, Federal Work Study, and Supplemental Educational Opportunity Grant. Federal Grant revenue is recognized as nonoperating revenue in accordance with GASB Statement No. 33, *Accounting and Financial Reporting for Nonexchange Transactions*. During fiscal years 2011 and 2010, \$1,083,622 and \$864,367, respectively, of federal aid was recognized as revenue related to the American Recovery and Reinvestment Act of 2009. Of this amount, \$280,358 and \$279,321, respectively, was used to mitigate tuition increases that would have otherwise been necessary. Expenditures under government contracts are subject to review by the granting authority. To the extent, if any, that such a review reduces expenditures allowable under these contracts, the University will record such disallowance at the time the determination is made.

*Capital Grants* — The University receives federal, state, and private grants which are restricted for the acquisition or construction of capital assets.

*Tuition, Fees, and Sales, Net* — Tuition, fees, and sales are reported net of scholarship allowances. See Note 12 for additional information.

*Restricted Student Payments* — Restricted student payments consist of room, board, sales, and fees revenue restricted for payment of revenue bonds, and are net of scholarship allowances. See Note 12 for additional information.

*Reclassifications* — Certain prior year amounts have been reclassified to conform with current year presentation. These classifications had no effect on total net assets previously reported. Cost of goods sold in the amount of \$27,942, reported in fiscal year 2010 as a reduction to sale revenue, was reclassified to an operating expense. Capital appropriation revenue in the amount of \$9,274 was reclassified as state appropriation. Additionally, fiscal year 2010 unrestricted net assets were reclassified to restricted expendable net assets and invested in capital assets, net of related debt in the amount of \$110,000 and \$50,111, respectively.

*Use of Estimates* — To prepare the basic financial statements in conformity with generally accepted accounting principles, management must make estimates and assumptions. These estimates and assumptions may affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities, at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates. The most significant areas that require the use of management's estimates relate to allowances for uncollectible accounts, scholarship allowances, workers' compensation claims, and compensated absences.

*Net Assets* — The difference between assets and liabilities is net assets. Net assets are classified further for accounting and reporting purposes into the following three net asset categories:

- *Invested in capital assets, net of related debt:* Capital assets, net of accumulated depreciation, and outstanding principal balances of debt attributable to the acquisition, construction, or improvement of those assets.
- *Restricted expendable:* Net assets subject to externally imposed stipulations. Net asset restrictions for the University are as follows:

*Restricted for bond covenants* — revenue bond restrictions.

*Restricted for other* — Includes restrictions for the following:

*Capital projects* — restricted for completion of capital projects.

*Donations* — restricted for specific purpose.

*Debt service* — legally restricted for bond debt repayments.

*Faculty contract obligations* — required faculty development and travel.

*Loans* — University capital contributed for Perkins loans.

	Restricted for Other (In Thousands)	
	2011	2010
Donations	\$ 48	\$ 308
Debt service	887	833
Faculty contract obligations	397	389
Loans	115	116
Total	\$ 1,447	\$ 1,646

- *Unrestricted:* Net assets that are not subject to externally imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of management, the System Office, or the Board of Trustees.

## 2. CASH, CASH EQUIVALENTS, AND INVESTMENTS

*Cash and Cash Equivalents* — All balances related to the appropriation, tuition, and most fees are in the state treasury. In addition, the University has one checking in a local bank. The activities handled through the local bank include financial aid, student payroll, auxiliary, and student activities.

Minnesota Statutes, Section 118A.03, requires that deposits be secured by depository insurance or a combination of depository insurance and collateral securities held in the state's name by an agent of the state. This statute further requires that such insurance and collateral shall be at least 10 percent greater than the amount on deposit.

The following table summarizes cash and cash equivalents:

Year Ended June 30 (In Thousands)		
Carrying Amount	2011	2010
Cash, in bank	\$ 806	\$ 596
Cash, trustee account (US Bank)	1,557	1,557
Total local cash and cash equivalents	2,363	2,153
Total treasury cash accounts	15,985	16,524
Grand Total	\$ 18,348	\$ 18,677

At June 30, 2011 and 2010, the University's local bank balances were \$901,707 and \$678,191, respectively. These balances were adjusted by items in transit to arrive at the University's cash in bank balance.

The University's balance in the treasury, except for the Revenue Fund, is invested by the Minnesota State Board of Investment as part of the state investment pool. This asset is reported as a cash equivalent.

*Investments* — The Minnesota State Board of Investment manages the majority of the state's investments. The University also has investments in a brokerage account with Bremer Investment Management and Trust. All investments are governed by Minnesota Statutes, Chapters 11A and 356A. Minnesota Statutes, Section 11A.24, broadly restricts investments to obligations and stocks of the United States and Canadian governments, their agencies and registered corporations, other international securities, short term obligations of specified high quality, restricted participation as a limited partner in venture capital, real estate, or resource equity investments, and the restricted participation in registered mutual funds. Generally, when applicable, the statutes limit investments to those rated within the top four quality rating categories of a nationally recognized rating agency. The statutes further prescribe the maximum percentage of fund assets that may be invested in various asset classes and contain specific restrictions to ensure the quality of the investments.

Within statutory parameters, the Minnesota State Board of Investment has established investment guidelines and benchmarks for all funds under its management. These investment guidelines and benchmarks are tailored to the particular needs of each fund and specify investment objectives, risk tolerance, asset allocation, investment management structure, and specific performance standards.

*Custodial Credit Risk* — Custodial credit risk for investments is the risk that in the event of a failure of the counterparty, the University will not be able to recover the value of the investments that are in the possession of an outside party. Board procedure 7.5.1 requires compliance with Minnesota Statutes, Section 118A.03 and further excludes the use of FDIC insurance when meeting collateral requirements.

*Credit Risk* — Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The University's policy for reducing its exposure to credit risk is to comply with Minnesota Statutes, Section 118A.04. This statute limits investments to the top quality rating categories of a nationally recognized rating agency.

*Concentration of Credit Risk* — Concentration of credit risk is the risk of loss attributed to the magnitude of a government's investment in a single issuer. The University's policy for reducing this risk of loss is to comply with Board procedure 7.5.1 which recommends investments be diversified by type and issuer.

*Interest Rate Risk* — Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The University complies with Board procedure 7.5.1 that recommends considering fluctuating interest rates and cash flow needs when purchasing short term and long term debt investments.

As of June 30, the University had the following investments and maturities:

Investment Type	Year Ended June 30 (in Thousands)			
	2011 Fair Value	Weighted Maturity (Years)	2010 Fair Value	Weighted Maturity (Years)
U.S. agency obligations	\$ 182	1.93	\$ 202	2.50
U.S. agency mortgage backed sec	121	1.60	197	2.02
U.S. treasuries	8	0.52	—	—
Municipal obligations	183	2.00	25	2.65
To tal	\$ <u>494</u>		\$ <u>424</u>	
Portfolio weighted average maturity		1.85		2.29

### 3. ACCOUNTS RECEIVABLE

At June, 2011 and 2010, the total accounts receivable balances for the University were \$954,742 and \$731,089, respectively, less an allowance for uncollectible receivables of \$253,806 and \$200,204, respectively.

#### Summary of Accounts Receivable at June 30 (In Thousands)

	2011	2010
Tuition	\$ 333	\$ 251
Fees	127	114
Room and board	187	126
Sales and services	42	98
Third party obligations	55	50
Other	211	92
Total accounts receivable	955	731
Less allowance for uncollectible accounts	(254)	(200)
Net accounts receivable	\$ <u>701</u>	\$ <u>531</u>

The allowance for uncollectible accounts has been computed based on the following aging schedules:

Age	Allowance Percentage
Less than 1 year	15
1 to 3 years	45
3 to 5 years	70
Over 5 years	95

### 4. PREPAID EXPENSE

Prepaid expense consists primarily of funds which have been deposited in the state's Debt Service Fund for future general obligation bond payments in the amounts of \$608,548 and \$554,006 for fiscal years 2011 and 2010, respectively. Minnesota Statutes, Section 16A.641, requires all state agencies to have on hand on December 1 of each year an amount sufficient to pay all general obligation bond principal and interest due, and to become due, through July 1 of the second year. Also included in prepaid expense at June 30, 2011 was \$29,969 stemming from prepaid software maintenance agreements and prepaid software contractual support. There was no prepaid expense at June 30, 2010 related to prepaid software maintenance or support.

## 5. LOANS RECEIVABLE

Loans receivable balances consist of loans under the Federal Perkins Loan program. The federal government provides the funding for the loans with amounts collected used for new loan advances. The Minnesota State Colleges and Universities loans collections unit is responsible for loan collections. As of June 30, 2011 and 2010, the total loans receivable for this program were \$1,165,249 and \$1,185,376, respectively, less an allowance for uncollectible loans of \$118,500 and \$106,700, respectively.

## 6. CAPITAL ASSETS

Summaries of changes in capital assets for fiscal years 2011 and 2010 follow:

	Year Ended June 30, 2011 (In Thousands)				
	Beginning Balance	Increases	Decreases	Completed Construction	Ending Balance
Capital assets, not depreciated:					
Land	\$ 203	\$ —	\$ —	\$ —	\$ 203
Construction in progress	6,625	2,811	—	(8,872)	564
Total capital assets, not depreciated	6,828	2,811	—	(8,872)	767
Capital assets, depreciated:					
Buildings and improvements	117,358	—	—	8,872	126,230
Equipment	4,605	103	66	—	4,642
Library collections	1,595	245	233	—	1,607
Total capital assets, depreciated	123,558	348	299	8,872	132,479
Less accumulated depreciation:					
Buildings and improvements	47,013	2,984	—	—	49,997
Equipment	2,776	351	66	—	3,061
Library collections	933	230	233	—	930
Total accumulated depreciation	50,722	3,565	299	—	53,988
Total capital assets depreciated, net	72,836	(3,217)	—	8,872	78,491
Total capital assets, net	\$ 79,664	\$ (406)	\$ —	\$ —	\$ 79,258

	Year Ended June 30, 2010 (In Thousands)				
	Beginning Balance	Increases	Decreases	Completed Construction	Ending Balance
Capital assets, not depreciated:					
Land	\$ 203	\$ —	\$ —	\$ —	\$ 203
Construction in progress	1,345	9,968	—	(4,688)	6,625
Total capital assets, not depreciated	1,548	9,968	—	(4,688)	6,828
Capital assets, depreciated:					
Buildings and improvements	112,670	—	—	4,688	117,358
Equipment	4,511	213	119	—	4,605
Library collections	1,621	230	256	—	1,595
Total capital assets, depreciated	118,802	443	375	4,688	123,558
Less accumulated depreciation:					
Buildings and improvements	44,357	2,656	—	—	47,013
Equipment	2,532	329	85	—	2,776
Library collections	961	228	256	—	933
Total accumulated depreciation	47,850	3,213	341	—	50,722
Total capital assets depreciated, net	70,952	(2,770)	34	4,688	72,836
Total capital assets, net	\$ 72,500	\$ 7,198	\$ 34	\$ —	\$ 79,664

## 7. ACCOUNTS PAYABLE

Accounts payable represent amounts due for goods and services received prior to the end of the fiscal year.

Summary of Accounts Payable at June 30  
(In Thousands)

	2011	2010
Capital expenditures	\$ 26	\$ 71
Purchased services	240	303
Repairs and maintenance	34	103
Supplies	82	96
Other payables	183	92
Total	<u>\$ 565</u>	<u>\$ 665</u>

In addition, as of June 30, 2011 and 2010, the University had amounts payable from restricted assets of \$279,207 and \$2,270,074, which were related to capital projects, financed by general obligation bonds and revenue bonds.

## 8. LONG TERM OBLIGATIONS

Summaries of amounts that are due within one year are reported in the current liability section of the statements of net assets.

The changes in long term debt for fiscal years 2011 and 2010 follow:

Year Ended June 30, 2011  
(In Thousands)

	Beginning Balance	Increases	Decreases	Ending Balance	Current Portion
Liabilities for:					
Bond premium/discount	\$ 139	\$ 379	\$ 52	\$ 466	\$ —
General obligation bonds	5,286	691	375	5,602	411
Notes payable	232	250	232	250	—
Revenue bonds	17,815	—	825	16,990	859
Total long term debt	<u>\$ 23,472</u>	<u>\$ 1,320</u>	<u>\$ 1,484</u>	<u>\$ 23,308</u>	<u>\$ 1,270</u>

Year Ended June 30, 2010  
(In Thousands)

	Beginning Balance	Increases	Decreases	Ending Balance	Current Portion
Liabilities for:					
Bond premium/discount	\$ 114	\$ 49	\$ 24	\$ 139	\$ —
General obligation bonds	3,584	2,015	313	5,286	376
Notes payable	457	—	225	232	232
Revenue bonds	17,471	1,045	701	17,815	825
Total long term debt	<u>\$ 21,626</u>	<u>\$ 3,109</u>	<u>\$ 1,263</u>	<u>\$ 23,472</u>	<u>\$ 1,433</u>

The changes in other compensation benefits for fiscal years 2011 and 2010 follow:

Year Ended June 30, 2011 (In Thousands)					
	Beginning Balance	Increases	Decreases	Ending Balance	Current Portion
Liabilities for:					
Compensated absences	\$ 3,463	\$ 278	\$ 340	\$ 3,401	\$ 374
Early termination benefits	32	32	32	32	32
Net other postemployment benefits	433	268	94	607	—
Workers' compensation	56	283	48	291	128
Total other compensation benefits	<u>\$ 3,984</u>	<u>\$ 861</u>	<u>\$ 514</u>	<u>\$ 4,331</u>	<u>\$ 534</u>

Year Ended June 30, 2010 (In Thousands)					
	Beginning Balance	Increases	Decreases	Ending Balance	Current Portion
Liabilities for:					
Compensated absences	\$ 3,536	\$ 410	\$ 483	\$ 3,463	\$ 339
Early termination benefits	77	32	77	32	32
Net other postemployment benefits	298	230	95	433	—
Workers' compensation	86	27	57	56	24
Total other compensation benefits	<u>\$ 3,997</u>	<u>\$ 699</u>	<u>\$ 712</u>	<u>\$ 3,984</u>	<u>\$ 395</u>

*Bond Premium/Discount* — In fiscal year 2011 bonds were issued resulting in premiums of \$379,153. Bonds were issued in fiscal year 2010 resulting in premiums of \$66,243 and discounts of \$17,200. Amortization is calculated using the straight line method and amortized over the average remaining life of the bonds.

*General Obligation Bonds* — The state of Minnesota sells general obligation bonds to finance most of the Minnesota State Colleges and Universities' capital projects. The interest rate on these bonds ranges from 2.0 to 5.5 percent. Minnesota State Colleges and Universities is responsible for paying one third of the debt service for certain general obligation bonds sold for those capital projects, as specified in the authorizing legislation. This debt obligation is allocated to the colleges and universities based upon the specific projects funded. The general obligation bond liability included in these financial statements represents the University's share.

*Notes Payable* — Notes payable 2010 balances consist of financing agreements on computers and equipment that are under the capitalization threshold of \$10,000. The interest rate on these notes ranges from 2.99 percent to 6.1 percent. Notes payable 2011 balances consist of a \$250,000 loan received from the system office with repayment over seven years beginning July 1, 2012 with annual principal payments of \$35,714. Interest will be accrued at a variable interest rate to be adjusted annually each May 1<sup>st</sup>. The interest rate is 1 percent for the first year.

*Revenue Bonds* — The Revenue Fund is authorized by Minnesota Statutes, Section 136F.98, to issue revenue bonds whose aggregate principal shall not exceed \$300,000,000 at any time. The proceeds of these bonds are used to finance the acquisition, construction and remodeling of buildings for residence hall, student union, food service and other revenue producing and related facilities at the state universities. Revenue bonds currently outstanding have interest rates of 4.0 percent to 6.5 percent.

The revenue bonds are payable solely from, and collateralized by, an irrevocable pledge of revenues to be derived from the operation of the financed buildings and from student fees. These revenue bonds are payable

through 2027. Annual principal and interest payments on the bonds are expected to require less than 25.16 percent of net revenues. The total principal and interest remaining to be paid on the bonds is \$23,084,484. Principal and interest paid for the current year and total customer net revenues were \$1,553,304 and \$6,173,530, respectively.

*Compensated Absences* — University employees accrue vacation leave, sick leave and compensatory leave at various rates within limits specified in the collective bargaining agreements. The liability for compensated absences is payable as severance pay under specific conditions. This leave is liquidated only at the time of termination from state employment.

*Early Termination Benefits* — Early termination benefits are benefits received for discontinuing services earlier than planned. See Note 9 for details.

*Net Other Postemployment Benefits* — Net other postemployment benefits are health insurance benefits for certain retired employees under a single employer fully insured plan. Under the health benefits program retirees are required to pay 100 percent of the total premium cost. Since the premium is a blended rate determined on the entire active and retiree population, the retirees are receiving an implicit rate subsidy. See Note 10 for further details.

*Workers' Compensation* — The state of Minnesota Department of Management and Budget manages the self insured workers' compensation claims activities. The reported liability for workers' compensation of \$291,030 and \$56,319 at June 30, 2011 and 2010, respectively, is based on claims filed for injuries to state employees occurring prior to the fiscal year end, and is an undiscounted estimate of future payments.

*Capital Contributions* — The liabilities of \$995,652 and \$1,005,905 at June 30, 2011 and 2010, respectively, represent the amount the University would owe the federal government if it were to discontinue the Perkins loan program. The net decreases was \$10,253 and \$14,023 for fiscal years 2011 and 2010, respectively.

Principal and interest payment schedules are provided in the following table for revenue bonds, general obligation bonds, capital leases, and notes payable. There are no payment schedules for bond premium/discounts, compensated absences, early termination benefits, other postemployment benefits, workers' compensation, or capital contributions.

Long Term Debt Repayment Schedule  
(In Thousands)

Fiscal Years	General Obligation Bonds		Revenue Bonds		Notes Payable*	
	Principal	Interest	Principal	Interest	Principal	Interest
2012	\$ 411	\$ 253	\$ 859	\$ 702	\$ —	\$ —
2013	382	236	897	666	36	4
2014	382	218	926	628	36	2
2015	353	200	965	588	36	2
2016	345	183	999	546	36	1
2017-2021	1,671	666	5,387	2,051	106	2
2022-2026	1,425	277	5,722	886	—	—
2027-2031	633	51	1,235	28	—	—
Total	\$ 5,602	\$ 2,084	\$ 16,990	\$ 6,095	\$ 250	\$ 11

\*Interest is estimated at 1 percent

## 9. EARLY TERMINATION BENEFITS

Early termination benefits are defined as benefits received for discontinuing services earlier than planned. Certain bargaining unit contracts, Inter Faculty Organization (IFO) and Minnesota State University Association of Administrative Service Faculty (MSUAASF), provide for this benefit. The following is a description of the different benefit arrangements for each contract, including the number of retired faculty receiving the benefit and the amount of future liability as of the end of fiscal years 2011 and 2010.

### *Inter Faculty Organization (IFO) contract*

The IFO contract allows faculty members who meet certain eligibility and combination of age and years of service requirements to receive an early retirement incentive cash payment based on base salary at time of separation, as well as an amount equal to the employer's contribution for one year's health insurance premiums deposited in his/her health care savings plan at time of separation. The cash incentive can be paid either in one or two payments. The number of retired faculty who received this benefit and the amount of future liability for those faculty as of the end of fiscal years 2011 and 2010, is as follows:

<u>Fiscal Year</u>	<u>Number of Faculty</u>	<u>Future Liability (In Thousands)</u>
2011	1	\$ 32
2010	1	32

### *Minnesota State University Association of Administrative Service Faculty (MSUAASF) contract*

The MSUAASF contract allows faculty members who meet certain eligibility and combination of age and years of service requirements to receive an early retirement incentive cash payment based on base salary at time of separation, as well as an amount equal to the employer's contribution for one year's health insurance premiums deposited in his/her health care savings plan at time of separation. The cash incentive can be paid either in one or two payments. As of the end of fiscal years 2011 and 2010, no retired faculty are receiving this benefit.

## 10. NET OTHER POSTEMPLOYMENT BENEFITS

The University provides health insurance benefits for certain retired employees under a single employer fully insured plan, as required by Minnesota Statute, Section 471.61 subdivision 2B. Active employees who retire when eligible to receive a retirement benefit from a Minnesota public pension plan and do not participate in any other health benefits program providing coverage similar to that herein described, will be eligible to continue coverage with respect to both themselves and their eligible dependent(s) under the health benefits program. Retirees are required to pay 100 percent of the total premium cost. Since the premium is a blended rate determined on the entire active and retiree population, the retirees are receiving an implicit rate subsidy. As of July 1, 2010, there were approximately 10 retirees receiving health benefits from the health plan.

*Annual OPEB Cost and Net OPEB Obligation* — The annual other postemployment benefit (OPEB) cost (expense) is calculated based on the annual required contribution (ARC) of the employer, an amount actuarially determined in accordance with the parameters of GASB Statement No. 45 *Accounting and Financial Reporting by Employers for Post Employment Benefits Other Than Pensions*. The ARC represents a level of funding that, if paid on an ongoing basis, is projected to cover normal cost each year and amortize any unfunded actuarial liabilities (or funding excess) over a period not to exceed 30 years.

The following table shows the components of the annual OPEB cost for fiscal years 2011 and 2010, the amount actually contributed to the plan, and changes in the net OPEB obligation:

	2011	2010
Annual required contribution (ARC)	\$ 264	\$ 228
Interest on net OPEB obligation	21	14
Adjustment to ARC	(17)	(12)
Annual OPEB Cost	268	230
Contributions during the year	(94)	(95)
Increase in net OPEB obligation	174	135
Net OPEB obligation, beginning of year	433	298
Net OPEB obligation, end of year	<u>\$ 607</u>	<u>\$ 433</u>

The University's annual OPEB cost, the percentage of annual OPEB cost contributed to the plan and the net OPEB obligation for fiscal years 2011 and 2010, were as follows:

	2011	2010
Net OPEB obligation, beginning of year	\$ 433	\$ 298
Annual OPEB Cost	268	230
Employer contribution	(94)	(95)
Net OPEB obligation, end of year	<u>\$ 607</u>	<u>\$ 433</u>
Percentage contributed	35.07 %	41.30 %

*Funding Status* — There are currently no assets that have been irrevocably deposited in a trust for future health benefits. Therefore, the actuarial value of assets is zero.

Actuarial Valuation Date	Actuarial Value of Assets	Actuarial Accrued Liability	Unfunded Actuarial Accrued Liability	Funded Ratio	Covered Payroll	UAAL as a Percentage of Covered Payroll
	(a)	(b)	(b - a)	(a/b)	(c)	((b - a)/c)
July 1, 2010	—	\$ 2,658	\$ 2,658	0.00%	\$ 24,460	10.87%

*Actuarial Methods and Assumptions* — Actuarial valuations involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far in to the future. Examples include assumptions about future employment, mortality, and healthcare cost trends. Amounts determined regarding the funded status of the plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future.

Projections of benefits for financial reporting purposes are based on the substantive plan (as understood by the employer and the plan members) and include the types of benefits provided at the time of each valuation. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short term volatility in actuarial accrued liabilities, consistent with the long term perspective of the calculations.

In the July 1, 2010 actuarial valuation, the entry age normal actuarial cost method was used. The actuarial assumptions included a 4.75 percent discount rate, which is based on the estimated long term investment yield on the general assets, using an underlying long term inflation assumption of 3 percent.

The annual healthcare cost trend rate is 6.25 percent initially, reduced incrementally to an ultimate rate of 5 percent after twenty years. The unfunded actuarial accrued liability is being amortized as a level dollar amount over an open 30 year period.

#### 11. LEASE AGREEMENTS

*Income Lease* – In July 1, 2007, the University entered into a five year lease agreement with the Agricultural Utilization Research Institute. The University is leasing office space to the nonprofit organization.

Future expected lease payments to be received are as follows:

(In Thousands)	
Fiscal Year	Amount
2012	\$ 96

#### 12. TUITION, FEES, AND SALES, NET

The following table provides information related to tuition, fees, and sales revenue:

Description	For the Year Ended June 30					
	(In Thousands)					
	2011			2010		
	Gross	Scholarship Allowance	Net	Gross	Scholarship Allowance	Net
Tuition	\$ 19,909	\$ (6,742)	\$ 13,167	\$ 19,131	\$ (6,196)	\$ 12,935
Fees	2,030	(470)	1,560	2,010	(496)	1,514
Sales	1,492	—	1,492	1,412	—	1,412
Restricted student payments	6,131	(323)	5,808	5,491	(356)	5,135
Total	\$ 29,562	\$ (7,535)	\$ 22,027	\$ 28,044	\$ (7,048)	\$ 20,996

#### 13. OPERATING EXPENSES BY FUNCTIONAL CLASSIFICATION

The following tables provide information related to operating expenses by functional classification:

Description	For the Year Ended June 30, 2011				
	(In Thousands)				
	Salaries	Benefits	Other	Interest	Total
Academic support	\$ 2,384	\$ 773	\$ 1,658	\$ 102	\$ 4,917
Institutional support	2,895	886	1,863	123	5,767
Instruction	11,965	3,948	3,505	516	19,934
Public service	292	98	467	13	870
Student services	4,224	1,360	2,729	181	8,494
Auxiliary enterprises	1,717	435	5,354	70	7,576
Scholarships & fellowships	—	—	769	—	769
Less interest expense	—	—	—	(1,005)	(1,005)
Total operating expenses	\$ 23,477	\$ 7,500	\$ 16,345	\$ —	\$ 47,322

For the Year Ended June 30, 2010  
(In Thousands)

Description	Salaries	Benefits	Other	Interest	Total
Academic support	\$ 2,292	\$ 720	\$ 1,549	\$ 90	\$ 4,651
Institutional support	3,158	900	1,989	122	6,169
Instruction	11,708	3,988	2,922	471	19,089
Public service	292	96	472	12	872
Research	—	—	6	—	6
Student services	4,232	1,380	2,508	168	8,288
Auxiliary enterprises	1,697	451	5,769	64	7,981
Scholarships & fellowships	—	—	872	—	872
Less interest expense	—	—	—	(927)	(927)
Total operating expenses	<u>\$ 23,379</u>	<u>\$ 7,535</u>	<u>\$ 16,087</u>	<u>\$ —</u>	<u>\$ 47,001</u>

#### 14. EMPLOYEE PENSION PLANS

The University participates in three retirement plans: the State Employees Retirement Fund, administered by the Minnesota State Retirement System; the Teachers Retirement Fund, administered by the Minnesota Teachers Retirement Association; and the Minnesota State Colleges and Universities Defined Contribution Retirement Plan.

##### *State Employees Retirement Fund (SERF)*

Pension fund information is provided by the Minnesota State Retirement System, which prepares and publishes its own stand alone comprehensive annual financial report, including financial statements and required supplementary information. Copies of the report may be obtained directly from Minnesota State Retirement System at 60 Empire Drive, Suite 300, St. Paul, Minnesota 55103-3000.

SERF is a cost sharing, multiple employer defined benefit plan. All classified employees are covered by this plan. A classified employee is one who serves in a civil service position. Normal retirement age is 65. The annuity formula is the greater of a step rate with a flat rate reduction for each month of early retirement, or a level rate (the higher step rate) with an actuarial reduction for early retirement. The applicable rates for each year of allowable service are 1.2 percent and 1.7 percent of the members' average salary, which is defined as the highest salary paid in five successive years of service. Minnesota State Colleges and Universities, as an employer for some participants, is liable for a portion of any unfunded accrued liability of this fund.

The statutory authority for SERF is Minnesota Statutes, Chapter 352. For fiscal year 2009 the funding requirement for both employer and employee was 4.5 percent. For fiscal year 2010 the funding requirement was 4.75 percent for both employer and employee. For fiscal year 2011 the funding requirement was 5 percent for both employer and employee. Actual contributions were 100 percent of required contributions.

Required contributions for Southwest Minnesota State University were:

(In Thousands)	
Fiscal Year	Amount
2011	\$ 274
2010	242
2009	244

*Teachers Retirement Fund (TRF)*

Pension fund information is provided by the Minnesota Teachers Retirement Association, which prepares and publishes its own stand alone comprehensive annual financial report, including financial statements and required supplementary information. Copies of the report may be obtained directly from Minnesota Teachers Retirement Association at 60 Empire Drive, Suite 400, St. Paul, Minnesota 55103-3000.

The TRF is a cost sharing, multiple employer defined benefit plan. Teachers and other related professionals may participate in TRF. Normal retirement age is 65. Coordinated membership includes participants who are covered by the Social Security Act. The annuity formula is the greater of a step rate with a flat reduction for each month of early retirement, or a level rate (the higher step rate) with an actuarially based reduction for early retirement. The applicable rates for coordinated members are 1.2 percent and 1.7 percent for service rendered before July 1, 2006, and 1.4 percent and 1.9 percent for service rendered on or after July 1, 2006. Minnesota State Colleges and Universities, an employer for some participants, is liable for a portion of any unfunded accrued liability of this fund.

The statutory authority for TRF is Minnesota Statutes, Chapter 354. For fiscal years 2009, 2010 and 2011 the funding requirement was 5.5 percent for both employer and employee coordinated members. Beginning July 1, 2011, both employee and employer contribution rate increases will be phased in with a 0.5 percent increase, occurring every July 1 over four years, until it reaches a contribution rate of 7.5 percent on July 1, 2014. Actual contributions were 100 percent of required contributions.

Required contributions for Southwest Minnesota State University were:

<u>(In Thousands)</u>	
<u>Fiscal Year</u>	<u>Amount</u>
2011	\$ 180
2010	198
2009	192

*Minnesota State Colleges and Universities Defined Contribution Retirement Fund*

General Information — The Minnesota State Colleges and Universities Defined Contribution Retirement Fund includes two plans, an Individual Retirement Account Plan and a Supplemental Retirement Plan. Both plans are mandatory, tax deferred, single employer defined contribution plans authorized by Minnesota Statutes, Chapters 354B and 354C. The plans are designed to provide retirement benefits to Minnesota State Colleges and Universities unclassified employees. An unclassified employee is one who belongs to Minnesota State Colleges and Universities specific bargaining units. The plans cover unclassified teachers, librarians, administrators and certain other staff. The plans are mandatory for qualified employees and vesting occurs immediately.

The administrative agent of the two plans is Teachers Insurance and Annuity Association College Retirement Equities Fund (TIAA-CREF). Separately issued financial statements can be obtained from TIAA-CREF, Normandale Lake Office park, 8000 Norman Center Drive, Suite 1100, Bloomington, MN 55437.

*Individual Retirement Account Plan — (IRAP)*

Participation — Every employee who is in unclassified service is required to participate in TRF or IRAP upon achieving eligibility. An unclassified employee is one who serves in a position deemed unclassified according to Minnesota Statutes. This includes presidents, vice presidents, deans, administrative or service faculty, teachers, and other managers and professionals in academic and academic support programs. Eligibility begins with the employment contract for the first year of unclassified service in which the employee is hired for more than 25 percent of a full academic year, excluding summer session. An employee remains a participant of the plan, even if employed for less than 25 percent of a full academic year in subsequent years.

Contributions — There are two member groups participating in the IRAP, a faculty group and an administrators group. For both faculty and administrators, the employer and employee statutory contribution rates are 6 percent and 4.5 percent, respectively. The contributions are made under the authority of Minnesota Statutes, Chapter 354B.

Required contributions for Southwest Minnesota State University were:

(In Thousands)		
Fiscal Year	Employer	Employee
2011	\$ 732	\$ 546
2010	708	529
2009	730	543

*Supplemental Retirement Plan — (SRP)*

Participation — Every employee who has completed two full time years of unclassified service with Minnesota State Colleges and Universities must participate upon achieving eligibility. The eligible employee is enrolled on the first day of the fiscal year following completion of two full time years. Vesting occurs immediately and the normal retirement age is 55.

Contributions — Participants contribute 5 percent of the eligible compensation up to a defined maximum annual contribution as specified in the following table:

Member Group	Eligible Compensation	Annual Maximum
Inter Faculty Organization	\$6,000 to \$51,000	\$2,250
Minnesota State University Association of Administrative and Service Faculty	6,000 to 50,000	2,200
Administrators	6,000 to 60,000	2,700

The University matches amounts equal to the contributions made by participants. The contributions are made under the authority of Minnesota Statutes, Chapter 354C.

Required contributions for Southwest Minnesota State University were:

(In Thousands)	
Fiscal Year	Amount
2011	\$ 420
2010	428
2009	427

## 15. SEGMENT INFORMATION

A segment is an identifiable activity reported as a stand alone entity for which one or more revenue bonds are outstanding. A segment has a specific identifiable revenue stream pledged in support of revenue bonds and has related expenses, gains and losses, and assets and liabilities that are required by an external party to be accounted for separately.

Minnesota State Colleges and Universities issues revenue bonds to finance the University dormitories and student unions.

A summary table of the University's portion of the Revenue Fund follows:

Southwest Minnesota State University Portion of the Revenue Fund (In Thousands)		
CONDENSED STATEMENTS OF NET ASSETS	2011	2010
Assets:		
Current assets	\$ 496	\$ 731
Current restricted assets	3,143	3,206
Noncurrent restricted assets	1	3
Capital assets	31,312	32,603
Total assets	<u>34,952</u>	<u>36,543</u>
Liabilities:		
Current liabilities	1,254	1,371
Noncurrent liabilities	16,404	17,000
Total liabilities	<u>17,658</u>	<u>18,371</u>
Invested in capital assets, net of related debt	17,294	18,002
Restricted	—	170
Total net assets	<u>\$ 17,294</u>	<u>\$ 18,172</u>
CONDENSED STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS		
	2011	2010
Operating revenues	\$ 6,174	\$ 5,564
Operating expenses	<u>(6,363)</u>	<u>(6,835)</u>
Net operating loss	(189)	(1,271)
Nonoperating revenues (expenses)	(721)	(657)
Gain on disposal of capital assets	32	—
Change in net assets	<u>(878)</u>	<u>(1,928)</u>
Net assets, beginning of year	18,172	20,100
Net assets, end of year	<u>\$ 17,294</u>	<u>\$ 18,172</u>
CONDENSED STATEMENTS OF CASH FLOWS		
Net cash provided (used) by:		
Operating activities	\$ 1,304	\$ 5
Investing activities	37	80
Capital and related financing activities	<u>(1,667)</u>	<u>(2,116)</u>
Net decrease	(326)	(2,031)
Cash, beginning of year	3,735	5,766
Cash, end of year	<u>\$ 3,409</u>	<u>\$ 3,735</u>

## 16. COMMITMENTS

Effective May 20, 2005, the University and Southwest Minnesota State University Foundation entered into a property management agreement. The SMSU Foundation constructed a student housing apartment building on land owned by the SMSU Foundation. The University is managing the building that is being used in its student housing program. The agreement commenced on August 1, 2006 and shall end on June 30, 2016, unless extended or terminated as provided in the agreement.

Funding was approved in 2008 on a \$9.2 million Science and Hospitality/Culinology Labs renovation project has an estimated completion date of May 2012. As of June 30, 2011, \$8.5 million has been spent. Three projects with a total budget of \$1.4 million have been approved in 2010 with an estimated completion dates of April thru June 2012. As of June 30, 2011, \$564 thousand has been spent.

## 17. RISK MANAGEMENT

Minnesota State Colleges and Universities is exposed to various risks of loss related to tort; theft of, damage to, or destruction of assets; error or omissions; and employer obligations. Minnesota State Colleges and Universities manage these risks through state of Minnesota insurance plans including the state of Minnesota Risk Management Fund and through purchased insurance coverage.

Automobile liability coverage is required by the state and is provided by the Minnesota Risk Management Fund. The University also purchased optional physical damage coverage for their newest or most expensive vehicles.

Property and casualty coverage is required by Minnesota State Colleges and Universities policy. The University also selected inland marine coverage on the newer computers, scoreboards, digital cameras and artwork. The University also purchases professional liability insurance for athletic trainers, medical staff, students working as personal care attendants, social work interns, mental health counselors and career counselors. Property coverage offered by the Minnesota Risk Management Fund is as follows:

Coverage Type	Amount
Institution deductible	\$25,000
Fund responsibility	Deductible to \$1,000,000
Primary re-insurer coverage	\$1,500,001 to \$12,000,000
Multiple re-insurers' coverage	\$12,000,001 to \$500,000,000
Bodily injury and property damage per person	\$500,000
Bodily injury and property damage per occurrence	\$1,500,000
Annual maximum paid by fund, excess by reinsurer	\$4,000,000
Maintenance deductible for additional claims	\$25,000

Southwest Minnesota State University retains the risk of loss. The University did not have any settlements in excess of coverage for the last three years.

The Minnesota Risk Management Fund purchased student intern professional liability insurance on the open market for the University.

Minnesota State Colleges and Universities participates in the State Employee Group Insurance Plan, which provides life insurance, hospital, medical and dental benefits coverage through provider organizations.

Workers' compensation is covered through state participation in the Workers' Compensation Reinsurance Association, which pays for catastrophic workers' compensation claims. Other workers' compensation risks are covered through self insurance for which Minnesota State Colleges and Universities pays the cost of claims through the state Workers' Compensation Fund. A Minnesota State Colleges and Universities workers' compensation payment pool helps institutions manage the volatility of such claims. Annual premiums are

assessed by the pool based on salary dollars and claims history. From this pool all workers' compensation claims are paid to the state Workers' Compensation Fund.

The following table presents changes in the balances of workers' compensation claims liability during the fiscal years ended June 30, 2011 and 2010:

	(In Thousands)			
	Beginning Liability	Additions	Payments & Other Reductions	Ending Liability
Fiscal Year Ended 6/30/11	\$ 56	\$ 283	\$ 48	\$ 291
Fiscal Year Ended 6/30/10	86	27	57	56

## 18. COMPONENT UNITS

In accordance with GASB Statement No. 39, *Determining Whether Certain Organizations Are Component Units*, the following foundation affiliated with Southwest Minnesota State University is a legally separate, tax exempt entity and reported as a component unit.

The Southwest Minnesota State University Foundation is a separate legal entity formed for the purpose of obtaining and disbursing funds for the sole benefit of the University. The University does not appoint any members of the board and the resources held by the foundation can only be used by, or for, the benefit of the University. The Foundation's relationship with the institution is such that exclusion of the Foundation's financial statements would cause the University's financial statements to be misleading or incomplete. The Foundation is considered a component unit of the University and their statements are discretely presented in the University's financial statements.

The Foundation's financial statements have been prepared on the accrual basis of accounting in accordance with generally accepted accounting principles as prescribed by the Financial Accounting Standards Board (FASB) Accounting Standards Codification (ASC) 958-205, *Presentation of Financial Statements*. Net assets and revenues, expenses, gains, and losses are classified based on the existence or absence of donor imposed restrictions. Accordingly, net assets of the Organization and changes therein are classified and reported as follows:

- *Unrestricted net assets*: Net assets that are not subject to donor imposed stipulations.
- *Temporarily restricted net assets*: Net assets subject to donor imposed restrictions as to how the assets are used.
- *Permanently restricted net assets*: Net assets subject to donor imposed stipulations that they be maintained permanently by the Organization. Generally, the donors of these assets permit the Organization to use all or part of the income earned on any related investments for general or specific purposes. Capital gains on permanently restricted net assets are considered to be part of the principal and are added to permanently restricted net assets.

The University received \$1,377,141 and \$1,728,911 in fiscal years 2011 and 2010, respectively, from Southwest Minnesota State University Foundation. Of this amount \$670,649 and \$729,901 in fiscal years 2011 and 2010, respectively, was for scholarships; \$181,069 and \$316,639, respectively, was for various program donations; \$52,486 and \$362,547, respectively, was for capital asset donations; and \$472,937 and \$316,824, respectively, was for various other uses.

*Investments* — The Foundation's investments are presented in accordance with FASB ASC 958-320, *Investments – Debt and Equity Securities*. Under ASC 958-320, investments in marketable securities with readily determinable fair values and all investments in debt securities are reported at their fair values in the statement of financial position.

Schedule of Investments at June 30  
(In Thousands)

Investments	2011	2010
Money market savings	\$ 92	\$ 33
Fixed income securities	2,673	2,398
Equity securities	4,404	2,926
Total investments	<u>\$ 7,169</u>	<u>\$ 5,357</u>

*Endowment Funds*— The Foundation’s endowment includes both donor-restricted funds and funds designated by the Foundation Board of Trustees to function as endowments. As required by generally accepted accounting principles, net assets associated with endowment funds, including funds designated by the Board of Trustees to function as endowments, are classified and reported based on the existence or absence of donor-imposed restrictions.

Changes in endowment net assets as of June 30, 2011 are as follows:

Schedule of Endowment Net Assets  
As of June 30, 2011  
(In Thousands)

	Permanently Restricted
Net assets, beginning of year	\$ 2,752
Change in value of trusts	199
Contributions	49
Net assets, end of year	<u>\$ 3,000</u>

Changes in endowment net assets as of June 30, 2010 are as follows:

Schedule of Endowment Net Assets  
As of June 30, 2010  
(In Thousands)

	Permanently Restricted
Net assets, beginning of year	\$ 2,545
Change in value of trusts	203
Contributions	4
Net assets, end of year	<u>\$ 2,752</u>

*Capital Assets* — Summaries of the Foundations’ capital assets for fiscal years 2011 and 2010 are:

Schedule of Capital Assets at June 30  
(In Thousands)

Capital Assets	2011	2010
Capital assets, not depreciated:		
Land	\$ 265	\$ 265
Total capital assets, not depreciated	<u>265</u>	<u>265</u>
Capital assets, depreciated:		
Buildings and improvements	8,126	8,126
Equipment	37	37
Total capital assets, depreciated	<u>8,163</u>	<u>8,163</u>
Less total accumulated depreciation	<u>1,420</u>	<u>1,147</u>
Total capital assets depreciated, net	<u>6,743</u>	<u>7,016</u>
Total capital assets, net	<u>\$ 7,008</u>	<u>\$ 7,281</u>

*Long Term Debt* — A summary of the Foundation's long term debt is as follows:

Long Term Debt	2011	2010
Assessment payable	\$ 4	\$ 43
Notes payable	1,662	2,186
Student housing revenue note	4,901	5,080
Total long term debt	6,567	7,309
Less current portion	515	515
Net long term debt	\$ 6,052	\$ 6,794

*Assessment Payable* — Street and utility assessments are due to the City of Marshall. They are secured by real estate with annual payments of \$7,817 plus interest at 6.2 percent.

*Notes Payable* — Bremer Bank: A \$228,000 note is secured by a blanket policy over the Foundation assets along with a purchase money security interest in the lights for the Regional Event Center. Quarterly payments of \$7,950 including interest at 6.72 percent began September 15, 2008 and mature on June 15, 2013. A \$337,500 note is secured by the first priority in the Foundation's Campaign Investment Account. Quarterly payments of \$11,800 including interest of 6.79 percent began September 15, 2008 and mature on June 15, 2013. An \$875,000 note is secured by the first priority in the scoreboard for the Regional Event Center. Quarterly payments of \$31,250 including interest at 7.24 percent began December 15, 2008 and mature on September 15, 2013. A \$125,000 note is secured by investments in the Expendable Investment fund held at Bremer Bank. This note matures in full on April 5, 2011 including interest at 4.5 percent.

Aramark Educational Services, LLC: A \$350,000 unsecured note is interest free with quarterly payments of \$10,938. The payments began on July 1, 2008 and will mature on June 30, 2016.

Schwan's Corporate Giving Foundation: This represents the amount of gifts pledged to the Foundation on behalf of the construction of the Regional Events Center. The agreement states that all funds pledged to the Foundation on behalf of the construction of the Regional Events Center will be used to pay down the Schwan's note at Bremer Bank NA, Marshall, Minnesota. The Foundation has received pledges totaling \$2,006,000 and has paid \$1,473,534 towards the balance to date. The remainder of the funds will be paid as the pledges are received.

*Student Housing Revenue Note* — The note was issued through the City of Marshall and is payable to Bremer Bank, National Association. It is secured by the Foundation Residence Hall. The interest rate is 5 percent until May 2010 at which time (and every five years thereafter) the interest rate shall be adjusted to an interest rate equal to the then LIBOR rate plus 2.75 percent. The final payment is due May 2030.

Principal and interest payment schedule is provided below:

Fiscal Years	Principal	Interest
2012*	\$ 515	\$ 240
2013*	1,307	223
2014*	197	148
2015*	203	141
2016*	210	134
2017-2021*	1,264	554
2022-2026*	1,474	335
2027-2031*	1,397	84
Total	\$ 6,567	\$ 1,859

\*Student Housing Revenue Note interest is estimated at 5 percent.

#### 19. SUBSEQUENT EVENT

A windstorm occurred on July 1, 2011, causing damage to the Southwest Minnesota State University Campus. The estimated total cost of damages as of October 1, 2011 is \$700,000. SMSU has a deductible of \$25,000. Total coverage by insurance is still being determined.

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**REQUIRED SUPPLEMENTARY  
INFORMATION SECTION**

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**SOUTHWEST MINNESOTA STATE UNIVERSITY**  
**SCHEDULE OF FUNDING PROGRESS FOR NET OTHER POSTEMPLOYMENT BENEFITS**

Schedule of Funding Progress (In Thousands)						
Actuarial Valuation Date	Actuarial Value of Assets (a)	Actuarial Accrued Liability (b)	Unfunded Actuarial Accrued Liability (b - a)	Funded Ratio (a/b)	Covered Payroll (c)	UAAL as a Percentage of Covered Payroll ((b - a)/c)
July 1, 2006	—	\$ 2,191	\$ 2,191	0.00%	\$ 24,369	8.99%
July 1, 2008	—	2,383	2,383	0.00	23,049	10.34
July 1, 2010	—	2,658	2,658	0.00	24,460	10.87

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## SUPPLEMENTARY SECTION

**REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND  
OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED  
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Board of Trustees  
Minnesota State Colleges and Universities  
St. Paul, Minnesota

We have audited the financial statements of Southwest Minnesota State University (the University) as of and for the years ended June 30, 2011, and have issued our report thereon dated October 25, 2011. We did not audit the financial statements of Southwest Minnesota State University Foundation, a discretely presented component unit of Southwest Minnesota State University. Those financial statements were audited by other auditors whose report thereon has been furnished to us, and our opinion, insofar as it relates to the amounts included for the discretely presented component unit mentioned above, is based on the report of the other auditors. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The financial statements of Southwest Minnesota State University Foundation were not audited in accordance with *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the University's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our test disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Board of Trustees and management of the University and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in cursive script that reads "Jason Allen CP".

**LarsonAllen LLP**

Minneapolis, Minnesota  
October 25, 2011

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Appendix Q

Description of How Students Will be Provided with Access to Support Services

Describe how students will be provided with access to learning resources, including appropriate library and other support services requisite for the schools' degree programs.

The Graduate Office Director serves as the weekday contact for administrative issues, including admission requirements, transcript reviews/transfer credits, course enrollment information, and graduation requirements. A graduate faculty member of the Education Department and a co-facilitator guide the students through the curriculum and are the assigned advisors for the learning community students. Students have contact with advisors during weekend sessions and accessibility via e-mail and telephone throughout the week. The Graduate Program Director is also available to answer questions via e-mail and phone during weekdays. SMSU strives to have a 48-hour turnaround time for answering student questions.

Once students are admitted to the graduate program, they are provided access codes for all university services, including Mustang ID numbers, e-mail accounts, and library access codes. Library and computer services are available to students and are detailed on the Library (<http://www.smsu.edu/Library/>) and Information Technology Services (<http://www.smsu.edu/InformationTechnologyServices/>) Web pages. The library provides a Distance Learning page (the link to this page is accessible from the Library Web page) with remote access information, along with interlibrary loan request procedures with video tutorials to assist the visual learner. An SMSU reference librarian is on duty at posted times to answer questions in person, via phone, e-mail, or Meebo. If a reference librarian is not available, students are referred to AskMN, an online service for information and research help available to all students, 24 hours a day, 7 days a week. The Information Technology Services Web page provides detailed information for establishing electronic connections to SMSU resources. If students need additional technical support, technicians are available to respond via e-mail or telephone during posted hours Monday-Friday.

All currently enrolled students are encouraged to participate in the Graduate Student Online Orientation (<http://www.smsu.edu/campuslife/graduateoffice/Index.cfm?Id=5501>), which answers many student questions; other questions that come up during the program are directed to the Graduate Office, where questions are answered or students are directed to appropriate personnel for assistance. Admission, Registration and Records, Business Services, Financial Aid, and the Graduate office are available via e-mail or telephone during regular business hours, or via the SMSU Website.

Students are provided with a list of textbooks each year well in advance of the first scheduled class meeting. Most students purchase their textbooks online and are provided with the URL address for the SMSU bookstore as well as other options. Additional materials are either posted on Desire2Learn or handed out by the facilitator.

The on-campus Writing Center (<http://www.smsu.edu/CampusLife/WritingCenter/>) provides writing assistance for learning community students via online service.

Appendix R

Evidence that Appropriate Faculty Develop and Evaluate Curriculum

Provide evidence that faculty within an appropriate discipline are involved in developing and evaluating curriculum for the program(s) to be registered in Iowa.

SMSU currently consists of six full-time graduate faculty members who are responsible for the design, development, and evaluation of all curriculums in the Master of Science in Education: Teaching, Learning and Leadership program. The 2033-14 graduate faculty members are: Dr. John Engstrom; Dr. Sharon Kabes; Dr. Dennis Lamb, Dr. Lon Richardson; Dr. Deborah VanOverbeke; and Dr. Tanya McCoss-Yerigan.

In addition to the above-mentioned faculty, SMSU also involves two distinct committees that are involved with providing approval, oversight, and guidance with curricular initiatives and changes within the Master of Science in Education program. The SMSU Graduate Council consists of faculty members, who are representatives from all of the departments that offer graduate-level courses. This committee meets on a regular basis throughout the academic year.

The second graduate committee is the Graduate Curriculum Committee, which also meets on a regular basis and is made up of graduate faculty members from across campus. The charge of the Graduate Curriculum Committee is to review and recommend graduate curricula and program changes.

Appendix S

Evidence that SMSU Ensures Adequate Physical Facilities

Provide evidence that the school has adequate physical facilities appropriate for the program(s) to be offered and are located in the state. Include a copy of a signed agreement for a facility purchase or lease or option to purchase or lease. Please include a photograph of the location.

The city locations of learning communities are chosen every two years based on marketing and enrollment. Once marketing has determined a learning community will be offered in a city, a site for the learning community is chosen. Specific learning community sites are generally located in public facilities such as schools, community/technical colleges, state universities, or hotel conference centers, where parking is readily available on weekends and where accessibility issues related to ADA are addressed by the facility in advance as required by law. Sites are located within reasonable driving distance of the registered students. Site facilities are selected based on the experience of previous learning communities. Feedback has shown that spaciousness is important for large group instruction/discussion, warm-ups, and active learning. Multiple semi-private areas are necessary for break-out sessions, small group discussions, and individual conferencing. Access to wireless Internet is also considered. After a facility is selected and established, contracts are signed with the site and regular contact is maintained with designated staff/administration from the facility to address issues such as heating, cooling, classroom access, parking, and safety. As noted previously, once a site and physical facilities are determined, SMSU will notify the Iowa State College Commission within 90 days.

Appendix T

SMSU Site-Based Education Locations

Provide an organizational plan that shows the location and physical address, telephone number, fax number and contact information for all internet-based and site-based educational locations, administrative, and service centers operated by the applicant and any parent organization.

The Masters in Science with a Teaching, Learning, and Leadership degree is offered in 9 locations during the 2011-2012 academic year. The sites operate on a two-year basis and move to new sites determined by marketing and enrollment. The sites are listed below.

Location	Address	Contact	Phone Number
Minnesota West Community & Technical College	1593 11th Avenue Granite Falls, MN 56241	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Dakota Valley School	1150 N Shore Dr. N Sioux City, SD 57049	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Owatonna School District	515 West Bridge St. Owatonna, MN 55060	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Central High School	433 Mt Rushmore Road Rapid City, SD 57701	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Park Rapids School	301 Huntsinger Ave. Park Rapids, MN 56470	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Sauk Rapids High School	901 First Street South Sauk Rapids, MN 56379	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Central Lakes CC	501 West College Drive Brainerd, MN 56401	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
Springhill Suites	4304 West Empire Place Sioux Falls, SD 57106	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115
AmericInn	312 Island Drive Fort Pierre, SD 57532	Carol Bossuyt, Education Office and Administrative Specialist	(507) 537-7115

Appendix U

SMSU Policy G-011 Institutional Record of Student Complaints

## **SOUTHWEST MINNESOTA STATE UNIVERSITY**

### **POLICY**

#### **INSTITUTIONAL RECORD OF STUDENT COMPLAINTS**

**Background:** The U.S. Department of Education expects the Higher Learning Commission of the North Central Colleges and Schools (HLC) evaluation teams to be aware of major complaints or categories of student concerns that may or may not be addressed in the self-study. The primary source of that information will be an institutional log of student complaints and their disposition. The visiting team will use the log to consider whether institutions generally deal with complaints in a timely manner and in a way that demonstrates fairness to students. The visiting team will also look for any pattern to the complaints that suggests problems with institutional quality or with factors related to the General Institutional Requirements or Criteria for Accreditation. The team will not be reviewing or second-guessing institutional decisions in specific complaints.

**Policy:** To comply with federal regulations and the Higher Learning Commission of the North Central Colleges and Schools, Southwest Minnesota State University will maintain a record of formal written and signed student complaints. The complaints tracked are those filed with a University Officer with the responsibility to handle the complaint. The records provided to the federal government and the HLC include summary information that is in compliance with the Data Practices Act and FERPA.

**Procedure:**

1. Students with complaints about any aspect of academic and non-academic programs may take those complaints to the Academic Dean's Office, BA 269.
2. University employees that receive a signed, written student complaint regarding any aspect of academic and/or non-academic programs will send a record of the complaint along with the resolution to the Academic Deans Office, BA 269. Actual complaint and supporting documents will remain in the affected office.
3. The Academic Dean's Office will establish a method of logging formal signed, written student complaints and resolutions that have been filed with a University Officer.
4. The log will include:
  - The date the complaint was first formally submitted to the appropriate officer.
  - Nature of the complaint (e.g. grade dispute, allegation of sexual harassment, etc.).
  - The steps taken by the institution to resolve the complaint.
  - The institution's final decision regarding the complaint, including referral to outside agencies.
  - Any other external actions initiated by the student to resolve the complaint, if known to the institution (e.g. lawsuit, EEOC investigation, etc.).
5. The log will only be used to track current and recent student complaints, not parents, employees, etc., even if the complaint relates to a student.
6. Individual students' identities and names will not be included on the log and will not be shared with the visiting HLC team.
7. A formal written and signed student complaint includes complaints received by email or fax as long as the address and/or phone number and the name of the complainant are included.

Appendix V

SMSU 2011-2012 Student Handbook

academic information • academic and diversity re-  
 sources • activities • administrative procedures •  
 admission • advising • box office • business services  
 • campus religious center • career services • child  
 care • clubs • code of conduct • commencement ex-  
 ercises • computer labs • counseling and testing •  
 course information • course load • dean's list • de-  
 gree check • fees • financial aid • final exam policy  
 • food service • general studies • grading • gradua-  
 tion requirements • honors program • housing • in-  
 ternships • library • academic policies • organiza-  
 tions • parking permits • personal safety and secu-  
 rity • physical education facilities • post office • pol-  
 icies and procedures • registration and records •  
 rights and responsibilities • scheduling • scholar-  
 ships • services • student affairs • student associa-  
 tion • student center • Student Handbook •  
 transcript • writing center • 2011-2012 •

• Southwest Minnesota State University •  
 • Marshall, Minnesota •



### Statement of Mission, Vision, and Goals

#### Mission

Southwest Minnesota State University prepares students to meet the complex challenges of this century as engaged citizens in their local and global communities. Our comprehensive degree programs, taught in the liberal arts tradition, are dedicated to connecting students' academic and practical professional development experiences in southwestern Minnesota to the wider world.

#### Vision

Southwest Minnesota State University is a university of choice.

#### Goals

1. The primary focus of all activities is to facilitate the learning experience of our enrolled students. All faculty activities, both within and away from the classroom, are designed to enhance the learning environment.
2. It is essential for SMSU to remain current with technological advancements in delivering classroom and laboratory knowledge to assure maximum interest, impact, and retention by our students.
3. Our faculty recognize the evolving environment in which we all live and the need to insure involving students with current information and developments from the world stage.
4. Student involvement in the learning experience is critical for retention, leading to our dedication to pedagogical improvements that have been shown to enhance the learning experience.
5. We are committed to being good stewards of our resources through demonstrating environmental and fiscal responsibility. Moreover, as responsible citizens and good stewards of our resources, we foster actions, programs, and scholarship that will lead to a sustainable future.
6. We maintain and consistently seek to improve a comprehensive system of support services designed to assist our students in any way possible during their tenure at SMSU and on into the next stages of their lives.
7. We believe in the integration of campus and community. We are committed to being responsive to the needs of southwestern Minnesota and recognize that partnerships with community entities provide us with valuable talents and expertise.
8. We value a safe environment for intellectual expression and encourage open and civil communication.
9. We value a campus safe for all members of the university community.
10. We value maintaining and enhancing a physical design to provide access to all members of the university community.
11. We embrace diversity by developing a quality, comprehensive educational environment that fosters interaction among people of all religions, races, ethnicities, sexual orientations, physical abilities, and ages.
12. We foster cultural understanding on campus through social, educational, and administrative interaction with our diverse population of international students. We offer the opportunity to learn about different cultures through participation in our Global Studies programs.
13. We believe that the southwestern Minnesota region provides rich opportunities for learning that go beyond the traditional classroom and lab settings—community-based learning experiences. Therefore, we are committed to creating a variety of applied learning experiences that enhance students' practical problem-solving skills and strengthen their commitment to civic engagement.

## Introduction

The Southwest Minnesota State University Student Handbook is intended to provide you with information about services available at the University and University procedures. The University views itself as a community and expects that each community member will become familiar with the standards of the community and assume responsibility for making decisions governing his or her behavior with this community.

The information in this handbook is not intended to be exhaustive, but rather it should be used as a reference for basic University expectations. If you should have any questions about the information or be in need of additional resources to answer your questions, please contact the Office of the President, FH 209, phone 537-6272. Updates, as they occur during the year, will be made to the handbook on the SMSU website.

Southwest Minnesota State University is committed to providing equal education and employment opportunities to all persons and does not discriminate on the basis of race, religion, color, veteran's status, national origin, sex, sexual preference, age, marital status, physical and mental disability, status due to receipt of public assistance, or any other group or class against which discrimination is prohibited by Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Minnesota Statutes Chapter 363, and other applicable state or federal laws. Inquiries regarding compliance should be referred to the Affirmative Action Officer, BA 269, 537-6243.

*The information in this handbook is for use as a tool and is subject to change at any time. Please check the online Student Handbook on the SMSU website, under Quick Links, for the most up-to-date information.*

*It is our intention to provide resources relevant to the academic, extracurricular, and social lives of students. Every effort has been made to ensure the accuracy of the material contained within this handbook as of the date of publication. However, all policies, procedures, academic schedules, program information, and fees are subject to change at any time by appropriate action of the faculty, the University administration, the Minnesota State Colleges and Universities Board of Trustees, or the Minnesota Legislature without prior notification. The provisions of this handbook do not constitute a contract between the student and the University.*

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# Academic Information

Academic information is available from many sources. Each course and each academic program (major, minor, concentration, etc.) that is sponsored by an academic department has a chairperson whose office is listed in a number of University publications. Questions concerning a course should be addressed to the instructor. Those questions concerning academic programs should be addressed to your academic advisor or the chairperson of the sponsoring department. Additional academic information may be sought from the Academic Deans' Office, BA 268, or the Office of the Provost, FH 214.

You should review the University catalog by accessing it on the SMSU homepage. The academic programs, liberal arts core requirements, and general academic information regarding grading, academic standing, the honors program, etc., are found in the catalog. Selected regulations have been reprinted here for your convenience.

## ABSENCES

You are expected to attend class regularly. University policy permits an instructor to establish an attendance policy for each class. Ordinarily, instructors distribute such information in printed form at the first class session of the semester. If you are unable to attend the first session, you should seek information concerning the policy on absences as soon as possible.

**Excuse Due to Illness:** Students are advised to report pertinent medical facts to the Health Center, 537-7202, so that instructors can be notified in cases of prolonged illness. We do not contact instructors for short-term illnesses; it is the responsibility of the student to contact the instructors for assignments. Should a student find it necessary to withdraw from classes for medical reasons and they are unable to withdraw in person, they should call the Health Center for further details and implementation of the withdrawal.

## ACADEMIC ADVISEMENT (SMSU Policy A-024)

All matriculated students at Southwest Minnesota State University will be assigned an academic advisor from the faculty and will be presented with advisement opportunities on a semester basis. The advisor gives each advisee their registration access code prior to registration. Students can find their academic advisors online by viewing their class schedule.

The advisement program at Southwest Minnesota State University is predicated on the following basic assumptions:

1. Students have the right and responsibility to make decisions about their own academic

careers.

2. Faculty are the best resources to assist students in developing their academic careers, and it is highly desirable to have students develop close working relationships with their academic advisors.

3. An academic advisement program is based upon an accurate information flow which is established through appropriate administrative policies.

4. The procedures are best implemented by the academic departments with the emphasis on each academic advisor maintaining ongoing personal contact with his/her advisees.

The above assumptions lead to the goal of advisement at Southwest Minnesota State University; that through the student advisement program, matriculated students should receive from a faculty advisor accurate academic information in a way which helps the student develop his/her academic program.

The following objectives, then, flow from this goal and relate to two categories of students.

A. New freshman and transfer students:

- I. New freshman and transfer students

enrolling in fall semester are assigned academic advisors prior to the start of Fall semester. Students are notified of their advisor assignment through their SMSU e-mail accounts.

- II. Academic Advisor Assignments are found on e-services on your class schedule and on your Degree Audit Report (DARS)

- III. Students are required to meet with their Academic Advisors prior to registration each term to obtain their Registration Access Code. This code is required to complete the online registration process.

Returning Students:

Returning Students are required to meet with their Academic Advisors prior to registration each term to obtain their Registration Access Code. This code is required to complete the online registration process.

Students with at least 80 earned credits must meet with their academic advisors to complete their degree checks. The degree check process is completed to notify the Registration Office what your expected graduation term is going to be, review your degree plan and to be approved for participation in a commencement ceremony.

The development of administrative procedures shall be the responsibility of the Office of Academic Affairs.

## CHANGE OF ADVISOR

(See SMSU Policy A-024.4)

Obtain the Change of Permanent Record form at the Registration Office (IL 148) or download the form found on the Registration Office Home page-forms. This form requires that get your new advisor's signature. Return the form to the Registration Office for documentation on your student record. Once this process is completed your new advisor has access to your academic record.

## ADVISEMENT DISCLAIMER

(SMSU Policy A-033)

Southwest Minnesota State University is a dynamic institution, and its academic requirements frequently change. It is the expectation of the University that the responsibility of the student is to keep informed of any changes in requirements which may affect his/her academic career. Resources that will help the student stay informed are: Student Handbook, Academic Catalog, Degree Audit Report (DARS), SMSU Website, and other informational publications.

## ACADEMIC ALTERNATIVES

Southwest Minnesota State offers a variety of degree programs and a variety of approaches to attain those degrees. Listed below are some options for you.

### A. Advanced Placement (AP)

(SMSU Policy A-040)

Southwest Minnesota State University participates in the Advanced Placement Program administered by the College Entrance Examination Board. Southwest Minnesota State University will award credit for the successful completion of an approved Advanced Placement Study Program. Such programs are available to students in participating high schools.

To receive Advanced Placement credit, you must:

- (1) Have the approval of the high school,
- (2) complete the test with a score of 3 or higher, and
- (3) enroll at Southwest Minnesota State University following high school graduation.

All records must be forwarded from the College Entrance Examination Board and the University reserves the right to evaluate such records and determine the credit to be assigned. However, 3 semester hours of credits will be awarded per examination on which you have a score of 3 or higher.

### B. International Baccalaureate (IB)

To receive IB credit, you must:

- (1) Have the approval of the high school,

(2) complete a higher exam with a score of 4 or higher, and

(3) enroll at Southwest Minnesota State University following high school graduation.

All records must be forwarded from the International Baccalaureate Organization and the University reserves the right to evaluate such records and determine the credit to be assigned. However, 3 semester hours of credits will be awarded per higher examination on which you have a score of 4 or higher.

### C. Common Market

The Common Market is a cooperative, statewide program allowing you to enroll at another Minnesota state university (within MnSCU) for one term, or three different Minnesota state universities (within MnSCU) for a total of three terms. The courses, grades, and credits are transferred as SMSU resident credits and are computed in the grade point average. However, you should be advised that in order to receive a degree from Southwest Minnesota State University, you must have completed the requirements for an approved major, 14 semester credit hours (SCH) of which must be taken at SMSU. (*See also: Graduation Requirements on page 6*). The Registrar serves as the director of the Common Market program at SMSU.

### D. Departmental Credit by Examination

(SMSU Policy A-036)

#### Departmental Credit by Examination Policy

Any undergraduate student, currently enrolled at SMSU, who has gained knowledge in certain fields through post high school training or experience and who believes he/she has sufficient knowledge (background information) normally gained through a regular course offered by SMSU, may apply to take a comprehensive examination for credit in that course.

1. SMSU Departments shall have the responsibility for the establishment of criteria to be used in the evaluation of the credit by examination. The departments have the right to accept or reject application for credit by examination. The student is expected to demonstrate a competence comparable to, but not necessarily identical with, that obtained by students receiving credit for the course in the usual manner.

2. Students must be enrolled at SMSU the semester during which the examination is administered and pay a non-refundable fee in advance. This fee is determined by the MnSCU Board of Trustees.

3. Credit by examination is not available to students under the following conditions:

- a. if they have been previously or are currently enrolled in the course;
- b. if they have previously taken the course for audit; or
- c. if they have previously taken an examination for the same course.

4. Credit by examination will not be granted

for internships, field experiences, independent study, seminar courses, or practice teaching.

5. Credits earned by examination must be awarded by the 40th instructional day of the semester. If not, they will be awarded the following semester.

6. The instructor must use the Credit/No Credit grading system in awarding a grade for credit by examination. There is a 20 credit limitation on the number of credits earned by examination outside the major which a student may apply towards graduation.

7. Credit by examination may not be used as a means to convert CEU's (Continuing Education Units) to credit.

#### Departmental Credit by Examination

##### Procedure

1. Students will contact the department Chairperson and the instructor in the program area where they wish to take the examination to determine if that particular course can be offered by examination.

2. Students will obtain the "Credit by Examination" form from the Registration and Records Office.

3. Students will complete the form as indicated and is responsible for obtaining the required signatures which include those of the instructor and of the Department Chairperson. The instructor will confirm the time and place of the examination.

4. The student will take the form to the Registrar so that eligibility may be determined in accordance with the criteria established under 3, 4, 5, 6, and 7 above.

5. Students will take the credit by examination form to Business Services to pay the appropriate, non-refundable examination fee. The number of credits will be the same as the number listed in the regular course schedule for that course. Students will not be allowed to take the examination until the form has been stamped "paid" by Business Services.

6. Students will take the form to the instructor giving the examination at the scheduled time. The instructor will keep the form and enter a Credit or No Credit grade after the examination has been graded. If the grade is No Credit, no entry will be made on the student's transcript and the student may enroll in the course in order to receive college credit for it.

7. After awarding the CR/NC grade, the instructor will send the completed form to the Registration and Records Office for processing.

8. Under no circumstances will a student be allowed credit by examination if he/she is currently enrolled in that course and has gone on record as having paid tuition for the course. The examination must be completed before the student has enrolled in the course.

### E. CLEP (College Level Examination Program) Credit by Examination

#### CLEP Credit by Examination Policy:

Southwest Minnesota State University

will award credit for successful performance on specified tests in the College Level Examination Program (CLEP) tests. Courses and/or subjects for which CLEP General and Subject examinations are available, levels of acceptable performance, number of credits awarded and restrictions on use of those credits will be determined by the academic departments and the faculty.

#### **CLEP examinations taken before a student matriculates at Southwest Minnesota State University**

Score reports must be presented to the University for evaluation and acceptance at the time of admission. If credit for CLEP examinations appears on the transcript of a student transferring from an accredited post-secondary institution, the same criteria used in evaluating and accepting all other credits shall apply.

#### **CLEP exams taken during your enrollment at Southwest Minnesota State University**

##### Evaluation Policy

1. The Office of Academic Affairs will provide the Admissions Office, the Registrar and the Counseling and Testing Services with a record of current courses for which CLEP examinations are acceptable, levels of acceptable performance, number of credits awarded and restrictions on the use of those credits. Academic Affairs will review and update this information periodically with the Academic Departments and the Faculty Association, and keep the Academic Departments informed of any changes in CLEP examinations or standards.

2. Counseling & Testing Services will provide information about the College Level Examination Program and administer the examinations to interested students.

3. The following regulatory provisions are in effect for CLEP examinations.

a. CLEP examinations will be evaluated by the Transfer Specialist and the department concerned, and credit will be granted in terms of the curriculum of Southwest Minnesota State University.

b. A student must receive a score in the 50th percentile to be granted credit, as determined by the appropriate department.

c. No more than 20 credits of Credit/No Credit may be counted toward graduation in courses outside the major. This limitation includes Credit/No Credit, credit by examination, and CLEP. The student is advised to check his/her status regarding the number of Credit/No Credit units with the Registrar prior to taking CLEP examinations.

d. CLEP examinations may be applied toward the fulfillment of major requirements as determined by the Department.

e. Students may transfer CLEP credits from accredited institutions, but the credit will be evaluated at the time of admission in accordance with the admission policy of the University.

f. Ordinarily, a student will not be

granted credit for an examination if the content is more elementary than courses the student has taken. Exceptions may be made with the approval of the department in which the examination is given.

#### **F. Distance Learning (Off-campus)**

In order to accommodate students at distance, SMSU has created opportunities for off-campus delivery. Sites have been developed at several locations throughout the state. The degree delivery is offered via on-line courses in conjunction with articulated courses at local community colleges. Please contact the Office of Distance Learning (537-6251) for further information.

#### **G. Honors Program (SMSU Policy A-015)**

This program is designed for outstanding, highly motivated students and should begin in the freshman year. Entering students are eligible if they have had a sound high school record, high ACT scores and can provide a recommendation from at least one high school teacher or counselor. In addition, students presently enrolled may apply for entrance to the program if they have not completed more than 20 hours of the standard Liberal Arts Core/Minnesota Transfer Curriculum requirements, have earned a 3.50 grade point average, and can provide recommendations from advisors.

The program is chiefly a substitute for the standard LAC/MTC program. It does not require any specific course work. The student, in consultation with his/her advisor and the Honors Review Board, designs his/her own program of LAC/MTC. In addition to the LAC/MTC substitute, the student may enroll in a 4-8 semester hour Honors project designed by the student and his/her major advisor and approved by the Honors Review Board. Each student will also successfully complete an Honors Senior Interdisciplinary Seminar as well as an Honors Senior Dialogue involving at least three faculty members from among non-major disciplines plus the Honors Director.

To continue in the program the student must maintain a 3.3 cumulative grade point average, overall. Students successfully completing the program will be graduated with special honors at the commencement exercise.

The Honors Review Board and the Honors Program Director will be composed of faculty members selected by the procedures approved by the faculty for committee selection.

Students who have been in the Honors Program and who complete an approved course of study as a substitute for LAC/MTC, but who fail to complete the other requirements including the cumulative 3.3 GPA requirement, will not be graduated with special honors, but will be graduated if all

other requirements for graduation have been met.

Any student who meets the qualifications specified above and enjoys the challenge and excitement of helping to design his/her own course of Liberal Arts studies should request further information from: Director, Honors Program, Southwest Minnesota State University, BA 109, 537-7206.

#### **H. Independent Study**

If you wish to pursue a specific area of study or become involved in a research project that is not available through the traditional curriculum, it is possible to receive instruction and credit through independent study. Contact your advisor and the chair of the department involved.

#### **I. Internships/Field Experience**

An internship or another type of outside-the-classroom experience offers you the chance to add an experimental component to complement your traditional classroom work. Career Services, along with your academic department, can be a contact point for internship opportunities and questions. While the authority to direct the academic components of the internship rests with the academic departments, Career Services can assist you in identifying sources and securing an internship.

#### **J. Student Teaching**

You can be assigned to cooperating schools for pre-student teaching practicums and student teaching experiences as required by Minnesota Board of Teaching rules. The Director of Field Experiences makes placement. The University faculty in Professional Education, cooperating with public school classroom teachers, carries out supervision. Additional information about programs and requirements may be obtained in IL 229 or by calling the Director of Field Experiences at 537-7120. Policies and procedures for field experiences within the Education Department are found in the Field Experience Handbook. You may be able to stay in the Residence Halls during your pre-student teaching experience; please contact the Education Department for details.

### **ACADEMIC HONESTY (SMSU Policy A-032)**

#### **I. Academic Honesty**

A. The aim of the academic honesty policy is to maintain the academic integrity of Southwest Minnesota State University and promote an intellectual climate of honesty and integrity. To maintain an environment of academic integrity all students are required to accept personal responsibility for their work at Southwest Minnesota State University. Any offense against the academic honesty policy compromises the educational integrity of Southwest Minnesota State University and will be considered a grave offense.

B. Offenses against academic honesty are acts which unjustly advance one's academic standing at Southwest Minnesota State University and include knowingly permitting or knowingly aiding a person in an offense against the academic policy.

#### **II. Forms of Academic Dishonesty**

In line with the National Association of Student Personnel Administrator (NASPA), Southwest Minnesota State University (SMSU) academic dishonesty will include the following forms:

A. *Plagiarism*: Presenting someone else's work or ideas as your own. Plagiarism will include, but not be limited to:

1. Submitting someone else's work or ideas as your own, including but not limited to homework assignments, term papers, research reports, lab reports, group projects, artistic works, tests, or class presentations.

2. Submitting someone else's electronic work as your own, including but not limited to video clips, audio clips, electronic files, electronic programs, and any other copied electronic page, document, article, review, etc.

3. Submitting someone else's work as your own with minor alterations. Paraphrasing without proper citation is also plagiarism.

4. Submitting someone else's work without appropriate use of quotations, paraphrases, footnotes, or references.

B. *Cheating*: Using or attempting to use unauthorized materials, information or study guide. Cheating will include, but not be limited to:

1. Copying from someone else during any type of examination.

2. Communicating answers to an exam with other students and this includes allowing someone else to copy your own exam during a test.

3. Using any material not permitted by the instructor for an examination.

4. Requesting, acquiring, possessing, or providing someone else with an examination or portion of an examination without consent of the instructor.

C. *Fabrication*: Falsifying any information. Fabrication will include, but not be limited to:

1. Submitting or presenting falsified research.

D. *Tampering*: Tampering with the instructor's evaluation tools and/or documents. Tampering will include, but not be limited to:

1. Changing, attempting to change, or falsifying academic records, including attendance records or sign-in sheets.

2. Tampering with an examination, homework assignment, or project after it has been corrected.

E. *Assisting in Dishonesty*: Aiding or attempting to aid someone else to commit an act of dishonesty. Assistance will include, but not be limited to:

1. Any student who aids another student in the performance of the above acts or has clear knowledge of another student's miscon-

duct concerning academic honesty and does not bring it to the attention of the proper authorities (instructor and/or department chair) will be held responsible for their non-action and subject to disciplinary measures for academic dishonesty.

F. Any other forms of academic dishonesty as outlined in the instructor's syllabus.

### III. Procedures for Reporting Incidents of Academic Dishonesty

#### A. Procedures

1. The faculty member will meet with the student regarding the specific charge, consider the evidence, and hear the student's explanation. If it is not possible to meet with the student, the faculty member may proceed to number 2 below.

2. If the faculty member determines that the student has violated the Academic Honesty Policy, the faculty member informs the student in person or via U.S. Mail of the consequences of the violation and the grade-related sanctions the faculty member will impose. Faculty members must recommend any additional sanctions, (such as suspension, expulsion, etc.) to the appropriate Dean for action.

3. The faculty member completes an "Academic Dishonesty Incident Report Form" and forwards the completed form to the appropriate Dean. The form is found on the SMSU website at the Academic Deans' Office webpage.

4. The Dean informs the student in writing that (a) this form has been filed with the Dean's office; (b) the Dean may impose sanctions in addition to those imposed by the faculty member in the event of subsequent, serious, or multiple violations; and (c) the student has a right to appeal the sanction(s) given by the faculty member as described below.

5. The Dean keeps the complaint form, any supporting documentation, and records of the adjudication on file.

#### B. Sanctions

1. An incident of academic dishonesty that is determined to be minor in nature may result in one or more of the following sanctions: a warning; a verbal or written reprimand; or a reassessment of a resubmitted assignment with an appropriate reduction in points.

2. An incident of academic dishonesty that is determined to be major in nature may result in one or more of the following penalties: a failing grade for the assignment or test; a failing grade for the class; suspension from Southwest Minnesota State University; expulsion from Southwest Minnesota State University; or the revocation of a degree.

3. The punitive options available are not limited to the sanctions specified in the previous sections.

### IV. Appeals

If the student disagrees with either the determination of a violation of the policy or

with the sanction, the student may appeal the instructor's decision to the appropriate Dean. In handling the appeal, the Dean follows the Student Code of Conduct beginning with the Investigation and Informal Process.

### ACADEMIC PROGRAMS

For a complete listing of academic programs and requirements, see the University Catalog on the SMSU website.

### AUDITING COURSES

(SMSU Policy A-031)

1. A student who wishes to audit or attend a course without seeking credit must register for the course, and pay full tuition and fees. Senior Citizens, who have reached the age of 62 years, can audit courses at no charge, and have all fees, except personal property and service charges or the fees charged only to that course, waived.

2. A student may declare the intent to audit a course by submitting a Course Audit form signed by the instructor within the first ten class days of a semester or by notifying the instructor at the time of registration in an evening class, workshop, or off-campus course. The instructor has the right to approve or disapprove the request to audit.

3. To audit a course, the student shall attend class sessions. Other requirements are at the discretion of the instructor.

4. A student may not receive credit for auditing a course except by re-enrollment for credit and successful completion of the course in a subsequent semester. Audited courses cannot be counted toward graduation.

5. An entry of "AU" is made on the student permanent academic record when a course is audited.

6. Audited courses do not apply to course load requirements for those students receiving G.I. Bill or War Orphan benefits.

### CATALOG

Southwest Minnesota State University's Academic Catalog is an important resource for SMSU students. The catalog contains brief descriptions for all courses offered through the University, graduation requirements, Core Curriculum requirements, academic policies, procedures, rules and regulations. You may access the catalog on the SMSU website. [www.smsu.edu/catalog/](http://www.smsu.edu/catalog/)

### CLASSIFICATION

All students at Southwest Minnesota State University will be classified according to the number of credit hours that they have satisfactorily completed;

Semester hours	Classification
0-29.....	Freshman
30-59.....	Sophomore
60-89.....	Junior
90-plus.....	Senior

### COMMENCEMENT EXERCISE

All students who have completed degree requirements verified by approved degree checks since the last commencement date may participate in the commencement exercises. Your participation shall be on a voluntary basis. Students who do participate shall wear appropriate attire as determined by the graduating class. Within this context, the term "appropriate" denotes uniformity of attire. Questions regarding commencement exercises should be directed to the Office of the Provost, 537-6246.

### CONFIDENTIALITY

You are assured confidentiality of your academic records and personal data. (*See also: Student Records on page 53*)

### COURSE SYLLABUS

(SMSU Policy A-030)

Instructors will provide and distribute course syllabi to students in writing within a maximum of one week from the first class meeting. This information should include the following:

1. course objectives,
2. requirements,
3. grading information, and
4. approximate dates, specific places, and format for tests and evaluation procedures.

Instructors may make changes in the course syllabi and will announce such changes to students. The instructor's policy on syllabus changes will be included in the syllabus contents.

### COURSE LOAD

The average course load during a regular academic term is 16-17 semester credit hours. During the summer session, the normal course load is 6 credit hours.

Course loads in excess of twenty (20) credit hours per regular semester or ten (10) credit hours during the summer session may be carried only with the approval of the student's advisor and the appropriate Dean.

Course loads of twenty-one (21) semester credit hours per regular academic semester or eleven (11) semester credit hours during a summer session may be attempted only with the written approval of the appropriate academic Dean or the Provost. In no case may written approval be granted until the *Provost* or his/her designee has consulted with the assigned academic advisor.

### COURSE NUMBERING

A. *Developmental, Special, and Service courses* will carry course numbers of 001-099. Developmental courses are designed to develop basic academic skills to the entry level expected for college performance. Special courses are courses that may not have been taken by a student at the high school level, but are necessary to complete a background for entering college level courses. These courses

will carry numbers 001-049 and may not be counted toward graduation requirements. (001-049 courses are not calculated as part of any GPA. Taking such courses may also affect financial aid. Please consult the Financial Aid Office for a determination) Service courses are designed to provide offerings that do not meet traditional academic standards or are designed to meet the needs of a specific clientele and carry course numbers 050-099.

A. *Lower division courses* carry numbers 100-299. Such courses are open to freshmen and sophomores and are primarily designed to provide much of that breadth of understanding known as general education, as well as the foundations for the more specialized work of the upper division courses. These courses are open to upper-division students, but do not count as upper-division work in any curriculum.

B. *Upper-division courses* carry numbers 300-499. These courses are designed primarily for junior and senior level students.

C. *Graduate level courses* carry numbers 500-699. These courses are open to students who have completed baccalaureate degrees or have obtained permission to enroll through the Office of Academic Affairs.

#### COURSE REPEAT

You may repeat a course at any time regardless of the grade previously obtained in that course. After repeating a course, both the old and the new grade will appear on your official transcript. However, only the last grade obtained will be used in determining academic standing. The Registration Office documents repeats at the end of each semester on your transcript. You may also be report your repeats to the Registration Office on the repeated course form in the Registration Office.

#### DEAN'S LIST

A Dean's List will be calculated following fall and spring semesters. Dean's List eligibility will be based on grades submitted at the end of the semester.

The criteria for eligibility includes a semester GPA of 3.5 or above and a minimum total course load of 12 credits graded A-F and/or CR/NC of which at least 8 credits are graded A-F and of which no credits are graded NC.

The following will not be calculated in determining the GPA: I, X, AU, W, CR, and NC. A letter from the Dean will notify all students whose GPA's have earned them a place on the Dean's List.

#### DECLARING A MAJOR

When you are ready to declare a major, you may wish to meet with your current academic advisor. In order to formally declare a major, you need to complete a "Change in Permanent Record" form found online at the Registration and Records Office webpage.

If you have been arrested, charged or convicted of any criminal offense, you should investigate the impact that the arrest, charge or conviction may have on your chances of employment in the field you intend to study or on your chances to obtain federal, state and other higher education financial aid. The following sources of information may be helpful regarding the effect of criminal records on future employment opportunities:

Minnesota Statutes Chapter 609B

COLLATERAL SANCTIONS:

<https://www.revisor.leg.state.mn.us/statutes/?id=609B>

Minnesota Legislature's Overview of Background Check Statutes:

<https://www.house.leg.state.mn.us/hrd/pubs/bkgdchck.pdf>

#### DARS – DEGREE AUDIT REPORTING SYSTEM

The Degree Audit Reporting System (DARS) is a self-directed, automated electronic tool for tracking a student's progress toward completing an academic program. DARS includes a degree audit system and automated transfer evaluation system that produces screen, print, web degree audit and transfer evaluation reports. It is used as the main advising tool at SMSU.

#### DROP/ADD

(SMSU Policy A-035)

If a student drops a course during the first five (5) instructional days of the fall or spring semesters, or the first two (2) instructional days of the summer session, an entry will not be placed on the Official Transcript. If a student drops a course during the sixth (6) instructional day, through the fiftieth (50) instructional day of the fall or spring semester, or during the third (3) instructional day through the twelfth (12) instructional day of the summer session, an entry of W (Withdrawn) will be placed on the Official Transcript.

After the fiftieth (50) instructional day of the fall or spring semester or the twelfth (12) day of the summer session, a student cannot drop a course and receive a grade of W (Withdrawn).

This includes those students withdrawing from the University. Students who withdraw entirely from the University may receive exception to this policy with approval from the Provost.

A student may add new courses through the fifth (5) instructional day of the fall or spring semester, or through but not after the second (2) instructional day for the summer session without the instructor's written approval. A student registering for an evening class must be registered by the second meeting of the class.

#### FINAL EXAMS

(SMSU Policy A-023)

1. A four-day examination period for all

regular daytime classes will be scheduled for the ending of each academic semester. The final examination period is considered a part of the semester.

2. Final examinations scheduled during these four days will be administered by the assigned faculty member in accordance with the published time. No early final examinations may be given. Self-paced courses may be exempted with the approval of the Provost.

3. All scheduled on-campus classes will meet during the scheduled four-day final examination period.

4. Final examinations for off-campus courses, evening courses, and weekend courses will be held during the last class during the final exam period.

5. No university-sponsored extra-curricular activities (i.e. athletic events, concerts, field trips, forensics, etc.) will be scheduled during this four-day examination period.

6. Any exceptions to this policy must be authorized by the Provost.

#### FINANCIAL AID

To be eligible for Federal or State Financial Aid, you must maintain certain academic progress standards. For full details, refer to the Financial Aid Regulation, Satisfactory Academic Progress Policy Standards **Error! Bookmark not defined.**

#### GRADES

(SMSU Policy A-034)

A. All courses offered by Southwest Minnesota State University shall be graded on the following:

1. The A, B, C, D, F System

A: Excellent

B: Above Average

C: Average

D: Below Average

F: Failure

Plus (+) or minus (-) may be used with A, B, C, or D grades.

2. The Credit/No Credit System

CR: Credit

NC: No Credit

3. The Optional System

Students must inform the instructor during the first week of class whether they want to be graded on the A, B, C, D, F System, or the Credit/No Credit System if this is an option for the course they are registered in.

a. No more than twenty (20) credits outside the major graded on the Credit/No Credit System shall be counted toward graduation.

B. In addition, the following symbols may be used with all systems: AU, W, I, IP, NA, FQ. **NA – Never Attended-** Instructors assign the NA grade to all student who have never attended their class. This grade does not have an affect on GPA but does on completion rate

**FQ- Failed Quit** – Instructors assign the FQ grade to students who quit attending their course with the last date of attendance.

This grade has GPA and completion rate affect.

**AU: Audited**

**W: Withdrawn**

**I: Incomplete.** The Incomplete is used when, for reasons beyond the student's control, the student has not completed specific course requirements, but has in other respects done passing work. The student must complete the course requirement(s) before the end of the next semester in which he/she is enrolled. If the course requirement(s) are not completed by that time, then the "I" will be changed to an "F" if graded on the A, B, C, D, F System or to a NC if graded on the Credit/No Credit System. The instructor may extend the "I" grade for one semester.

**IP: In progress.** The in-progress grade, "IP," is for use in those courses where it is expected that the student may not be able to complete the course in one semester. The student must complete the course requirement(s) within two years, regardless of enrollment. If course requirements are not completed by that time, the "IP" will be changed to an "F" if graded on the "A," "B," "C," "D," "F" System or to an "NC" if graded on the Credit/No Credit system. Subsequently, the student must repeat the course to receive credit. The instructor will file a copy of outstanding course requirements with the student, department office, and Registration and Records Office.

1. A student who receives an "I" or "IP" has the responsibility to check with his/her instructor immediately to learn the requirements necessary to remove the "I" or "IP" grade.

2. If the course is not completed within two years regardless of enrollment, then the "I" or "IP" grade will be changed to an "F" if graded on the A, B, C, D, F System or to an "NC" if graded on the Credit/No Credit System. Subsequently the student must repeat the course to receive credit.

### GRADE POINT AVERAGE (GPA)

Grading System (A-F) Students enrolled beginning Fall Quarter 1994 and after:

Grades	Quality Points
A+	4.00
A Excellent	4.00
A-	3.67
B+	3.33
B Above Average	3.00
B-	2.67
C+	2.33
C Average	2.00
C-	1.67
D+	1.33
D Below Average	1.00
D-	0.67
F Failure	0.00
FQ Failed Quit	0.00
For each hour of "I"	0.00 points after the deadline for removal.

Grade point averages are to be calculated to the second decimal and are truncated not rounded. The following will not be calculated in determining the GPA: I, IP, AU, NA, W, CR, and NC. (*See also: Satisfactory Academic Progress on page Error! Bookmark not defined.*)

### GRADE REPORTS

Individual grade reports are available online and will not be automatically mailed to students. A student may request a mailed report by contacting the Registration and Records Office, 537-6206.

Available online are a student's classes taken, the number of credits, the final grade received, the grade point average for the semester, and the cumulative grade point average.

### GRADUATION REQUIREMENTS

#### Graduation Requirements

Please consult the graduation requirements in the SMSU Academic Catalog. The catalog for the first year of your enrollment can be found under the quick links at [www.smsu.edu](http://www.smsu.edu) – Catalog.

### GRADUATION WITH HONORS

(SMSU Policy A-014 )

This policy is designed for students who have earned a majority of credits from Southwest Minnesota State University for their first bachelor's degree. Anyone with a previously-earned bachelor's degree is ineligible for honors under this policy. Departments may award other honors to students who meet honors requirements established by those departments.

A student who has met requirements for a bachelor's degree at Southwest Minnesota State University and has a grade point average between 3.30 and 3.49 is graduated Cum Laude; one with a grade point average between 3.50 and 3.79 is graduated Magna Cum Laude; and one with a grade point average between 3.80 and 4.0 is graduated Summa Cum Laude. Only course work completed at Southwest Minnesota State University will be used to determine academic honors. To be eligible for graduation with honors, you must have completed at least 46 semester hours of credit at Southwest Minnesota State University. At least 32 semester hours of credit must be in courses graded on the A-F system.

### INSTRUCTOR REPLACEMENT

(SMSU Policy A-043)

If an instructor of a class is replaced after three weeks, each student enrolled in such a class will be given the option to switch to a CR/NC grading system if the class is not already graded on that basis or to drop the class with the tuition refunded for the class and the class removed from their transcript. The student will have five instructional days

following formal announcement of the instructor replacement in order to make his/her choice of one of the two options. If the course is for a major where the CR/NC grading system is not permitted, then that requirement is waived for the class in which the CR/NC option is chosen because of an instructor replacement. Furthermore, the maximum number of hours permitted to be taken using the CR/NC grading system will be raised by the number of credit hours for which the student selects the CR/NC grading system due to the replacement of an instructor.

### LIBERAL EDUCATION PROGRAM (LEP)

#### Minnesota Transfer Curriculum

Please refer to the SMSU website:

(<http://www.smsu.edu/Catalog/index.cfm?catalogYear=67&categoryId=337>) for information regarding Liberal Education Program and Minnesota Transfer Curriculum requirements that apply to you.

### PERMANENT RECORD CHANGE

**Majors and minors** can be changed on the [change in permanent record form](#) on the Registration Office web page under forms. Or submitting the paper change of record form in the Registration Office.

**Advisors** – see change of advisor.

**Name changes** – require official documentation such as a marriage license or court order.

**Social Security Numbers** – require that you present your original social security card and photo ID.

**Address Changes** – students may change their permanent and local address information at e-services- account management, addresses. (*See also: Student Records on page 53*)

### READMISSION TO THE UNIVERSITY

*Readmission to the University will be required of students:*

1. Who were previously enrolled at SMSU and whose attendance has been interrupted by one or more semesters (excluding summer sessions).

2. Who have been suspended from the University are not eligible for readmission for the equivalent of two semesters.

Students wishing to readmit to the University should contact the Office of Admission for the appropriate application or go to [www.smsu.edu/admission](http://www.smsu.edu/admission).

Students who have been suspended from the University may appeal the decision by contacting the Academic Dean's Office. Appeals will be reviewed by the SMSU Academic Standing Committee.

### REGISTRATION

#### How to register for classes:

1. Review the Schedule of Courses on e-services. Consult the Academic Calendar each semester to determine the dates that

Registration begins.

2. Add courses that you are planning to take to your course cart .
3. Make an appointment with your Academic
4. Advisor to review your proposed course schedule and obtain your Registration Access Code.
5. Determine your registration time by looking at your Registration window on e-services. Registration windows are based on total credits earned. The more credits that you have earned the earlier your window opens. For those students who have no earned credits their registration window time is based on the last 2 digits of their Social Security number.
6. Submit your Course cart registrations anytime after your window opens. Placing courses in your course cart does not save a seat for you. So it is important to register for these courses as soon as possible after your window opens.

## SATISFACTORY ACADEMIC PROGRESS

(SMSU Policy A-005)

### ACADEMIC AFFAIRS SATISFACTORY ACADEMIC PROGRESS STANDARDS

The intent of this policy is to make Southwest Minnesota State University students aware when they are not making satisfactory academic progress toward earning a degree.

1. The minimum acceptable cumulative grade point average (GPA) is:

Undergraduate Students:

1.6 for 1 – 29 attempted semester credits

1.8 for 30 – 59 attempted semester credits

2.0 for 60 or more attempted semester credits

Graduate Students: Graduate students must have a 3.0 cumulative minimum grade point average.

Undergraduate and Graduate students:

Courses which receive a letter grade of A, B, C, D, F, or I, IP, N, CR, FQ and NC are included in the computation of the GPA.

2. The minimum completion rate for attempted credits is:

Undergraduate and Graduate students:

Students must complete a minimum of 66.67% of cumulative credits attempted.

Undergraduate and Graduate students:

Courses receiving grades of A, B, C, D, F, I, IP, N, CR, and NC, and W are considered to be credits attempted for the purposes of this progress standard.

3. Additional Information.

a. Audited courses will not count as credits attempted or passed.

b. Consortium and Common Market program credits will be included in all satisfactory academic standards.

c. Developmental courses will be included in all satisfactory academic standards.

d. When a student repeats a course, the last grade obtained and credits earned will be

counted in the grade point average, but the credits are considered to be credits attempted each time the course is taken.

e. Transfer credits are not counted as credits attempted for calculating the completion rate or cumulative GPA.

f. Withdrawn credits are considered credits attempted (but not completed) for the purposes of calculating the completion rate, but are not used in the GPA computation.

4. Review of the cumulative grade point average and completion rate will be evaluated at the end of each semester (Fall, Spring, and Summer).

5. Probation. Students who do not meet the minimum cumulative grade point average and/or fail to meet the minimum completion rate will be placed on academic probation. If, at the end of the following semester, the **minimum cumulative standards have been met**, the student is off probation.

6. Continue on Probation. If, at the end of the following semester the **minimum cumulative standards have not been met** but the student has met the minimum semester standards, the student will continue on probation. A student is eligible to continue on probation each semester the minimum semester standards are met, until the minimum cumulative standards have been achieved, at which time the student will be off probation.

7. Suspension. A student will be placed on suspension the first semester after being placed on probation when neither the minimum cumulative nor semester standards have been met. The student will be notified in writing that he/she is suspended for two semesters. Students may appeal their suspended status to the Academic Standing Committee for reinstatement. A student who is reinstated after suspension will return to the University under Probation status (see 5 above).

8. Students who remain out of school for two semesters may return to the University upon filing a readmit form with the Office of Admissions. A student who remains out of school for two semesters after suspension and returns to the University will be in Probation status (see 5 above).

## SCHOLARSHIPS

Various scholarships are available for entering freshmen, transfer students, and continuing students. Information pertaining to scholarships is available from the Office of Student Financial Aid, IL 145. Scholarship information for incoming and transfer students is available through the Admissions Office.

## SUMMER SESSION

Southwest Minnesota State University offers you the chance to study courses during the summer with multiple start dates. Questions regarding summer session registration should

be directed to the Registration and Records Office.

## TRANSCRIPT

The transcript is your official record of academic achievement at the University. It contains all your course work and all grades achieved. The transcript is kept in IL 148 and is under the direct supervision of the Registrar. Transcripts are available by request. (*See also: Students Records on page 53, Transcripts and Degree Checks on page 16*)

## TRANSFER CREDIT

Students who are requesting transfer credit from other MNSCU institutions no longer need to provide official transcripts. You are required to notify the Registration Office of this request by submitting the eTranscript evaluation form on the Registration Office web site under Transfer Credit Information. Student seeking transfer credit from Non-MNSCU post-secondary institutions must submit official transcripts in order to be awarded transfer credits.

Transfer credit is evaluated by the Transfer Specialist in the Registration and Records Office. Students will receive forms indicating the total number of transfer credits they will be transferring and how these credits will apply to the SMSU Liberal Arts Core/Minnesota Transfer Curriculum/Rural and Regional Studies/Graduation Requirements (LAC/MTC). Students must contact the department that offers the major they intend to pursue for evaluation of transfer credit to major requirements.

Students may appeal their transfer credit evaluations by first contacting the Transfer Specialist in the Registration and Records Office. If you need to further appeal your transfer credit evaluation refer to the Substitution/Waivers/Appeals section in this handbook. (*See also: MnSCU Policy 3.21.*)

## TUITION AND FEE PAYMENT

Billing statements are not mailed to students. Students must check their accounts online through their E-Services account.

Minimum payment for each term must be received 15 business days prior to the first day of the term. Full payment is due no later than the 25<sup>th</sup> business day of the current term or the student must be on an approved payment plan. Further information may be found at [www.smsu.edu/paymentpolicy](http://www.smsu.edu/paymentpolicy). Late fees of up to \$50 per semester may be charged on any late payments.

Payments can be made:

- in person at the Cashier's window, IL 132-133
- by mail to SMSU, Business Services, IL 139, 1501 State Street, Marshall, MN 56258
- online by credit card or e-check through student e-services
- by signing up for a FACTS/Netnet

payment plan, information can be found at <http://www.smsu.edu/Administration/BusinessServices/Index.cfm?Id=3299>.

Students who do not meet the minimum payment criteria as listed on our website at [www.smsu.edu/paymentpolicy](http://www.smsu.edu/paymentpolicy) will have their course registrations cancelled after the fifth class day of the term.

### TUTORING

Tutoring is available on a one-on-one or small group basis, either for course-related assistance or for academic skills. Tutoring is free of charge to SMSU students, and is available through the Academic Commons, Math Lab, Writing Center, and some academic departments. Information on available tutor programs is posted in the Academic Commons each semester. For more information, contact the Academic Commons, Writing Center, or the chairperson of the Department sponsoring the course for which assistance is needed.

### WITHDRAWAL

(SMSU Policy A-035)

1. From the 5<sup>th</sup>-50<sup>th</sup> instructional day you can withdraw from a course and receive a W grade. After the fiftieth (50) instructional day of the fall or spring semester or the twelfth (12) day of the summer session, you cannot drop a course and receive a grade of W (Withdrawn).

This includes those students withdrawing from the University. Students who withdraw entirely from the University may receive exception to this policy with approval from the Provost.

2. If you wish to withdraw entirely from the University during the academic semester, you must complete a University Withdrawal Form, which can be obtained at the Advising Center located in IL 148, phone 537-6245. Withdrawing students are encouraged to discuss their withdrawal plans with the Director of the Advising Center. (See also: *SMSU Policy A-035 on the SMSU website.*)

The date of an official Withdrawal from the University is the earliest of dates the student began the school's Withdrawal process or date the student otherwise provided official notice.

If you withdraw entirely from the University, refunds of tuition and fees will be made according to the following schedule:

#### a. Regular Academic Year On-Campus Courses

Date of Withdrawal	Refund Allowed
1st thru 5th instructional day .....	100%
6th thru 10th instructional day.....	75%
11th thru 15th instructional day.....	50%
16th thru 20th instructional day.....	25%
after 20th instructional day.....	none

#### b. Summer Session

Date of Withdrawal	Refund Allowed
1st thru 5th instructional day .....	100%
6th thru 10th instructional day.....	50%
after 10th instructional day .....	none

The above refund schedule is set by the MnSCU Board and is subject to change.

Refunds of room and meals are pro-rated on the unused portion of the room and meals previously paid. Students withdrawing from the residence halls must withdraw at the appropriate Commons Building.

Students who are dismissed or expelled from the University due to conduct violations will be responsible for payment of all tuition, fees, and room and meals according to the withdrawal schedule.

# Services for Students

Southwest Minnesota State University offers many services for you. A great majority of them are offered free of charge, while others may involve a slight fee.

The following list of offices contains a brief description of their services and/or responsibilities, their location and phone numbers. Most University offices are open from 8:00 a.m. to 4:30 p.m. Please feel free to call or stop by the office for additional information on their services.

## ADMINISTRATIVE OFFICES

### President's Office

FH 209, 537-6272

The President's Office is the main administrative office on campus. If you have suggestions or concerns about the University you may wish to make an appointment to discuss them with the President.

### Provost

FH 214, 537-6246

The Provost is responsible for educational leadership within the University and the overall administration of academic and student life. Included in these responsibilities are: program development; curricular planning; faculty and staff development and evaluation; system wide planning and development; implementation of personnel policy; affirmative action and collective bargaining agreements; and planning and monitoring the budget process for academic and student affairs programs. If you have suggestions or concerns about the academic programs of the University, you may wish to make an appointment to discuss them with the Provost.

### Dean of the College of Arts, Letters, and Sciences

BA 268, 537-6218

The Dean of the College of Arts, Letters and Sciences oversees the operation of the following academic programs: Agronomy, Anthropology, Art, Biology, Chemistry, English, Environmental Science, Foreign Language, Forensics, History, Humanities, Indigenous Nations and Dakota Studies, Justice Administration and Criminal Justice, Learning Resources, Music, Philosophy, Physics, Planetarium, Psychology, Social Work, Sociology, Speech Communication, and Theatre. If you have questions, concerns, or suggestions about the academic programs in this College you may wish to make an appointment to discuss them with this Dean.

### Dean of the College of Business, Education, and Professional Studies

BA 268, 537-6251

The Dean of the College of Business, Education, and Professional Studies oversees the operation of the following academic departments: Business and Public Affairs, Education, Wellness and Human Performance, and Rural and Regional Studies. The Dean of BEPS is also responsible for the oversight of SMSU's graduate and distance learning programs. If you have questions, concerns, or suggestions about any of the programs in these areas, you may wish to make an appointment to discuss them with this Dean.

### Vice President for Finance and Administration

FH 215, 537-6219

The Vice President for Finance and Administration is responsible for the overall administration of the following: Business Services, Parking, Public Safety, Physical Plant, Facilities, Human Resources, and Institutional Budgeting. If you have questions, concerns, or suggestions with any of these matters, you may wish to make an appointment to discuss them with the vice president.

### Associate Vice President for Student Affairs and Dean of Students

FH 217, 537-6844

This position oversees the operation of the following areas: Residential Life/Housing, Student Center, Student Government, Cultural Diversity, International Students, Non-Traditional Students, Career Services, Counseling & Testing, Health Services, Physical Medicine, Student Judicial System, and the Child Care Center. If you have questions, concerns, or suggestions about any of these matters you may wish to make an appointment to discuss them with this individual.

### ACADEMIC COMMONS

IL 224, 537-6484, 537-7324

The Academic Commons is an attractive and informal campus gathering place where students can study, get assistance with coursework, meet other students, and work on assignments or group projects. Located in IL 224, the Academic Commons houses the Math Lab, tutoring services, and the Education Curriculum Library. The study center offers academic support through drop-in tutoring and study groups for selected courses. The Academic Commons is equipped with computers and academic study software, and houses print and web-based resources for improving academic skills. The Academic Commons is open to all students, regardless of major, for use of available services.

**Center for Athletic Academic Resources** provides services to assist student

intercollegiate athletes in successful pursuit of a college degree while attempting to meet the demands of intercollegiate sports participation; services include assessment, monitoring of academic progress, study assistance and support, tutoring services, mentoring services, plus first sports semester enrollment in the IDST 110: The University Experience course.

### ADVISING CENTER

IL 148, 537-6245

The Advising Center at SMSU assists new, transfer and readmitted students in their transition to the University, and provides advising and related services to all SMSU students. The Center is the official office for a University Withdrawal. Other responsibilities include working with students on academic probation, the Early Alert program, advising undeclared students, participating in the Orientation/Registration Day programs, and most importantly meeting with all students who have questions or concerns.

The goals for the Advising Center include:

1. Serving as an information center for all students with questions or concerns.
2. Provide developmental advising to the student.
3. Developing programs for new students that facilitate a successful transition to the University.
4. Coordinating the assignment of advisors to all students.
5. Working with students on academic probation.
6. Connecting students with their majors, or prospective major disciplines.

All students are invited to take advantage of the services in the Advising Center. For more information, contact the Advising Center.

### AFFIRMATIVE ACTION OFFICER

BA 257, 537-6243

The Affirmative Action Officer develops, monitors, and implements the affirmative action/equal opportunity program of Southwest Minnesota State University. The Affirmative Action Officer serves as a resource, referral, and grievance person for campus employees and students, in any matter dealing with affirmative action, equal opportunity, Title IX, or sexual or racial discrimination/harassment. (See also: *Policies and Procedures on page 42*)

### ALUMNI ASSOCIATION

FH 220, 537-6257

Alumni play an active role in the life of Southwest Minnesota State University. All graduates automatically become members upon graduation, and former students without degrees are welcome to join as well. The Alumni Association annually conducts its National Alumni Phonathon, raising dollars for

scholarships, alumni events, and other projects on campus. Perhaps you as a student have received a Presidential Scholarship, one of many which are funded with dollars contributed by alumni.

The association also supports Homecoming activities, and provides a wide range of services and programs to alumni, including such things as an Alumni Directory, Alumni Locator Service, mixers, and social events, receptions for new graduates and alumni award programs.

Alumni assist the University in many ways—they serve as alumni board members, legislative volunteers, University recruiters, speak to classes on campus about career opportunities, and other subjects.

Stop by the Alumni Association office to get acquainted. The Alumni Affairs staff would like to meet you!

#### **AMERICANS WITH DISABILITIES ACT COORDINATOR AND SECTION 504 COMPLIANCE OFFICER**

BA 156, 537-7150

The Americans with Disabilities Act Coordinator and Section 504 Compliance Officer is the person on campus who deals with issues and concerns of students or employees who think they have not been provided reasonable accommodations for disabilities or if there are structural accommodations that have not been made. This office coordinates with other offices throughout the University in an effort to meet these needs. For more information contact Americans with Disabilities Act Coordinator/Section 504 Compliance Officer, BA 156, 537-7150.

#### **AMERICANS WITH DISABILITIES ACT – TITLE II**

Title II of the Americans with Disabilities Act requires that programs, services, and activities of State and Local government be accessible to and usable by individuals with disabilities. It also requires public entities to take appropriate steps to ensure that communications with—applicants, participants, and members of the public are as effective as communications with others. To ensure that people with disabilities have an opportunity to request auxiliary aids and services to participate in agency's programs, services and activities, state agencies must adhere to the following policy.

##### **Written Communications Policy**

The following statement must be included on all new materials and must be added to all existing materials when they are reprinted. Preprinted materials in use prior to reprinting shall have a label that contains the following statement:

*This document is available in alternative formats to individuals with disabilities by calling 1-507-537-6169 or through the Minnesota Relay Service at 1-800-627-3529.*

##### **Meeting/Program/Event Accessibility Policy**

Potential participants must be informed on the availability of accommodation by including the following statement of bulletins, flyers, brochures, public service announcements, or any other materials used to inform participants of the event.

For meetings or events in which participants are not pre-registering, the following prepared statements must be used:

*Individuals with a disability who need a reasonable accommodation to participate in this event please contact (name) at (phone number) or through the Minnesota Relay Service at 1-800-627-3529 by (date).*

For meetings or events in which participants are pre-registering, the following prepared statements must be used

*Individuals with a disability who need a reasonable accommodation to participate in this event please indicate your request below.*

*All requests must be submitted by (date). If you have any questions please contact (name) at (phone number) or through the Minnesota Relay Service at 1-800-627-3529.*

##### **Telecommunications Policy**

For the TTY/TDD communications contact us through the Minnesota Relay Service at 1-800-627-3529.

If you have questions, please contact the state ADA/disability coordinator in the Department of Employee Relations at (651)297-8849 V or (651)297-2003 TTY.

#### **BARNES & NOBLE CAMPUS STORE**

SC 101, 337-1450

Our Campus Store strives to meet the needs of all students at SMSU. Our friendly staff is always available to help students find whatever they need--especially their textbooks. Required textbooks, along with recommended texts and materials, can be purchased at your Campus Store. Both used and new textbooks are available for most classes, but it is important to shop early to get used books. If you prefer to purchase your books on-line, you can find our website at [www.yourschoolyourbookstore.com](http://www.yourschoolyourbookstore.com) or by going through the SMSU website to "Quick Links" and then choosing Barnes & Noble from the drop down menu.

Refunds for textbooks are given during the first 5 days of classes. A receipt must be presented to receive any refund on textbooks. Refunds are also given to students who withdraw from courses for up to 30 days after classes begin. In this case, however, proof of withdrawal along with a receipt needs to be presented.

You can sell your textbooks back year-round at your Campus Store. Buyback amounts are based on many components – feel free to stop in and ask a Campus Store employee for details. In addition to any textbook needs, your Campus Store carries a wide variety of other items. School and art supplies are available for your convenience, as well as

dorm products and backpacks. Both SMSU clothing and non-printed clothing, along with SMSU and non-printed gift items can be found at your Campus Store. We are also the place to buy magazines, fiction and non-fiction books, health and beauty care items, and greeting cards. Snacks and Pepsi products can also be picked up while shopping here. Graduation regalia and announcements are supplied at your Campus Store, as well as class rings and diploma frames. Many of the items in our store can also be found on our website.

Campus Store hours during the school year are: Monday through Friday 9:00 a.m. to 7:00 p.m. Saturdays 10:00 a.m. to 4:00 p.m. Summer Hours are: Monday through Friday 9:00 a.m. to 4:30 p.m. We have extended hours during the first week of classes. If you have any questions about your Campus Store, feel free to stop in anytime, or call us at 507-337-1450.

#### **BOOKS**

The Barnes & Noble Campus Store, located in the Student Center, receives all textbook orders directly from the professors, guaranteeing that the correct textbooks are on the shelves.

#### **BUSINESS SERVICES, OFFICE OF**

IL 139, 537-6219

The Office of Business Services serves students, employees, vendors, and the general public. Business Services works with student payroll, employee payroll, accounts receivables, accounts payables, purchasing, general, grant and revenue fund accounting, financial statements, inventory, risk management, and other financial services for the university. Student clubs and organizations will work with the Office to make deposits and purchase goods and services through their club and/or organization accounts. Information related to the Office of Business Services can be found at:

[www.SMSU.edu/administration/BusinessServices/](http://www.SMSU.edu/administration/BusinessServices/)

#### **CASHIER'S OFFICE**

IL 132-133, 537-7117

The Cashier's Office regular hours are 9:00a.m. to 2:30p.m.

At the Cashier's Office you can

- Pay your tuition, fees, room and meals
- Pick up financial aid overage checks
- Make deposits to student activity accounts
- Purchase your parking permits
- Pay parking and library fines
- Purchase color laser printing cards
- Turn in direct deposit forms

#### **CAMPUS RELIGIOUS CENTER**

1418 State Street, 532-5731

The Religious Center provides a worship place for all Christian denominations, as well

as Bible studies, counseling, social events, and service opportunities.

*Worship service schedule:*

**Catholic Mass**

6:30 p.m. Sunday

**Lutheran Worship**

8:30 p.m. Wednesday

**CAREER SERVICES**

BA 156, 537-6221

Fax: 537-7979

Career Services is here to assist you in reaching your career and educational goals. Whether it is getting that first job after graduation, finding an internship, deciding on a career, or continuing your educational pursuits, you will find professional career counselors ready to help you. Career Services works with current students, prospective students, and alumni.

Services available include:

- Individual career counseling and job search planning.
- Workshops, seminars, and events.
- Individual and group activities designed to introduce you to the process of choosing careers and assessment, gathering information, and identifying resources and decision making.
- Resume` writing, interviewing help, online job search, and job search assistance
- On-campus Recruiting and Interviews
- Career and e-portfolios.
- MustangJobs.com, a web based recruiting system to connect students with employers.
- Assessment tools for choosing careers and making decisions.
- Graduate school assistance.
- Career Planning Course, (IDST105), one credit.
- On-line career information at:  
*www.MustangJobs.com* and the Career Services website (online in the Student Services section of the SMSU website).

With MustangJobs.com, you will be able to manage your student profile, upload resumes and cover letters, search and apply for jobs online, check the status of your applications, search for employers, sign up for interviews, and create and use search agents.

Fees: Most services are free to current students and to alumni for the first year after graduation.

Stop in or call our office to set up and appointment to talk with a professional counselor. Walk-ins are welcome. Hours are 8:00 a.m. to 4:30 p.m., Monday through Friday.

**CHILD CARE CENTER**

1502 Birch Street, 537-6014

Southwest Minnesota State University provides on-campus childcare service. The Child Care Center provides safe, caring, and quality developmental childcare for children between the ages of 6 weeks and 12 years (infants, toddlers, pre-school, and school age children). Since the Center's creation was

funded by the State in an attempt to provide child care services to SMSU's students and campus community, requests for service are processed in a priority order of University students, University faculty and staff, and as space allows, the Marshall community.

The Center's staff and program reflect its strong commitment to each child's socio-emotional, physical, and intellectual development. Hours of operation are from 7:00 a.m. to 6:00 p.m., Monday through Friday, during the academic school year. Call for information on rates and application procedures.

**CLUBS AND ORGANIZATIONS**

SC 217, 537-7330

Information on University clubs and organizations, University student activities, and procedures for starting new organizations and organizing events is available at the Student Center in SC 217. All club and organization contracts are handled through the Assistant Director of Student Activities Office. (*See also: Organizations and Activities on page 17*)

**COUNSELING AND TESTING SERVICES**

BA 156, 537-7150

College is a time of change that can be difficult or stressful in addition to exciting. If you are experiencing stress, loneliness, or personal relationship issues you can make a confidential appointment to speak with a counselor. There is no charge to enrolled students.

**CULTURAL DIVERSITY**

The Office of Cultural Diversity works with the entire campus to promote multiculturalism. The Office has a targeted responsibility in serving students of color. We work to provide the academic and social support to help students with issues relating to the University experience including the adjustment, ongoing student development, career choice and after college preparation. The Office works to improve the environment of the SMSU learning community within the town of Marshall and the surrounding region.

**DISABILITY RESOURCES**

IL 218, (507) 537-7672 or 6492

The Office of Disability Resources (DR) is committed to ensuring equal access to a quality education for qualified students with disabilities through the provision of reasonable academic accommodations which support University standards and academic integrity. University policy provides for reasonable accommodations to be made for students with verified disabilities on an individualized and flexible basis as specified under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

DR provides accommodations to SMSU

students who disclose a disability, request accommodations, and who meet eligibility criteria. We do not have specialized programs for specific types of disabilities. Students should contact DR to set up an appointment to complete a needs assessment and discuss their individual accommodation needs.

**DISABLED STUDENT SERVICES- PSYCHOLOGICAL**

BA 156, 537-7150

University Counseling Services offers personal counseling, a variety of personal growth workshops, support groups, and educational programs. Please stop in for additional information.

**EDUCATIONAL OPPORTUNITY FIRST YEAR EXPERIENCE PROGRAM**

Students who are admitted to the University may be selected to participate in the Educational Opportunity First Year Experience Program, which provides entering students support in making a successful transition to the expectations of university life. Participation in the EOP includes first-semester enrollment in the 2-credit course, IDST 110 *The University Experience*. Supports for academic success include learning styles assessment, experience in using the resources of the SMSU Library and campus technology, and development of academic strategies designed to assist students in a successful college experience. Students will work with a First Year Advisor/Success Coach to set and achieve their academic goals and enhance their foundation for lifelong learning.

**FINANCIAL AID, OFFICE OF STUDENT**

IL 145, 537-6281

The office of Student Financial Aid coordinates all federal, state, and institutional forms of financial assistance. Various grants, scholarships, student employment, and student loans are available for eligible students. Appointments are accepted and walk-in students are always welcome. Please stop in or call the financial aid office with any questions.

**GIS CENTER**

SM 208, 537-6371

The Geographic Information Systems (GIS) Center was established in 1999, and houses a network of computers and related equipment to serve the growing number of GIS users, both public and private in Southwest Minnesota. The Center is available for use by students and faculty as part of regularly scheduled classes. Additionally, as a regional resource in Southwest Minnesota, the Center is available for area residents to house data of significance and to provide technical support through consultation, customized applications, and workshops.

**HEALTH CENTER**

BA 158, 537-7202

The Health Center provides registered students with medical evaluations, laboratory tests, and medications for minor illnesses and injuries. The Health Center does not exist for the purpose of replacing a student's main health care provider, but recognizes the fact that good health – mental, social and physical – is essential to maintaining a learning environment. We assist students with off campus referrals as necessary. Medical Providers are on campus at specified hours that are posted at the Health Center. A nurse is available for consultation Monday-Friday from 9:00-3:00 during Fall and Spring semester while classes are in session. All consultations are free and confidential.

*Excuse Due to Illness:* Students are advised to report pertinent medical facts to the Health Center so that instructors can be notified in cases of prolonged illness. We do not contact instructors for short-term illnesses; it is the responsibility of the student to contact the instructors for assignments. Should a student find it necessary to withdraw from classes for medical reasons and they are unable to withdraw in person, they should call the Advising Center (537-6245) for further details and implementations of the withdrawal.

**After hour emergency contact:**

Resident Assistant (on-campus student)

Ambulance, 9-911

Hospital, 9-532-9661

Emergency, 9-911

**HEALTH INSURANCE**

BA 158, 537-7202

Health insurance is available through Health Services for all students. The plan is mandatory for International students only; however, we encourage all students to be insured through a private plan or through the college plan. For specific information, contact the Health Services, BA 158.

**INFORMATION TECHNOLOGY SERVICES**

BA 161, 537-6111

The Information Technology Services (ITS) Helpdesk is located in the Technology Resource Center, in Bellows Academic 161. Helpdesk support is available from 8 a.m. – 7 p.m., Monday through Thursday and 8 a.m. – 5 p.m. on Friday, during the academic year. Holidays and Breaks, during the academic year, will be posted. Summer hours will be posted and announced in May of the academic year. Information Technology Services provides a variety of services for students. These services include e-mail addresses, webmail, on campus Internet services including on campus wireless access, computer kiosks, and computer labs. Computer labs include three types of systems-Sun Unix, Windows, and Macintosh computers. Sun Unix user terminals and printers are located in BA 164 and SM 230. The Window Systems are located in BA 229, BA 230, BA

314 (Library), BA 319 (Library), CH 126, CH 102, and CH 104 and the Academic Commons. Mac computers are located in CH 104, and CH 128. CH 104 is considered an "Open Lab" as classes are never scheduled in that lab. A small training lab is located in the Technology Resource Center and is available on a scheduled basis. The Window Systems and Macintosh computers are equipped with Microsoft Office Professional. Printers are available for student use in the labs and library. Color printing is available in CH104. You will first need to purchase a punch card to use the color printer. The punch card is available at the Cashiers Window in Business Services (IL).

**Lab Hours**

\* CH 102, 104, 126, 128

Monday-Friday, 7:30 a.m. - 11:00 p.m.

Saturday, 10:00 a.m. - 6:00 p.m.

Sunday, 11:00 a.m. - 11:00 p.m.

\* BA 314, 319 (Library Hours)

\* BA 229, 230

Monday-Friday 7:30 a.m. - 6:30 p.m.

Saturday, Closed (Please use CH Labs)

Sunday, Closed (Please use CH Labs)

These labs are closed in the Summer, please utilize CH Labs

\* Academic Commons (Academic Commons Hours)

\* SM 226 & SM 230 (Hours determined by Computer Science Program)

\* Special hours during breaks will be posted. Summer Hours will be posted for CH Labs.

\* Computer kiosks are available in the Student Center, Library and outside the Registration Office.

**INTERCOLLEGIATE ATHLETICS**

FH 323, 537-7271

The Athletic Director administers men's, women's, co-educational athletics, and intramural programs at SMSU. Physical education facilities, such as the gymnasium, Recreation/Athletic Facility, fitness room, swimming pool and racquetball courts are open for general student use at specified times.

**INTERNATIONAL STUDENT SERVICES**

SC 237, 537-6018 or 537-6216

The International Student Services Office provides support for our international students who represent more than 25 different countries from around the world. These students enhance our campus diversity and enrich the cultural programs throughout the region. The Friend to Friend program connects international students with local community members or families during their stay in the Marshall area. Community outreach to various clubs, organizations, and schools throughout the area bring other countries and their customs and traditions to southwestern Minnesota. The International Food Festival held each year in April features foods from around the world complete with a fashion

show and performances from their countries. The office is comprised of an Assistant Director and a Program Coordinator who work together to provide a smooth transition for the students to the United States and the Marshall area. The office provides support services to all international students in a wide range of areas

**LIBRARY**

BA 280-BA 541, 537-7278

*askref@smsu.edu*

*www.smsu.edu/library*

The SMSU Library is open 6 days a week during the fall and spring semesters and 4 days a week during summer sessions. For current library hours call 537-7278 or visit the Library homepage at *www.smsu.edu/library*. Library faculty, technicians, and student assistants are available to instruct and support student, faculty, and community research. The Library employs many student assistants; applications are available at the circulation desk and online.

The SMSU Library supports University curriculum by teaching course-integrated library instruction and by providing a learning environment supporting research in various disciplines. Research needs and questions are individually addressed at the reference desk and by phone (537-6176), email (*askref@smsu.edu*), or instant message. Library personnel work together to purchase, organize, and provide access to information in many formats. A diverse blend of electronic resources, print, non-print, video, CD, DVD, microfilm/fiche, sound recordings, and archival materials are provided by the SMSU collections. Our federal selective depository status adds rich resources to meet the needs of SMSU students, the surrounding community, and the congressional district

In an electronic sense, the library never closes. Since much library research occurs beyond the library walls, various remote access services are available to serve the SMSU community wherever they work and study, all originating at the Library homepage, *www.smsu.edu/library*. Registered students, faculty, and staff need only enter a user ID/barcode (on SMSU ID card) and password in order to utilize the Library catalogs, full-text article databases, electronic books and journals, and interlibrary loan services. Interlibrary loan makes available to SMSU students at no cost materials held in library collections across the state, the nation, and the world.

The Library has several small group study rooms, two classroom/computer labs, laptops available for check-out, several computer bays, plenty of soft seating, and complete wireless access. Student Technology Fee funds guarantee free printing to students and regular upgrades to computer work stations. The SMSU Writing Center is located on fifth floor of the Library as is the Speech Center.

Both areas are staffed by trained students who will help students with the mechanics of their speeches and papers.

*Library Mission Statement: The SMSU Library is committed to supporting the University's academic mission, serving the SMSU community through efficient access to quality library services, relevant collections, research guidance, and information literacy training. -- Adopted May 2010*

### **MATHEMATICS LAB**

Academic Commons, IL 224, 537-6484

The Math Lab, through the work of student and paraprofessional workers, assists you with selected pre-calculus mathematics courses and beginning computer science courses by correcting quizzes, informal tutoring, and answering questions on course material. The room is equipped with study booths and a library of mathematics and computer science books, including information on such topics as careers in mathematics and computer science, math anxiety, and women role models in mathematics.

### **MUSTANG CARD**

SC109, 537-7330

Picture identification cards are required of all students. To obtain an SMSU Id card (MUSTANG CARD) you must show a legal form of picture identification such as a driver's license or a passport. If you did not receive one during registration, you may obtain one at the Mustang Card Center near the front entrance to the Student Center. The Mustang Card is required to check out materials from the Library, to cash checks on campus, to receive checks from the Cashier's Window, to receive student rates at campus events, and to gain admission to University facilities available for student use.

The Mustang Card is also required to access Meal Plans, Dining Dollars (flex accounts) and Mustang Money. *Go to <http://www.smsu.edu/MustangCard> for information on policies and procedures related to Mustang Card use.*

### **NON-TRADITIONAL STUDENT RESOURCE CENTER**

BA 125/126/127, 537-6834

The Non-Traditional Student Resource Center at Southwest Minnesota State University provides a place where students who have decided to make education an important part of their lives can meet and share problems and information. The Center is available to people who are looking for help in re-entering and establishing an educational program. Assistance is also available in areas other than the academic; including meeting needs for car-pooling, childcare, housing and similar problems more characteristic of students who are a number of years beyond high school graduation.

### **ORIENTATION**

Office of Admission  
FH 108, 537-6286

SMSU's programs of new student orientation are administered through the Advising Center and Office of Admission. The largest of these is a four-day orientation to SMSU prior to the beginning of fall semester. However, new student orientation continues throughout your first year of college study and you are encouraged to seek assistance through the Advising Center or Admission Office if you have questions or concerns.

### **POST OFFICE**

BA 174, 537-6347

Mail is delivered directly to Commons East and Commons West Monday thru Saturday. It is sorted and delivered by Residential Life staff to all of the houses on campus in a timely manner. A resident is notified of getting a package by receiving a blue mail slip in the mailbox. The blue slip informs the resident to pick up the package at the respective Commons when the SMSU ID is shown to the receptionist.

A resident may purchase a stamp at Commons and mail a letter. If you are mailing something heavy or not the size of a letter, go to the SMSU Post Office to get proper postage. Mail leaves Commons approximately 1:30 p.m.

If you want to mail a large envelope or box, you may go to the SMSU Post Office located in Bellows building. The box will have to be sealed with tape, properly addressed and ready to be mailed. Tape and mailing labels are not supplied by the Post Office. The Post Office is open 9:00 a.m.-3:30 p.m. Monday thru Friday. Mail leaves campus at approximately 3:10 p.m. All postal services are available at this location for your convenience.

A resident expecting a package from another carrier, such as FedEx, UPS, DHL, etc., those items will be picked up from the Print Shop in the Bellows building by a Residential Life staff. The resident may pick up at the respective Commons from 10 a.m.-10 p.m.

Your mailing address while you are living on campus at SMSU will be:

Complete-Full Name (*mail will not be delivered to a nickname*)

House and Room Number

Building Number and Street Name

Marshall, MN 56258

Go online to:

<http://www.smsu.edu/CampusLife/HousingResidentialLife/Index.cfm?Id=327> for more information on campus mailing addresses.

### **REGISTRATION AND RECORDS OFFICE**

IL 148, 537-6206

Online registration and student data services are available at:

<http://www.smsu.edu/CampusLife/RegistrationRecords/Index.cfm>.

Students must register, add, drop, withdraw from classes, process address changes, check grades, run degree audits, and request information via the web. The office also assists with certification of teachers, handles degree checks for undergraduate students, administers veteran's benefits, and coordinates the registration process. Students with web process questions should contact our office for assistance.

### **RESIDENCE LIFE**

**Administrative Office** (Naoutha Hall) 537-6136

**Director** (Naoutha 102) 537-6471

**East Area Coordinator** (Naoutha 103) 537-6136

**West Area Coordinator** (Naoutha 105) 537-6136

**Housing Specialist** (Naoutha 101) 537-6858

The Residence Life Department is comprised of three professional staff members who work in coordination to provide a safe, enjoyable and learning based living environment for residents at Southwest Minnesota State University. The Director of Residence Life oversees the Residence Life program. The office of the Associate Director is located Naoutha 102. Some of the direct duties of the Director include supervising the professional staff, coordinating student staff selection and training, advising the Residence Hall Association (RHA), conducting judicial hearings, and assisting in delivery of services from the Residence Life Administrative Office. The two Area Coordinator's offices are located in Naoutha 103 and Naoutha 105. Each Area Coordinator directly supervises a staff of Resident Assistants (RA's) and a Commons Office Manager (COM). The Area Coordinators provide supervision/assistance for the residents who live in their area.

The Residence Life Department's professional staff provides informal counseling as needed, campus on-call coverage, conflict resolution, group advisement, program facilitation, and emergency assistance. The Residence Hall Guide to Community Living, which contains procedures, policies and information specific to the Residence Hall students, is available online on the Residence Life web page.

### **CENTER FOR RURAL AND REGIONAL STUDIES**

ST 203, 537-7373

The Center for Rural and Regional Studies (CRRS) was established in the fall of 1999. The CRRS is a natural outgrowth of Southwest Minnesota State University's founding mission to serve the region.

The Center maintains a direct affiliation with the Southwest Minnesota Regional Research Center (History Center) housed at the university, the newly established Geographic Information Systems (GIS) Center, the independent

non-profit Society for the Study of Local and Regional History, and Crossings Press. It also fosters relationships with a variety of disciplines throughout the university.

Advocating the importance of rural and regional knowledge, the Center focuses on applied research that crosses the fields ranging from environmental and ecological studies to demographic, social, and cultural studies. The CRRS distributes its research through the publication of books and essays and through organized conferences co-sponsored with other agencies and institutions.

Topics have included regional demography, ethnicity, floods, and alternative crops in southwestern Minnesota. The Center welcomes collaboration with scholars and institutions whose work will supply fundamental knowledge of, and unique insights into, southwestern Minnesota, the upper Midwest, and the northern prairie.

For more information, please see the Center's website: [www.smsu.edu/regional/](http://www.smsu.edu/regional/) or contact Anthony Amato, Chairperson of the Department of Rural and Regional Studies, 537-6117.

#### **SCHEDULING AND EVENT SERVICES OFFICE**

SC 224, 537-7110

The Scheduling and Event Services Office is your One-Stop-Shop for events, concerts, conferences and meetings on the campus of Southwest Minnesota State University. The University Scheduling and Event Services Office is located on the upper floor of the Student Center (SC231/232) just before the Conference Center. The Scheduling and Event Services Office coordinates everything from the scheduling of rooms and equipment, to coordinating the services of all of the University service groups including SMSU Catering. For questions or to begin planning for your event please contact the Scheduling and Event Services office at 507-537-7110 or email us at:

[scheduling@smsu.edu](mailto:scheduling@smsu.edu)

<http://www.smsu.edu/Administration/Scheduling/>

#### **MUSEUM OF NATURAL HISTORY, PLANETARIUM, GREENHOUSE, AND WILDLIFE AREA**

These Natural Science Facilities support instruction in the Science areas. The Wildlife Area is a 27 acre site forming the northwest corner of the campus. It features a restored prairie, a coniferous and deciduous forest, and wetlands. A system of maintained trails makes it accessible for classroom purposes and personal enjoyment.

The Museum of Natural History features hands-on exhibits of Minnesota flora and fauna. It serves, along with the Planetarium, as a programming facility for K-12 students, teachers, and other groups.

The Greenhouse has an extensive collection

of ornamental plants and features a tropical room and desert room.

The Planetarium supports instruction in the Physics area. The Planetarium is also used extensively by public schools in the region. Thousands of elementary and secondary students visit the Planetarium annually as part of their astronomy education. Special programs are produced for the general public dealing with a variety topics including planets, moons, stars, galaxies, constellations, and space exploration.

#### **SOUTHWEST MINNESOTA REGIONAL RESEARCH CENTER (HISTORY CENTER)**

SS 141, 537-7373

The Southwest Minnesota Regional Research Center is a repository of public documents and a historical research library. In collaboration with the Center for Rural and Regional Studies, the History Center promotes the study and preservation of the historical, cultural, ethnic, and religious heritage of southwestern Minnesota. Over the past 30 years, the Minnesota Historical Society has worked closely with the Center and often refers scholars and project ideas. Business, church, school, legislative, government, and immigration records are among the resources available to students, faculty, community members, and scholars interested in the history of southwestern Minnesota. The Center's activities include collecting and preserving historical documents, recording oral histories, promoting and organizing conferences and lectures of regional interest, and disseminating information and knowledge. The research center also houses the Prairieland Genealogical Society.

#### **SMSU DINING SERVICES**

Campus Dining Manager, 532-2268, SC 143

SMSU Campus Dining provides a variety of meal plan options to meet the needs of both resident and non-resident students. The **Residential Restaurant** offers its guests an all-you-care-to-eat style of dining. The **Food Court** offers grill, deli, pizza, home style cooking and an exhibition stir fry station. **Java City** is a specialty coffee house offering delicious gourmet coffees, specialty drinks, and smoothies. **C3 Express** is located in the Well Lounge in lower BA. C3 Express provides convenience when you're on the go, with a variety of snacks, sandwiches, salads, and beverages. The Residential Restaurant, Food Court, and Java City are all located on the first floor of the Student Center. Campus Dining is also responsible for all on-campus catering.

#### **Residential Restaurant Hours:**

*Monday through Friday:*

Breakfast: 7:15 am – 9:15 am

Continental Breakfast: 9:30 am-10:30 am

Lunch: 10:45 am – 1:15 pm

Lite Lunch: 1:30 pm – 4:30 pm

Dinner: 4:45 pm – 7:00 pm

(6:30 pm on Friday)

*Saturday and Sunday:*

Brunch: 10:45 am – 1:15 pm

#### **Food Court Hours:**

*Monday-Friday:* 10:00am-7:00pm

*Saturday and Sunday:* 1:30 pm -7:00pm

#### **Java City Hours:**

*Monday-Friday:* 7:15am-9:00pm

*Saturday:* 11:00am-7:00pm

*Sunday:* 11:00 am – 2:00pm

#### **C3 Express Hours:**

*Monday-Thursday:* 8:00am-3:30pm and

5:30pm – 8:00pm

*Friday:* 8:00am – 3:30pm

*Saturday and Sunday:* Closed

Information on Campus Dining venues and services can be found at:

[www.smsu.edu/CampusLife/StudentCenter](http://www.smsu.edu/CampusLife/StudentCenter).

#### **SMSU FOUNDATION**

FH 225, 537-6266

The Southwest Minnesota State University Foundation is a non-profit, self-supporting corporation established solely for the benefit of Southwest Minnesota State University and its students. The SMSU Foundation seeks to assist the University in achieving its mission of providing quality education programs and services. The Foundation's primary purpose is to fund scholarships, projects, and activities through a comprehensive fund-raising program. The Foundation is governed by a Board of Directors consisting of alumni and friends of the university.

#### **UNIVERSITY SPEECH CENTER**

BA-511, 5th floor of the Library

Similar to the University Writing Center, the Speech Center provides students the opportunity to improve their public speaking and group presentation skills. The student speech communication consultants can provide examples of outlines for particular types of speeches, offer advice on speech construction, speech delivery and help with research. The Speech Center is equipped with the Internet, computer, whiteboard and projector. Also, the Center is equipped with a camera to enable students to rehearse and record their speeches and group presentations. Students are encouraged to bring flash drives with visual aids or PowerPoint materials. DVDs are provided but students are encouraged to bring their own. The Speech Center services are free of charge to all SMSU students. The speech communication consultants can provide help to students not only while the student is enrolled in a public speaking course but throughout the student's entire career at SMSU.

#### **STUDENT ACTIVITIES**

SC 217, 537-6394

The Assistant Director for Student Activities serves as staff advisor to SAC and its chair people; provides resource to the SAFAC Committee, Student Association and Clubs and Organization administration and program, facilitates programs of leadership development; and provides general direction to the co-curricular program. (*See also: Organizations and Activities on page 19*)

## STUDENT CENTER

537-7330

Great food, games, comedians, concerts, 7330 Great food, games, comedians, concerts, club activities, movies, music, and more - There is always something happening at The Centers! Student Center services and facilities include:

**Administrative Offices:** Located on the second floor of the Student Center, these offices also include The Center for Leadership and Student Involvement, Student Government, Student Activities, Residential Life, and Judicial Affairs. Campus Lost and Found, Locker Rentals, and Notary Services are available at the service window of the administrative offices.

**ATM:** Located near the front entrance, this bank machine is for cash withdrawals only.

**Barnes and Noble Campus Store:** *See page 12.*

**Check Cashing:** Students and staff members with valid picture ID may cash checks at the Mustang Zone. No second party checks. Checks returned for non-payment will be subject to a service charge of \$20 in addition to the amount of the check, as allowed by Minnesota State Law.

**Hometown Newspapers:** A display rack of current newspapers from towns across the Midwest are available in the Coffee Shop Lounge on the Student Center's lower level for your reading enjoyment.

**Information Desk:** A part of the Mustang Card Office, this service desk is near the Student Center's lower level main entrance. Student staff members are available to provide information regarding the SMSU Campus, Marshall Community, and Mustang Card services during convenient day, evening and weekend hours as posted on the Mustang Card website: <http://www.smsu.edu/MustangCard>.

**International Student Services:** *See page 14.*

**Lounge Spaces:** A variety of lounge settings of all sizes are available to meet your studying and socializing needs, including a **Coffee Shop Lounge**, a **Fireplace Lounge**, and a **TV Lounge**.

**Meeting Rooms:** Both the Student Center and Conference Center offer a variety of meeting rooms with sizes and configurations available to accommodate meetings and activities for just a few people to over 400 participants. A complete spectrum of audio-visual equipment is available for all types of presentations and events.

**Mustang Card Center:** Located across from Barnes and Noble, the Mustang Card Office provides replacement cards; information on where and how the Mustang Card can be used; Meal Plan, Dining Dollars and Mustang Money account balances; and deposit options. See page 15 for more information.

**Mustang Zone:** Located on the second floor of the Student Center, The Mustang Zone Game Room offers billiards, table tennis, foosball, copier and fax services, campus event ticket sales, Jefferson Line and Marshall Area Transit bus ticket sales, Xbox 360, DVD and game rentals and assorted beverages, popcorn, and snack food items. Movie and equipment rentals require a current SMSU ID and are subject to late fees and charges for damage and/or replacement. The Zone accepts cash, credit cards and Mustang Money for all transactions.

**Residential Dining/Food court/Java City –** *See page 16.*

**Scheduling and Event Services Office** The Scheduling and Event Services Office is your One-Stop-Shop for events, concerts, conferences and meetings on the campus of Southwest Minnesota State University. The University Scheduling and Event Services Office is located on the upper floor of the Student Center (SC231/232) just before the Conference Center. The Scheduling and Event Services Office coordinates everything from the scheduling of rooms and equipment, to coordinating the services of all of the University service groups including SMSU Catering. For questions or to begin planning for your event please contact the Scheduling and Event Services office at 507-537-7110 or email us at:

[scheduling@smsu.edu](mailto:scheduling@smsu.edu)

<http://www.smsu.edu/Administration/Scheduling/>

**SMSU Dining Services:** Java City Coffee Shop, Residential Restaurant, Food Court, and on-campus catering are available for the campus and regional communities to enjoy.

**The Center for Student Leadership and Involvement:** Located on the second floor of the Student Center, this space provides offices for the Student Association, the Student Activities Committee, Residence Hall Association, the Student Activities Office, program resources, fund raising resources, club and organization information, student activities information, and student organization funding information.

Involvement in organizations and activities at SMSU is meant to be an educational and enjoyable experience for you. SMSU offers a variety of co-curricular activities ranging from athletics, to interest groups, student government, to academic clubs. Most students find membership and/or participation in these activities a rewarding addition to their college years and it is the intention of the University

to promote student organizations and activities as an integral part of a student's education and development. Questions regarding organizations and activities should be directed to the staff members within the Center for Student Leadership and Involvement and Residence Life.

## STUDENT DEVELOPMENT OFFICES

BA 156

The area of student development includes the following: Counseling Services, Career Services, and Academic Advising. (Please see individual listings.)

## STUDENT LIFE AREA

SC 217 and SC 225.

The Area of Student Life includes: the Housing Office; Residential Life Program; Health Services; Physical Medicine; Student Center programs, services and operations; Clubs and Organizations; the University's Student Activities Program and Committee; Offices of the Student Association (SA); Judicial Affairs Program; and Student Leadership Development. It also provides University liaison with the Campus Dining Services vendor, SMSU Child Care Center; and advisement of RHA, SA Judicial Council, various SA Officers, SAFAC, and SAC. (See any individual program listing.) If you have concerns with any of these matters, you may wish to contact the Associate VP for Student Affairs.

## TESTING SERVICES

Counseling and Testing Services

BA 156, 537-7150

The Counseling and Testing Center is responsible for administering the following testing programs: Graduate Record Exam, Subject Tests; Miller Analogy; Medical College Admission Test; ACT Residual; Pre-Professional Skills Test (PPST); Praxis Tests and College Level Exam Program (CLEP). It also provides information on the following tests: Graduate Management Admission; Graduate Record Exam, General Test; Dental Admission; Veterinary Aptitude; Pharmacy College Admission, and Optometry College Admission. If you wish to have any of these tests administered to you, contact the office for testing dates. Study guides are also available.

## PARKING AND TRAFFIC

SMSU Public Safety

Founders Hall Lower Level, 537-7252

### Parking Lots:

Southwest Minnesota State University maintains nine paved and two gravel parking lots for students, staff, faculty, and visitors. Permits are required in these lots from 8:00a.m. to 4:30p.m. in all lots during the academic school year. Parking spaces designated "Specific Reserved", "General Reserved", "Visitor Parking" and "Handicap" require the appropriate parking permits 24-hours per day every day of the week.

Visitor passes can be obtained for visitors to campus at either the University Public Safety Office (FH Lower Level) or the Information Desk in the lobby of Founders Hall.

Parking spaces are divided into three categories: regular, general reserved and specific reserved. General reserved are reserved spots by color for any places with that color. Specific reserved are reserved by color and number and are for that spot only.

Regular permits and general and specific reserved may park in any other unmarked spot. Handicap stalls are available in each lot also.

The RA Lot has both a paved and a gravel section. Both sections are continuous and therefore fall under the same parking enforcement regulations. There is no parking in either of the sections of the RA Lot between 1:00 a.m. and 6:00 a.m. seven days per week.

**Street Parking:**

Parking spaces are available on four of the six streets surrounding the school. All are permit parking only from 8:00 a.m. to 4:30 p.m. with the exception of Birch Street which is two hour parking. Visitor permits are also valid for these spots.

Loop Street is 10 minute parking only, 24 hours a day.

McLaughlin Drive allows you to park without a permit except from 2:00 a.m. to 6:00 a.m. year around.

A snow emergency route is in effect for Birch Street and Mustang Trail from November 1<sup>st</sup> to April 1<sup>st</sup>. This means there is no parking on these streets from 1:00 a.m. to 7:00 a.m. on these days, and during a snow emergency (generally 3" or more) vehicles will be towed from Birch Street only.

Any questions or concerns regarding parking may be directed to the SMSU Public Safety Office at 537-7252 or stop in the lower level of Founders Hall.

**TRANSCRIPTS AND DEGREE CHECKS**

IL 140, 537-6207

The Registration and Records Office processes degree checks, makes certain that you are informed about graduation requirements, have completed those requirements before graduation, and receive your diploma. The office maintains accurate academic transcripts, updates transcript data, reproduces transcript copies, and sends copies in accordance with your requests. A fee of \$5.00 is required for each official transcript copy.

**UNIVERSITY RELATIONS**

FH 121, 537-6255

University Relations is responsible for communications, public relations, promotion, and marketing of the University through the distribution of information. It also generates news releases, including those that notify your hometown media of your accomplishments (i.e. acceptance, scholarships, event participation, and graduation). University Relations is responsible for the content of the SMSU

Today intranet page, as well as the front page of the SMSU website: [www.smsu.edu](http://www.smsu.edu).

University Relations also handles much of the photography on campus.

**VETERANS RESOURCE CENTER**

SS 218, 537-7213

The Veterans Resource Center Coordinator is here to serve the unique higher education needs of students who are Veterans, military members, or family members.

*Services available include:*

“Veterans friendly” policies and procedures:

- Payment extensions while awaiting properly applied for educational benefits.
- Military transfer credit.
- Veteran resident status.
- Registration – priority, flexibility, and withdrawals due to deployments.

*On-campus Veterans Resource Centers:*

- Provide an environment where Veterans, military members and their families feel welcome.
- Provide information about services and resources, as well as referrals to the correct service providers.
- Provide a space to interact with other students who are Veterans and family members of veterans, gaining support and encouragement from students with similar backgrounds, experiences, and circumstances.
- Organize training on veterans issues, bring service providers on-site (family assistance workers, County Veterans Service Officers, DEED employment specialists, etc.) and the development of special events for Veterans and military families.

*Coordinated services and information:*

- Facilitate communication between departments and staff who regularly interact with veterans, and whose services Veterans depend upon (admissions, financial aid, counseling, disability services, career services, etc.).
- Develop and coordinate training opportunities for campus staff on Veterans issues.
- Solicit feedback from Veterans and attempt to remove unnecessary impediments to Veterans services.

**WRITING CENTER, UNIVERSITY**

Academic Commons IL 224, 537-7294

The University Writing Center provides an opportunity for students to improve their writing skills. The student writing consultants offer tutoring for students who wish to discuss the drafting, revising, or editing of their written work. The staff will also offer students access to resources on documentation, explanatory worksheets on grammar and usage, and writing handbooks. The Writing Center services are free of charge to all SMSU students; the consultants can help students with any writing throughout their careers at SMSU.

**WRITING CENTER**

BA 527

The Writing Center assists students with their writing assignments. The Center is open during each class day and is located on the fifth floor of the library in BA 527. When you come in for your Writing Center appointment, you will work with a Writing Consultant who will help you on an individual basis. Writing Consultants can work with you on any kind of paper for any class, and at any stage of the writing, whether you need help identifying a topic, organizing the ideas, learning how to cite appropriately, or using punctuation correctly. You are free to come in for help with a particular assignment, or you can work with the Writing Center staff on a continuing basis throughout the semester. The Center is easy to find, open class days, and staffed by friendly, fellow students. Use of the Center is free of charge and confidential unless a professor has required you to come to the Writing Center. If you have any writing difficulty, big or small, the Writing Center is here for you. Students wishing to use the Writing Center should make an appointment by using the Writing Center's Online Scheduler. The Scheduler can be found on the Writing Center's website: <http://www.smsu.edu/CampusLife/WritingCenter>

# Organizations and Activities

Involvement in organizations and activities at SMSU is meant to be an educational and enjoyable experience for you. SMSU offers a variety of co-curricular activities ranging from athletics, to interest groups, to student government, to academic clubs. Most students find membership and/or participation in these activities a rewarding addition to their college years and it is the intention of the University to promote student organizations and activities as an integral part of a student's education and development.

Questions regarding organizations and activities should be directed to the staff members within the Center for Student Leadership and Involvement and Residential Life.

## CAMPUS TRADITIONS

Southwest Minnesota State University's school colors are gold and brown; the mascot is the "Mustang". The athletic conference for both men's and women's athletics is the Northern Sun Intercollegiate Conference (NSIC), and for wheelchair athletics it is the Central Intercollegiate Conference (CIC). The University also has affiliation with NCAA Division II.

## Southwest Minnesota State University School Song:

*Let's go Southwest  
Show them your best  
Make our rivals see  
We fight to win  
So let's begin  
Our battle for victory  
Let's unite our spirit and might  
And make a win our fate  
Fight for the name and fight for the fame  
For us at Southwest State  
S-O-U-T-H-W-E-S-T Southwest S-T-A-T-E  
Southwest State Let's go!!*

**Homecoming**—a fall tradition at SMSU is Homecoming week. This week sparks enthusiasm for school spirit through various activities, including Game night, Candidates' night, Coronation, the Homecoming parade and the football game. Homecoming weekend is a good time to have your family visit, as it is also a time when many SMSU alumni return to campus for special alumni events.

**Family Day**—During a home game, including a luncheon for students and their families that can be purchased, chemistry club magic show and many other events to choose from.

**Festivals and Events**—The Club and Organization Activities Fair, All University Holiday Festival, International Food Festival, Commencement Reception, Hawaiian Night, Winter Meltdown, Soul Food Festival, Relay For Life,

Mustang Rodeo, Fall Concert, Haunted HALloween, Casino Night, and the Club and Organization Award Ceremony are campus traditions worth attending.

## CLUBS AND ORGANIZATIONS

SC 217, 537-6394

University recognized clubs and organizations play a vital role in the co-curricular life of the SMSU Community. The office and staff of the Assistant Director of Student Activities serves as a resource to assist you as well as the recognized clubs and organizations with achieving your goals. The following is a roster of currently recognized clubs and organizations at SMSU. If you would like additional information on any of the clubs and organizations listed, please contact the Assistant Director of Student Activities.

### Departmental Organizations:

Accounting Club  
Agribusiness/Agronomy Club  
Biology Club  
Chemistry Club  
Concert Choir  
Criminal Justice Club  
Culinology Club  
DECA  
Drama Club  
Education Minnesota Student Program  
English Club  
Environmental Awareness Club  
Family and Child Educators  
Forensics History Club  
Honors Club  
Jazz and Brass Ensemble  
Le Club Francais  
Jazz Ensemble  
Marketing Club  
Math and Computer Science Club  
National Broadcast Society  
Pep Band  
Political Science Association  
Postsecondary Ag Students  
Psi Chi Psychology Club  
Radio/TV Club  
Rough Riders Drumline  
Student Investment Group and Management Association (S.I.G.M.A.)  
Society of Human Resource Mgmt. (SHRM)  
Sociology Club  
Student Hospitality Organization (SHO)  
Student Social Work Association  
Symphonic Band  
Track and Field Club  
Vocal Ensemble (Glee Club)  
Wellness & Human Performance Club

### Publications:

### Perceptions Literary Magazine

The Spur (SMSU Newspaper)

### Club Sports:

Billiards League

Bowling Club  
Dance Team  
Karate Club  
Mustang Marshall Arts Club  
Power Hockey Club  
Show Stoppers (HipHop/Step)  
Tae Kwon Do  
Track & Field Club  
University Sportsmen's Association  
**Religious Organizations:**  
Campus Crusade for Christ  
Shine On  
Muslim Student Association  
Newman Club  
**Special Interest Organizations:**  
BACCHUS  
Black Student Union  
Campus Greens  
Club Latino  
College Republicans  
Colleges Against Cancer  
Gay, Lesbian, Bi-Sexual, Transgender (GLBTA)  
Hmong Student Organization  
International Student Organization (ISO)  
Lion's Club  
Mustang Game Club  
Mustang Anime Otaku  
Mustang Maniacs  
Mustang Men Against Sexual violence  
Nepalese Student Association  
National Society of Leadership and Success  
Native American Club (O'yate)  
Non-Traditional Student Organization (NTSO)  
Rough Riders Drumline  
Spanish Club  
Students in Free Enterprise (SIFE)  
Students Today, Alumni Tomorrow (STAT)  
Students Against Genocide (STAND)  
United Global Leaders Yearning for Success (UGLYS)  
University Sportsman's Association  
Veteran's Association  
Women On the Move  
**Student Governance:**  
Student Association  
Student Association Senate  
Student Activity Fee Allocation Committee (SAFAC)  
Student Activities Committee (SAC)  
Student Association Judicial Council  
Student Association-Public Relations  
Student Center Governing Board  
Residence Hall Association (RHA)

## STUDENT GOVERNMENT

Active student involvement in Student Governance is an integral part of the University's governance. A well-defined constituency and clear authority for this constituency adds to the success and importance of representing student

issues. (See also: *University Governance on page 22*)

## A. STUDENT ASSOCIATION

SC 217, 537-6140

The Student Association is composed of every student enrolled for classes at Southwest Minnesota State University. Along with other collective bargaining groups, the Student Association strives to improve life for SMSU students. The Student Association has been recognized by the University and by the MnSCU Board as the primary student government group at Southwest Minnesota State University. Elected representatives of the student body serve as the members of the Student Senate and as officers for the Student Association. The Student Association is composed of 5 areas.

### 1. Student Association *Senate*

The Student Senate is responsible for student governance at SMSU and includes the following areas:

a. The Senate reviews the recommendations of the Student Activity Fee Allocation Committee (SAFAC) regarding student activity fee allocations. (See Student Activity Fee Allocation Committee).

b. Appoints students to University committees.

c. Provides input in curriculum matters (including general education requirements, academic calendar, academic grievance procedures, and the hiring of faculty and staff members).

d. Represents student views to the SMSU administration, MnSCU Board, and State Legislature.

e. Appoints a representative from SMSU to the Minnesota State University Student Association.

1) *Student Activity Fee Allocation Committee (SAFAC)*: SAFAC consists of nine students at-large. SAFAC receives budget requests from SMSU recognized clubs and organizations and for projects/activities requiring spontaneous funding, and recommends to the President a percentage allocation of the total anticipated Student Activity Fee for those activities, and clubs or organizations. (See also: *Student Fees, SAFAC on page 20*)

### 2. Student Activities Committee (SAC)

SAC serves as the primary programming body for SMSU, planning, coordinating, and evaluating programs and events in the areas of Issues, Films and Videos, Contemporary Music, Club Entertainment, Special Events, Novelty/Variety, Lively Arts, Recreation and Travel, and Public Relations. SAC, in conjunction with the University recognized clubs and organizations, serves as the primary programming group, and provides the focal core of a diverse university activities program.

### 3. Student Association Judicial Council

This Council exists as a part of the University Judicial Affairs Program and provides a peer review judiciary option. In accordance with university judicial procedures and defined

rights of due process, this Council meets to hear judicial referrals which allege that a named SMSU student has violated or infringed upon the rights of another University Community member, has violated a University, state or federal regulation, or Code of Conduct.

This Council also oversees all Student Association elections and referendums, reviews actions of the SA Senate, and rules on the constitutionality of Senate business.

### 4. Student Association Public Relations

The Public Relations Committee serves as a liaison between the Student Association, the University, and the community, coordinating the SMSU Bloodmobile Drive, publishing an Events Calendar, working with the Who's Who Among Students in American Universities and Colleges award selections, promoting special activities, events, elections, etc.

### 5. Student Association Treasurer

The Treasurer is appointed by the Student Association President and provides accounting and financial record services for the Student Association, its committees and Students Activities Committee.

## B. RESIDENCE HALL ASSOCIATION

The Residence Hall Association (RHA) is the representative body of all students living in the Residence Halls. It provides a means and channel for its members to voice their needs and concerns regarding those issues affecting the quality of life for on-campus students. RHA consists of representatives from each house and an Executive Committee. The Executive Committee includes the President, Vice President, Secretary, and Treasurer. There are also four standing committee chairs: Publicity and Public Relations, Activities and Events, Damage Appeals and Campus Concerns, and Food Service. A major function of RHA is to act as a center of communications by coordinating activities and providing a communication line between individual houses and between those houses and Residence Life. If you would like more information on becoming a member of RHA, please contact your Resident Assistant.

## C. STUDENT CENTER GOVERNING BOARD

The Student Center Governing Board (SCGB) provides a communication channel between the Student Center and University and student concerns. It is composed of the SAC Coordinator and two appointees from SAC, the student body president, or their appointee and two appointees from the Student Association, one Student Center Manager, two staff members from Residence Life; and the Asst. Director of Student Center Operations, Assistant Director of Student Development/Activities/Union, and Student Center Director

**ESTABLISHMENT OF UNIVERSITY RECOGNIZED STUDENT CLUB OR ORGANIZATION**  
(SMSU Policy G-002.3)

**Step 1:** Any group of students wishing to form a club/organization should contact Assistant Director of Student Activities. At this meeting they will receive a handout on —How to Become a Recognized Club/Organization Registered at SMSU.

**Step 2:** The Assistant Director of Student Activities will have the authority to grant temporary status to groups who are in the process of organizing. This will allow the group to schedule organizational meetings over a thirty-day period.

**Step 3:** When the club/organization completes the requirements (i.e. writing a constitution, selecting an advisor, applications for recognition, etc.) they will return all documents to the Assistant Director of Student Activities.

**Step 4:** The Assistant Director of Student Activities will review the Constitution for compliance with Federal, State, Municipal/Local laws and MnSCU and University policies.

**Step 5:** If it passes in the Student Activities Committee, the proposed club/organization will be presented to the Student Senate. The Student Senate will then review the constitution and vote on whether or not to recognize the club/organization.

**Step 6:** If the proposed club/organization passes in the Senate, the application will go to the President of the institution. The President or his/her designee will then officially act on the club/organization's proposed recognition and confirm it in writing to the club/organization president, advisor, the Assistant Director of Student Activities, University Scheduling Officer, Business Services, and the Vice President of the Student Association. When a club/organization is recognized, the President or his/her designee will also initiate a letter to the advisor explaining the institution's expectations of them and officially recognizing their involvement with the club/organizations.

**Step 7:** Once recognized or registered, the club/organization would have the following rights and responsibilities: A. The use of University facilities and services for meetings and other activities by scheduling with the University Scheduling and Event Services Office. B. Permission by the University to conduct fund-raising projects on campus (requires completion of a fund-raising form for each fund-raising event). C. Opportunity to participate in all-university events. D. Opportunity to request funds from the Student Activity Fee Allocation Committee. E. Opportunity to request funds from the Student Activity Fee Allocation Committee for a particular program. (Recognized Clubs and Organizations only) F. Use of a University mailing address and/or name. G. Use of an activity account with the University Business Office. H. When available, office space for the club/organization, lockers, mailboxes, and information center in Student Association office. I. The right to establish

club/organization dues. J. The right to invite speakers to the campus. K. Recognized student clubs/ organizations are expected to comply with Minnesota State Colleges and Universities (MnSCU) System Policy governing Account Administration and will be given a copy of the system policy at the time of recognition.

**Step 8:** Official campus recognition is an organizational status and must be maintained.

**Step 9:** Registration – all Student clubs/ organizations shall register with the Center for Student Leadership and Development during the first thirty (30) days of fall semester each academic year.

**Step 10:** Should any Student club/ organization fail to register in the first thirty (30) day period, it will be placed on probation. Probationary status will be interpreted to mean that the club/organization has temporarily lost all privileges and reinstatement must come from the Assistant Director of Student Activities. If the registration process is completed in the fall semester, the privileges of recognition will be reinstated.

**Step 11:** Should any recognized club/ organization fail to register within the fall semester of each academic year, is shall lose its recognition. To regain recognition all procedures for initial recognition must be completed. A public notice to report that the club/organization is extinct will be posted in the student newspaper (SPUR) and Campus News.

**Step 12:** In the event that a club/organization remains defunct for a complete year, any funds they have in the University Activities Account will revert to SAFAC to be reallocated among student clubs/organizations.

**Step 13:** Ad hoc and standing committees – any group of students wishing to benefit from the advantages of a registration without the intent of becoming a permanent club/ organization should schedule a meeting with the Assistant Director of Student Activities to discuss specific group objectives and proposed date of termination. The Assistant Director of Student Activities will have the authority to grant them temporary status for the duration of the group.

#### **RIGHTS AND RESPONSIBILITIES OF UNIVERSITY RECOGNIZED CLUBS AND ORGANIZATIONS**

The following information includes common concerns confronted by University recognized clubs and organizations.

**Copyrighted Videocassettes, DVD's and Videodiscs** Any University recognized club or organization wishing to use a copyrighted videocassette, videodisc or uploads would contact the Assistant Director of Student Activities to review the Federal law and University policy pertaining to copyrighted usage.

#### **Scheduling and Use of University Facilities and Equipment**

Any University recognized club or organization wishing to schedule an event or use University facilities or equipment must first contact the University Scheduling and Event Services Office to establish whether the University facilities or equipment are available before making any event commitments or before advertising the event. Due to limited University facilities and equipment, event requirements are not always available. To receive the registered/recognized student organization discount (effectively 100% on all items except labor) the registered/recognized student event must meet the following criteria;

1. The student organization must be the primary sponsor of the event,
2. The primary audience for the event is intended to be students (SMSU and their guests),
3. An authorized member of the student organization will be the primary decision-maker, as well as, the primary contact for the event.

If a University recognized club or organization is found to be acting as a front for an outside group in that the event does not meet the above criteria, the appropriate public or not-for-profit charges will be billed to the group for the event. Further, groups found to be intentionally misleading the University on such events may risk loss of booking and reservation privileges.

#### **Sale of Tickets**

1. Any University recognized club or organization wishing to sell tickets would contact the Assistant Director of Student Activities to review the nature of the ticket sales.
2. Each ticket must state the sponsor's name, university name, time, date, place, title, price of the event, and be numbered. If no refunds are to be given this statement should appear on the ticket.
3. Once tickets are printed they must be audited at the Business Services Cashier's Window before any tickets are sold or distributed.
4. If the club or organization wishes to sell the tickets at the Student Center they will again contact the Assistant Director of Student Activities to complete the necessary procedures for ticket sales in the Student Center.

#### **Drawings**

Any University recognized club or organization wishing to conduct a drawing would contact the Assistant Director of Student Development/Activities/Union to review the Minnesota state gambling laws and procedures before setting up the drawing.

#### **Contracts**

1. Any University recognized club or organization, before committing to any usage of goods or services to be utilized for any event, must consult with the Assistant Director of

Student Activities to determine if a contract or letter of agreement is required.

2. Engagements of bands or performers must be discussed with the Assistant Director of Student Activities before making a commitment to the band or performer or having a contract sent to the University.

3. No contracts will be valid unless signed by the Assistant Director of Student Activities and other designated University parties.

4. Payment of contracts will require that a University check be issued. University procedures for payments will be followed. University recognized clubs and organizations will not enter into contracts unless sufficient financial funds are guaranteed to exist in the club or organization's account to cover the cost of the contract and event expenses.

#### **Release Forms**

Any University recognized club or organization engaging in an off campus activity with the potential of personal liability or personal injury will contact the Assistant Director of Student Activities to review the nature of the activity. A release form requesting health insurance or other information, which also states the person's intent to release the University from responsibility for any personal or property damage, may need to be completed by participants for some activities.

**Changing a Constitution** Any University recognized club or organization making changes or additions to their Constitution would contact the Assistant Director of Student Activities to review the nature of the changes or additions. If the changes or additions change the basic nature and philosophy of the club or organization the Constitution may need to be submitted through the University recognition process. With any change or addition to a club or organization constitution, a copy of the new constitution must be submitted to the Assistant Director of Activities.

#### **ACCOUNT POLICIES FOR STUDENT ORGANIZATIONS**

1. A student organization that receives allocations of student activity monies shall deposit and expend all allocations and other income through an account within the university activity fund (3 ledger account).

2. Student groups recognized as official organizations through a university's internal process shall deposit all funds in excess of \$500.00 per year that are earned as a result of full or partial use of university facilities, equipment, material, and personnel in an agency account in the university activity fund.

3. Student organizations that do not receive student activity allocations and earn less than \$500.00 per year as a result of full or partial use of University facilities, equipment, material, and personnel may elect to establish an agency account at the University's discretion.

## SPECIAL NEED REQUIREMENTS FOR PARTICIPATION IN UNIVERSITY ACTIVITIES

Any student who requires special assistance in order to participate in University activities should make these needs known to the Assistant Director of Student Activities in sufficient advance of the activity for which participation is desired so that special assistance may be addressed.

## STUDENT FEES

Student fees are established under the provisions of MnSCU Policies 2.8 and 5.11. Specific procedures for student fees at Southwest Minnesota State University follow:

### Student Fee Collection and Disbursement for Fiscal Year 2012

Beginning Fall Semester 2011 and extending through Summer Session 2012 the following method and level of fee assessment will be in effect:

**I. Student Activity Fee:** Students enrolling in credit courses offered by Southwest Minnesota State University on campus will be assessed the following Student Activity Fee:

*Per Semester*

\$7.30 per credit hour up to a max of \$87.60

**A. 50% Refund:** You are eligible to apply for a 50% refund of your student fees paid during the semester in which you meet the following qualifications:

1. *Student Teachers:* All student teachers enrolled only for student teaching credit, who are doing their student teaching in locations 40 or more miles from your home campus are eligible for the 50% refund of fees.

2. *Interns:* Students enrolled only for internship credit, when the internship is located 40 or more miles from your home campus, are eligible for the 50% refund of fees.

3. *Students Studying in Foreign Countries:*

a. Students enrolled full time and studying in a foreign country for credits at Southwest Minnesota State University are eligible for the 50% refund of fees.

The refund form is also available online at <http://smsu.edu/Administration/BusinessServices/>.

If you are eligible for a refund of student fees under the provisions listed above, you may complete an application for refund in the Office of Business Services, phone 537-6219, by the 10th instructional day of the semester in which the refund is being requested.

4. Student fees eligible for the 50% refund include the Student Activity Fee, Student Center Facility Fee, Technology Fee, Health Services Fee, Maintenance Fee, and Athletic Fee.

**B. Distribution:** Monies from student fees will be distributed for the Fiscal Year 2012 as follows:

Student activity Fee Administrative

Expense Fund	4.25%
Student Activity Fee Fund	74.09%
Student Activities Operating Fund Reserve	22.66%
	0%
Total	100%

**C. Budget Estimates:** The budget estimates to be used in planning for the 2011 fiscal year are as follows:

Student Activity Fee Administrative Expense Fund	\$16,700
Student Activity Fee Fund	\$290,739
Student Activity Operating Fund	\$85,000
TOTAL	\$404,404

The Student Activity Fee Allocation Committee will allocate a maximum of \$397,419 to the Student Activity Fee Fund. If revenues fall below estimated amounts, distribution will be reduced based on percentages in section I.B. above.

**D.** The Associate VP for Student Affairs shall be responsible for developing the procedures to be used to implement the above collection, refund, and disbursement procedures.

**II. Student Center Facility Fee:** Students enrolling in credit courses offered by Southwest Minnesota State University on campus will be assessed the following Student Center Facility Fee:

*Per Semester:*

\$11.13 per credit hour up to a max of \$157.56.

**III. Student Health Services Fee:** Students enrolling in credit courses offered by Southwest Minnesota State University on campus will be assessed the following Health Services Fee:

*Per Semester:*

\$3.70 per credit hour up to a max of \$44.40.

**IV. MSUSA Dues:** Students enrolling in credit courses offered by Southwest Minnesota State University on and off campus will be assessed the following fee for MSUSA (Minnesota State University Student Association) dues in accordance with MnSCU Policies:

*Per Semester:*

\$ .43 per credit hour for 1-11 credits

\$6.45 for 12-18 credits

\$ .43 per credit for each additional credit

**V. Technology Fee:** Students enrolled in credit courses offered by Southwest Minnesota State University will be assessed the following Technology Fee in accordance with University policy. This fee provides for student support activities including but not limited to technology infrastructure, computer labs, wireless networks, ongoing technology support and software licensing.

*Per Semester:*

\$10.00 per credit hour for 1-11 credits

\$155.00 for 12-18 credits

\$10.00 per credit for each additional credit

**VI. Athletic Fee:** Students enrolled in credit

courses offered by Southwest Minnesota State University located on campus will be assessed the following Athletic Fee. For this fee students will receive free admission to all regular season athletic contests and use of the SMSU Fitness Center. The Athletic Fee is charged only during Fall and Spring Semesters.

*Per Semester:*

\$4.00 per credit hour up to a max of \$48.00

**VII. Maintenance Fee:** Students enrolled in credit courses offered by Southwest Minnesota State University will be assessed the following maintenance fee:

*On Campus/web students per Semester:*

\$2.00 per semester credit hour 1-11 credits

\$31.00 for 12-18 credits

\$2.00 for each additional credit

*Off-campus students per semester:*

\$1.00 per semester credit

**VIII. Graduation Charge:** Students enrolled in credit courses offered by Southwest Minnesota State University will be assessed the following graduation charge:

*Per semester:*

\$ .18 per credit hour up to a max of \$2.16

## Athletics

FH 323, 537-7271

The athletic conference for both men's and women's athletics is the Northern Sun Intercollegiate Conference (NSIC), and for wheelchair athletics it is the Central Intercollegiate Conference (CIC). The University also has affiliation with NCAA-II.

*Men's Intercollegiate Athletics:* The SMSU Men's athletic program includes the following sports: football, basketball, wrestling, and baseball.

*Women's Intercollegiate Athletics:* The SMSU women's athletic program includes the following sports: volleyball, soccer, basketball, tennis, softball, and golf.

*Co-ed Intercollegiate Athletics:* The SMSU co-ed athletic program includes the following sports: wheelchair basketball.

## Student Activity Fee Allocation Committee (SAFAC)

**A.** Members of the Student Activity Fee Allocation Committee (SAFAC) shall be appointed by the SMSU Student Association Senate.

The voting chairperson appointed by the SAFAC Committee from within the Committee is to be the communication link with the Student Association. If any member resigns, the new member will be appointed by the Student Senate to fill the empty position. The President of the University will assign, in consultation with the Student Activity Fee Allocation Committee, administrative staff as non-voting resource persons for the Committee.

**B.** The SAFAC will be charged with:

1. Reporting Student Activity Fee Allocations to the Student Senate annually and then submitting the recommendations of the SAFAC Committee to the President.
2. Consultation with the Senate in reviewing the fee rate structure for the collection of student fees at SMSU.
3. The Committee shall have its allocation report to the Student Senate by May 1 of the fiscal year preceding the fiscal year for which the allocation is being made.

#### **Student Activity Fee Allocation Committee (SAFAC) Budget Process - Annual**

A. All recognized clubs and organizations or academic co-curricular activities may submit annual budget requests to the Student Activity Fee Allocation Committee, and the Student Activity Fee Allocation Committee will make annual percentage allocation recommendations to the President for such groups.

B. The following areas will be guaranteed student activity fee monies:

1. William Whipple Gallery (Art)
2. Intramurals
3. Music
4. The Spur
5. Speech Activities and Theatre
  - a. Forensics
  - b. Radio and TV
  - c. Theatre
6. Student Association
  - a. Student Association
  - b. Student Activities Committee

C. If the Student Activity Fee Allocation Committee determines any of these areas needs to receive more than a 5% budget reduction from the preceding fiscal year, it may recommend an allocation decrease to the President. No more than a 5% budget reduction may take place without prior approval from the President.

#### **Student Activity Fee Funded Activities**

Student fees provide for an essential dimension to the collegiate environment and experience. The fees are allocated for the Student Activity Fee Administrative Expense, Student Activity Fee Fund [from which the Student Activity Fee Allocation Committee (SAFAC) allocates to various campus organizations], Student Activity Operating Fund, (See also: *Student Activity Fee Allocation Committee (SAFAC) Budget Process - Annual above.*)

Art, Intramurals, Music, the Spur, Forensics, Radio and TV, Theatre, Student Association, and Student Activities Committee are guaranteed funding from the student activity fee. All student clubs and organizations must register with the Center for Student Leadership and Involvement Office by the first 30 days of the academic year or their accounts and other "registered" privileges are frozen/suspended until they have. Organizations that register after the last class day of the Fall Semester will receive 50% approved funding.

The SAFAC determines the allocation to these activities as well as all other recognized student clubs and organizations or academic co-curricular activities, based on budget requests and funds available for the academic year.

Organizations may not use student fee collected funds for individual person gain, or for activities of which the primary function is to provide specific gain for an individual, or a cause that is not in accordance with the recognized purpose statement as defined in the University approved club/organization's constitution.

For your information, a brief description of these activities follows as well as a breakdown of the allocations for various campus organizations for the 2010-2011 fiscal year.

If you would like further information regarding these SAFAC allocations, contact the Assistant Director of Student Activities, at Student Center 219, 537-6394.

#### **Intramurals**

537-7229

Southwest Minnesota State University's intramural program includes men's, women's, and co-ed sports. The activities offered include flag football, basketball, slow pitch softball, tennis, volleyball, co-ed sand volleyball, mud volleyball, badminton, aerobics, water aerobics, racquetball, and many other special events. You may sign up for each event on the roster sheets in the Residence Halls or in the Intra-mural Office, RA 118. If you participate in intercollegiate athletics, you are ineligible for that corresponding intramural sport. The Intramural Office also offers officiating jobs in the various sports to qualified students. Students and staff at SMSU are allowed to use the PE facilities whenever they are scheduled for free-time use. The swimming pool, racquetball courts, running track, and gymnasium are available on a regular basis for SMSU free time use.

#### **William Whipple Art Gallery**

BA 291, 537-6266

Student Activity Fees help to fund the William Whipple Art Gallery that is located on the first floor of the Library. The gallery serves to promote an interest in art by displaying a large variety of exhibits. Works by the students and faculty at SMSU, as well as works by regional, national and international artists, are periodically displayed in the gallery for the viewing enjoyment of the community.

#### **Music**

FA 126, 537-7103

Student activity fees fund five major music groups at SMSU that perform on and off-campus. Academic credit may be earned for participation in these activities. Also, members of these music groups can anticipate the

spring concert tour, which may travel at home or abroad.

#### **SPUR**

BA 122, 537-6228

The *Spur* is the Southwest Minnesota State University student newspaper. It is published on a regular basis during the school year and distributed free of charge. To make contact, leave a note on the bulletin board outside the office if no one is in.

#### **Speech Activities and Theatre**

FA 206, 537-7103

The Department of Speech Communication and Theatre offers three activities that are funded from the student activity fee: Forensics, Radio and Television, and Theatre. These co-curricular activities are open to all students regardless of their major. You may receive academic credit for participation in these activities.

*Forensics:* You may participate in intramural and intercollegiate debate and individual speech events. SMSU students compete throughout the upper Midwest and the nation.

*Radio and Television:* You may participate in radio and television program production performance. Students operate the campus radio station, KSSU 96.1 FM and the campus television station, Channel 8.

*Theatre:* You may participate in acting, costuming, technical theatre, and public relations for the main stage production as well as numerous studio productions throughout the year.

#### **Student Association**

SC 217, 537-6140

The Student Association and its many components, as well as the Student Activities Committee (SAC), are guaranteed funding from the Student Activity Fee. The Student Association is composed of every student enrolled for classes at Southwest Minnesota State University. Elected representatives of the student body serve as the members of the Student Senate and as officers for the Student association. (See also: *Student Government on page 20*)

Other clubs and organizations receiving allocations for FY10 are as follows:

Ag-Business  
Art Club  
BACCHUS  
Biology Club  
Black Student Union  
Bowling Club  
Campus Crusade for Christ  
Campus Greens  
Chemistry Club  
Chi Alpha Christian Fellowship  
Club Latino  
College Republicans  
Colleges Against Cancer  
Criminal Justice  
Culinology club

Dance Team  
 DECA  
 Drama Club  
 English Club  
 Environmental Awareness Club  
 FACE  
 GLBTA  
 Graphic Design Club  
 Habitat for Humanity  
 History Club  
 Hmong Students  
 Honors Club  
 ISO  
 Le Club Francais  
 Lion's Club  
 Live@ the Centers  
 Math & Computer Science Club  
 Mustang Game Club  
 Mustang Anime Otaku  
 NTSO  
 Philosophy Club  
 Post-secondary Ag. Students  
 Psi-Chi  
 Rugby Club  
 Shine One  
 Shotokan Karate Club  
 Showstoppers  
 Student In Free Enterprise (SIFE)  
 Sportsman's Association  
 Society of Human Resources  
 Sociology Club  
 STAND  
 Student Hospitality Organization  
 Student Mentors for Academic Success  
 Tae Kwon Do  
 Veteran's Association  
 Marshall Area Transit (MAT)

## UNIVERSITY GOVERNANCE

**Opportunity for Involvement:** The voice of SMSU students is heard from the student association governing body on up to the MnSCU Board of Trustees. In fact, you are involved in the decision making process on most issues including such matters as review of registration procedures, selection of administrative officers, space allocation, and university-wide planning. So that you may understand how SMSU is governed and how you may get involved, a description of governance groups follows:

**MnSCU Board of Trustees:** The board consists of 15 members appointed by the governor with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district. Three members must be students who are enrolled at least half time in a degree, diploma, or certificate program or have graduated from an institution governed by the board within one year of the date of appointment. The student members shall include: one member from a community college, one member from a state university, and one member from a technical college. The remaining members must be appointed to represent the state at large.

The general authority of the board is defined in Minnesota Statute 136F.06, which states

that, "The board shall possess all powers necessary to govern the state colleges and universities and all related property. Those powers shall include, but are not limited to, those enumerated in this section. The board shall prescribe conditions of admission, set tuition and fees, approve programs of study and requirements for completion of programs, approve the awarding of appropriate certificates, diplomas, and degrees, enter into contracts and other agreements, and adopt suitable policies for the institutions it governs. To the extent practicable in protecting statewide interests, the board shall provide autonomy to the campuses while holding them accountable for their decisions. Sections 14.01 to 14.47 do not apply to policies and procedures of the board. The board shall have the authority needed to operate and govern the state colleges and universities unless otherwise directed or prohibited by law. The board is responsible for its operations and necessary decisions unless these are specifically delegated by law to a state department or agency. Specific duties and responsibilities of the board are defined in MnSCU Policy 1A.1. ([www.mnscu.edu](http://www.mnscu.edu))

**The Chancellor:** The chief executive officer of Minnesota State Colleges and Universities (MnSCU) shall be the chancellor, who shall have full executive responsibility for higher education leadership and effective management and operation of Minnesota State Colleges and Universities, according to board policies and state and federal laws. All items to be brought for action to the board, except those initiating with the board itself, should come through, and bear the recommendation of the chancellor, who shall make clear the nature of the proposal (i.e., new policy or program, rescission, amendment, etc.). Specific duties and responsibilities of the chancellor are defined in MnSCU Policy 1A.3. ([www.mnscu.edu](http://www.mnscu.edu))

**SMSU's Organizational Structure:** Any complex institution must have some form or structure that describes how it operates and how it is organized. An SMSU organizational chart is available at:

<http://www.smsu.edu/Administration/President> or through the President's Office, upon request. The chart is especially helpful in identifying academic and administrative offices and their reporting lines to the vice presidents and president.

**President's Governing Responsibilities:** The university president, who shall report to the chancellor, is the chief executive officer of the university. The president will be held accountable for leading the university faculty, staff, and students in developing the university mission, consistent with board mission and goals, and shall lead the university in accomplishing that mission. Because of the magnitude of on-going programs and daily operations, much responsibility for these matters is delegated to the university vice presidents and

deans. Final authority and responsibility, however, rests with the president, the chancellor, and the MnSCU Board of Trustees. The president meets frequently with students, faculty, and staff regarding matters of concern to the university community. In addition to informal meetings, meet and confer sessions are held with bargaining unit committees to discuss such topics as budget, planning, and other university issues.

**President's Cabinet:** The cabinet is the primary advisory group to the president. Membership includes the President; Provost; Deans, Vice President for Finance and Administration; Associate Vice President for Student Affairs/Dean of Students; Assistant Vice President for Advancement, Chief Information Officer, and Athletic Director. Weekly meetings of this group are designed to provide the communication necessary to administer the university community.

**Student Association Senate:** The duly elected Student Senate plays an important role in the governance of the university. Within parameters approved by the university, the Student Senate regulates its own affairs and provides significant leadership regarding the activities of other student organizations. One of the most influential aspects of Student Senate involvement is its authority to select students to represent the student body on the many university committees. (*See also: Student Senate on page 18*)

**University Committees:** The heart of the governance process is the system of committees that regularly provide input from all parts of the university community. You have the opportunity to serve as voting members on many of these committees through Student Senate nomination.

**Meet and Confer:** SMSU works with five employee bargaining units on its campus. Each of these bargaining units has opportunity to meet and confer with the university administration providing input and recommendations on a variety of issues of concern to the particular employee group. The bargaining units represented are: Inter-Faculty Organization (IFO), Minnesota State University Association of Administrative and Service Faculty (MSUAASF), Middle Management Association (MMA), Minnesota Association of Professional Employees (MAPE), and AFSCME Council 5. Meetings are scheduled within guidelines described in each of the union contracts.

**Meet and Discuss:** The SMSU Student Association meets and discusses university issues with the university administration on a regular schedule. Pursuant to MnSCU Policy 2.3 and subsequent procedure 2.3.1, the University President and his/her administration will meet with the campus student association monthly to discuss issues of mutual concern brought forward by the Student Association or the Administration. **Policy changes will be brought before the Student Association**

**Senate by the Administration before the policy goes into effect.** The Meet and Discuss process will be the official avenue of information distribution between the University Administration and the Student Association.

# Student Rights and Responsibilities

Minnesota State Colleges and Universities (MnSCU) students (any individual enrolled in a course for credit or audit at a state college or university) have the same rights and responsibilities that other persons have as provided by the Constitution and laws of the State of Minnesota and the United States. MnSCU recognizes and respects those rights and responsibilities and nothing in the regulations shall be construed to preclude the rights of the individual to petition the MnSCU Board of Trustees for redress of grievance.

## STUDENT RIGHTS AND RESPONSIBILITIES

(MnSCU Policy 3.1)

### Part 1. Freedom to Learn.

In addition to the basic constitutional rights enjoyed by all citizens, students in colleges and universities have specific rights related to academic freedom and their status as students. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students are expected to exercise their freedom with responsibility.

### Part 2. Freedom of Expression.

Individual students and student organizations shall be free to examine and to discuss all questions of interest to them and to express opinions publicly and privately. They shall be free to support causes by orderly means that do not substantially disrupt the regular and essential operation of the institution. Students shall be free to take reasoned exception to the data or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for learning the content of any course of study for which they are enrolled.

### Part 3. Freedom of Association.

Students shall be free to organize and join organizations to promote their common and lawful interests, subject to institutional policies or regulations. Registration or recognition may be withheld or withdrawn from organizations that violate institutional regulations.

### Part 4. Student-Sponsored Forums.

Students shall have the right to assemble, to select speakers, and to discuss issues of their choice. The college or university shall establish reasonable time, place, and manner restrictions to assure that the assembly does not substantially disrupt the work of the institution or does not interfere with the opportunity of other students to obtain an education or otherwise infringe upon the rights of others. Such regulations shall not be used as a means of censorship. The president or designee may prohibit any forum when

there is a likelihood of harm to individuals or damage to property if the event is held. Prior to any such prohibition, the president shall make his or her best effort to consult with the student association.

### Part 5. Student Publications.

Student-funded publications shall be free of censorship and advance approval of copy, and their editors and managers shall be free to develop their own editorial and news coverage policies. Editors and managers of student publications shall be protected from arbitrary suspension and removal because of student, faculty, administrative, or public disapproval of editorial policy or content. The student fee allocation process shall not be used as a means of editorial control of student-funded publications. All student publications shall explicitly state on the editorial page that the opinions there expressed are not necessarily those of the college, university, system, or student body.

### Part 6. Student Policies.

The policies of the college or university regarding student expectations, rights, and responsibilities shall be readily accessible to students.

### Part 7. Catalog and Course Information.

To the extent possible, students shall be provided relevant and accurate information regarding courses prior to enrollment. Catalog descriptions and website postings shall be accurate and based on information existing at the time of publication. To the extent possible, class schedules shall list the names of faculty teaching courses.

### Part 8. Student Academic Standing Information.

Students shall have access to accurate information for establishing and maintaining acceptable academic standing, information which will enable students to determine their individual academic standing, and information regarding graduation requirements.

### Part 9. Academic Evaluation.

Student academic performance shall be evaluated solely on the basis of academic standards, including any requirements that are noted in the catalog, course syllabus, or student handbook. Students shall have protection against prejudiced or capricious evaluation and shall not be evaluated on the basis of opinions or conduct in matters unrelated to academic standards. Students shall have the right to review their corrected examinations or other required assignments used by the faculty in evaluating the student's academic performance.

### Part 10. Property Rights.

Term papers, essays, projects, works of art, and similar property including property in which the student has intellectual property rights pursuant to Board Policy 3.26 shall be

returned to a student upon request, within a reasonable timeframe, when no longer needed for evaluation purposes, unless the student grants written permission for them to be retained.

### Part 11. Student Review and Consultation.

Students shall have the right to appropriate levels of participation in college and university decision-making pursuant to Policy 2.3 and Procedure 2.3.1, Student Involvement in Decision-Making.

## STUDENT INVOLVEMENT IN DECISION MAKING

(MnSCU Policy 2.3)

### Part 1: General provision.

To promote appropriate levels of student involvement in system, college, and university decision-making and to assure that student perspectives are considered, students shall have the opportunity for representation on system, college, and university committees involving or affecting student interests and shall have the opportunity to review or be consulted on issues that have significant impact on students.

### Part 2. Student involvement in system committees, conferences, and issue forums.

**Subpart A.** Students shall be given the opportunity for representation on system committees, conferences, and issue forums that are a part of the policy development and/or decision-making process.

### Subpart B. Selection of student committee members or student representatives.

1. At the system level, the student members(s) shall be selected by the statewide student association(s).

2. At the state college or university level, student members shall be selected by the recognized campus student association(s).

**Part 3. Exceptions.** This policy shall not apply to the following:

1. Committees established for the evaluation of personnel.

2. Committees established under collective bargaining agreements.

3. Management teams, presidential cabinets, and committees of the Board of Trustees.

## STATEWIDE STUDENT ASSOCIATIONS

(MnSCU Policy 3.7)

### Part 1. Statewide Student Association Recognition.

The Minnesota State University Student Association, for state university students, and the Minnesota State College Student Association, for state community and technical college students, are each recognized as the one statewide student association for their respective student associations and students.

## **Part 2. Campus Student Association Affiliation.**

Each campus student association shall be affiliated with its statewide student association and all students enrolled in credit courses shall be members of their respective statewide association.

### **Part 3. Fees.**

Each statewide student association shall set its fees and shall submit any changes in its fees to the board for review. The board may revise or reject the fee change during the two board meetings immediately following the fee change submission. Fees shall be collected for each enrolled credit by each college and university and shall be credited to each association's account to be spent as determined by that association. For purposes of this policy, enrolled credits include all credits in which a student has enrolled and not dropped before the institution's drop deadlines. Fees shall be forwarded by the institution to the statewide student association whether or not the institution has received payment for fees.

### **Part 4. Recognition Process.**

**Subpart A. Statewide student association recognition.** Recognition of the associations listed in Part 1. shall continue until such recognition is repealed by the board and succeeded by an appropriately constituted association representing the same group of students.

#### **Subpart B. Repeal of recognition.**

1. Repeal of recognition by the board shall occur if the following actions occur:

a. A two-thirds vote, by the existing statewide student association indicating no confidence, expressed by a petition to the board in accordance with the procedures set forth in the governing documents; and

b. Two-thirds of existing campus student associations, in accordance with their governing rules, submit petitions indicating no confidence to the board.

2. Dissolution of a statewide student association shall be subject to each association's internal procedures as indicated in their respective governing documents. Recognition of a statewide student association is repealed automatically upon dissolution of the student association. A notice of intent to dissolve shall be sent to the board.

**Subpart C. Recognition of new statewide student association.** Following repeal of recognition of a statewide student association, recognition of a new statewide student association shall be granted after the presentation of a petition to the board which expresses support of the new association and is approved by two-thirds of the campus student associations.

### **Part 5. Implementation.**

The chancellor shall develop an agreement between Minnesota State Colleges and Universities and each statewide student association to implement this policy, includ-

ing provisions addressing payment of fees collected.

## **CAMPUS STUDENT ASSOCIATIONS** (MnSCU Policy 2.1)

### **Part 1. Recognition.**

Students at each institution shall have the right to establish a student government herein referred to as a campus student association. Students establishing a campus student association shall develop a constitution for the association. Only currently enrolled students shall be eligible to serve as student representatives or officers. The institution shall recognize the campus student association as the official representative of the students, upon receipt of evidence that the student body has approved the constitution. Multi-campus institutions shall develop policies and procedures to assure representation and participation in a campus student association by students at their constituent campuses.

### **Part 2. Duties.**

In addition to the duties listed in institution and board policies and in the campus student association constitution, the campus student association shall have the sole authority to recommend the chartering of student clubs and organizations for approval by the institution president.

### **Part 3. Appeal.**

The appeal of decisions made by the campus student association relative to chartering, funding, or providing service to student organizations when such decisions may be in violation of law, policy, or procedure shall be conducted in accordance with the existing institutional grievance policy

## **STUDENT RESPONSIBILITIES**

These rules (referred to as the Code of Conduct) have been formulated to encourage responsible behavior, an environment conducive to learning and personal well-being. These rules and regulations, though not exhaustive, set forth standards of behavior, which protect your rights as well as outline your responsibilities to the University Community. By attending Southwest Minnesota State University, you automatically place yourself under the jurisdiction of the Code of Conduct. Therefore, it is important for you to become familiar with the rules and regulations affecting you.

If you violate this Code, general law, of university or system regulations, you shall, after due process, be subject to university sanctions, which may include probation, suspension, eviction, and expulsion. Violations of other than University regulations are also subject to sanctions external to the University. Notwithstanding any provision herein, the University may suspend, expel, or evict any student whose presence poses a threat to persons or property.

## **Board Policy on Student Conduct**

The Chancellor shall establish procedures to implement this policy. The student conduct codes and procedures of colleges and universities shall comply with MnSCU Board Policies 3.6 and 3.6.1.

**Definitions.** For purposes of Policy 3.6 and Procedure 3.6.1 the following definitions apply:

### **From MnSCU Board Policy 3.6:**

**Part 2. Off-campus Conduct.** The Minnesota State Colleges and Universities may hold students accountable for a violation of the behavioral proscriptions contained in their Student Codes of Conduct committed off campus when:

- Hazing is involved; or
- The violation is committed while participating in a college or university sanctioned or sponsored activity; or
- The victim of the violation is a member of the college or university community; or
- The violation constitutes a felony under state or federal law; or
- The violation adversely affects the educational, research, or service functions of the college or university.

### **From MnSCU Board Policy 3.6.1:**

**Subpart A. Expulsion.** Permanent denial of the privilege of enrollment at that college or university.

**Subpart B. Hazing.** An act which endangers the mental or physical health or safety of a person, subjects a person to public humiliation or ridicule, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a student group, organization, or athletic team.

**Subpart C. Preponderance of evidence.** A standard of responsibility that it is more likely than not that the code has been violated.

**Subpart D. Student.** The term "student" includes all persons who:

1. Are enrolled in one or more courses, either credit or non-credit, through a college or university.
2. Withdraw, transfer or graduate, after an alleged violation of the student conduct code.
3. Are not officially enrolled for a particular term but who have a continuing relationship with the college or university.
4. Have been notified of their acceptance for admission or have initiated the process of application for admission or financial aid.
5. Are living in a college or university residence hall although not enrolled in the institution.

**Subpart E. Summary suspension.** A suspension imposed without a formal hearing to ensure the safety and well-being of members of the college or university community.

**Subpart F. Suspension:** Denial of the privilege of enrollment for a specified period of time after which the student is eligible to return. Conditions for re-enrollment may be specified.

## SMSU CODE OF CONDUCT

### Preamble

Southwest Minnesota State University is committed to an educational environment that is conducive to the intellectual, personal, social, and ethical development of its students. Respect for the rights of others and responsible behavior is essential to learning and civility within the campus community.

### Interpretations of regulations

Student conduct regulations at Southwest Minnesota State University are set forth in writing as required by MnSCU Policy 3.6 to give students general notice of prohibited conduct.

These regulations, though not exhaustive, set forth standards of behavior, which protect your rights as well as outline your responsibilities to the University Community. By attending Southwest Minnesota State University, you automatically place yourself under the jurisdiction of the Code of Conduct. Therefore, it is important for you to become familiar with the rules and regulations affecting you.

If you violate this Code, general law, or university or system regulations, you shall, after due process, be subject to university sanctions, which may include probation, suspension, eviction, and expulsion. Violations of other than University regulations are also subject to sanctions external to the University.

### Authority and Discipline Responsibility

Southwest Minnesota State University reserves the right to take necessary and appropriate action to intervene with student's behavior, on or off campus, when the behavior poses a direct threat to the safety and well-being of those students or those around them. Responsibility for campus judicial matters is vested in the Provost who delegates to the Associate Vice President for Student Affairs the task of policy development and adjudication of student conduct issues. Students and staff are asked to assume positions of responsibility within the campus judicial system to utilize their skills and insights in the resolution of disciplinary referrals. Final authority in disciplinary procedure is vested in the university administration with reserved right to refer cases of criminal conduct or other behaviors as stipulated by State or Federal legislation to the Marshall Police.

### Standards of Disciplinary Hearing Process

Allegations of violations of the code of conduct are heard by an administrative hearing officer, Student Association Judicial Council or an Administrative Hearing Committee. Cases of gross misconduct noted with an **asterisk** will be referred to the Administrative Hearing Committee unless the accused specifically requests and is granted an informal hearing with an Administrative Hearing Officer or when final examinations, breaks or other vacation periods would prevent a timely hearing by an Administrative Hearing Committee; or when, in the judgment of the Coordina-

tor of Student Judicial Affairs, appearing before the Student Association Judicial Council poses a threat to the physical welfare of council members or witness(es); or when instances where professional guidance, counseling, confidentiality, and/or extreme sensitivity are deemed essential. Students who violate the terms of previously applied sanction(s) or failure to complete such sanctions imposed by an administrative hearing officer in an informal meeting will be heard by the Student Association Judicial Council. The committee having jurisdiction will hear a violation or failure to complete a sanction established by one of the hearing committees.

Students subject to less severe sanctions, up to including university probation, will be given the opportunity to resolve the violation at an informal meeting with an administrative hearing officer. If multiple offenses are pending, the determination of who adjudicates the case will be determined by the most serious offense pending. **The focus of inquiry in disciplinary proceedings will be: whether it is more likely than not the accused violated the disciplinary regulations set forth in the university's Student Code of Conduct.** Formal rules of evidence will not be applicable, nor will deviations from prescribed procedures necessarily invalidate a decision or proceeding unless significant prejudice to an accused student or the university exists.

## PROHIBITED CODE OF CONDUCT

### 1. Federal, State, and Local Laws.

The University is not a sanctuary from the general law, and members of the University community are expected to abide by the laws of the Federal, State, and local governments as citizens.

### 2. Respect for Property.

You are expected to respect the property of others. Theft, damage, vandalism, or unauthorized use of University property or the property of a University community member is prohibited.

### 3. Written Policies and/or Regulations.

You are expected to abide by the written MnSCU Board and University policies and procedures contained in any official publication or administrative announcement of the MnSCU Board or Southwest Minnesota State University. This includes, but is not limited to, the Student Handbook, Residence Hall Handbook, Catalog, etc. Copies of these are available in the Library, the Office of the Vice President for Student Affairs, or the MnSCU or SMSU websites.

### 4. Academic Dishonesty. (SMSU Policy A-032)

Any form of academic dishonesty, including, but not limited to, cheating, and plagiarism, is prohibited. (See the Policy and Procedure website at:

[www.smsu.edu/nca/view.cfm](http://www.smsu.edu/nca/view.cfm)

### 5. Alcohol.

(Refer to SMSU Policy G-012 for Alcohol

and Drug Use/Abuse Policy)

Southwest Minnesota State University recognizes that students are adults, ultimately responsible for their own conduct, and responsible for the consequences of their behavior as well. Students are expected to adhere to state and university regulations. Campus violators of the alcohol/drug policies are subject to disciplinary actions.

### *Alcohol on Campus*

Possession, consumption, distribution, or knowingly being in the presence of alcohol on University property is prohibited.

### 6. Computer Misuse.

Computer misuse is interpreted by the Minnesota Computer Crime Act and Federal Statutes.

Examples of Computer Misuse can be, but are not limited to:

a. Intentionally and without authorization damage or destroy any computer, computer system, computer network, computer software, or any other property.

b. Downloading or distributing copyrighted material, including peer to peer file sharing, without the permission of the copyright owner is against the law and the SMSU Student Conduct Code. Illegal downloading or distribution of copyrighted materials can result in a student being prosecuted in criminal court and sued for damages in civil court in addition to University imposed sanctions. Criminal penalties can be up to 5 years in prison and \$250,000 in fines. Civil penalties of up to \$150,000 per work distributed are possible in addition to attorney's fees and monetary damages. The use of Southwest Minnesota State University resources for unauthorized distribution of copyrighted materials is expressly forbidden

### 7. Electronic E-mail Regulation.

a. The electronic mailing privilege along with the access to Internet is provided to members of the University community to enhance their ability to quickly and conveniently send and receive written communication and documents for the purpose of conducting University business or academic assignments or research. Use of the privileges for personal gain and for non-University-related business is prohibited. It is not the intent of this regulation to interfere with private communication between individuals.

b. E-mail managers and network system administrators are expected to treat the contents of electronic files as private and confidential. Any inspection of electronic files, and any action based upon such inspection, shall be governed by applicable federal and state laws and by University policies.

c. Transmissions are prohibited which advocate the election of a particular candidate for public office at the federal, state, or local level.

### 8. General E-mail Standards and Guidelines

a. E-mail users are advised not to send

chain letters, recipes, announce “garage sales”, or advertise events or items for sale or rent that result in personal gain or revenue.

b. E-mail users are asked to take care of directing their message to large audiences and to avoid sending repeats of the same messages as “reminders.”

c. Users should be cognizant that libel laws and harassment-related prohibitions cannot be circumvented by using e-mail.

d. A user’s password is the key to the e-mail network and as such users are advised that they are responsible for the security of their respective password.

#### **9. Disruption of University Functions**

Actions which unreasonably interfere obstruct or prevent the regular and essential operations of the University or infringe upon the rights of others to freely participate in its programs and services. This may include, but is not limited to, intentionally and substantially interfering with the freedom of expression of others; participating in a campus demonstration which disrupts the normal operations of the University; occupying a campus building after regular office hours; intentionally obstructing or interfering with the freedom of pedestrian or vehicular movement on campus.

#### **10. Drugs.**

Possession, use, sale, or knowingly being in the presence of controlled substances or illegal drugs, including hallucinogenic, amphetamines, barbiturate, narcotics and marijuana, and/or drug paraphernalia, is not permitted on University property. Students violating this policy will be referred for disciplinary and/or criminal action.

#### **11. Failure to Comply.**

You are expected to comply with the directions of, or present identification to, any University official acting in the performance of his/her duties. This includes compliance with the condition of sanctions resulting from University conduct action.

#### **12. Falsification of Records/Forgery.**

You shall not knowingly furnish false or misleading information to University or System officials. Nor shall you alter, destroy, or misuse any University documents, records, identification cards, or papers. Knowingly make false oral or written statements to any University Conduct Hearing Committee or student conduct hearing officer is prohibited.

#### **13. Financial Responsibilities.**

You are expected to meet your financial obligations including, but not limited to, fees, tuition, housing accounts, library fines, rental loans, Student Center transactions, parking tickets and bookstore charges. Failure to settle these accounts could result in cancellation of class or other disciplinary actions.

#### **14. Fire Alarms and Equipment.**

Tampering with or damaging fire alarms and fire equipment; intentionally or recklessly activating a false fire alarm; or initiating a false report, warning, or threat of fire, explo-

sion or other emergency on University property is prohibited.

#### **15. Firearms, Fireworks, and Weapons.**

For the safety of all members of the University community, the possession and/or use of firearms, fireworks, or their explosive materials of any device used as a weapon (e.g. knives, air pistols and brass knuckles) on campus is prohibited. (On-campus students should refer to the residence hall for additional information). (See the Web)

#### **16. Gambling.**

Gambling for money or other things of value, except as permitted by law, is prohibited.

#### **17. Mail Misuse.**

Use of either the United State Postal Service or campus mail for sending threatening, obscene, or harassing materials to Community members is prohibited.

#### **18. Respect for Persons/Hazing.**

You are expected to respect the rights and privileges of other members of the University community. Violating this Code of Civility includes, but is not limited to: physical abuse of any person, engaging in brawling, engaging in any boisterous or noisy conduct reasonable tending to arouse alarm, resentment or anger in others, obscene behavior, hazing (defined below) or any conduct which interferes with the rights of others. Conduct that threatens or endangers the health or safety of any person is prohibited.

Hazing is defined as the following: Any willful action taken or situation created which recklessly or intentionally endangers the mental or physical health of another.

#### **19. Racial, Disability, or Cultural Intolerance/Harassment.**

(Refer to Policy 1.B.1, page 42)

Any verbal or physical contact directed at an individual or group such as racial slurs, jokes, or other behaviors that demean or belittle a person’s race, color, gender preference, national origin, culture, history or disability, is prohibited.

#### **20. Sexual Harassment.**

(Refer to Policy 1.B.1, page 42)

Unwelcome sexual advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of your academic performance or your participation in student activities sanctioned by the University.

b. Such conduct has the purpose of effect of threatening, or interfering with your work or academic performance.

c. In situations where there is a superior/subordinate relationships between parties such as staff and student, faculty and student, or supervisor and staff.

#### **21. Criminal Sexual Behavior.**

Acts of sexual violence, assault, or abuse are prohibited. These acts include, but are not

limited to, the implied use or threatened use of force to engage in any sexual activity against a person’s will and/or engaging in such behavior with a person who is unconscious or substantially mentally impaired (this includes intoxication); intentionally touching another person’s genitals, buttocks or breasts without that person’s consent; indecent exposure; and voyeurism. This conduct is criminal behavior and will be reported to the appropriate law enforcement agencies as well as the University’s conduct program. (Refer to SMSU Sexual Violence Policy P-013 on page 36.)

#### **22. Telephone Misuse.**

Telephone misuse is defined as:

a. The use of University telephones for long-distance calls or any unauthorized calls.

b. Use of telephones for threatening, obscene, or harassing calls. (On-campus students experiencing calls of this nature should immediately contact the Housing Office for assistance.)

#### **23. Unauthorized Use or Entry.**

Entering or using University facilities without authorization is prohibited. This includes the invasion of privacy, forced entry, or entry without permission into students’ rooms.

#### **24. Attempted Misconduct.**

Persons found accountable for attempts to commit acts in violation of this Code, or encouraging others to commit conduct violations, will be subject to the same sanctions as if they had committed the acts.

#### **25. Misrepresentation.**

Falsely claiming to represent the University or a recognized University student organization is prohibited.

#### **26. Interference with Student Conduct Program Process.**

This includes but is not limited to falsification, distortion, or ill-representation of information before a hearing officer, hearing committee of Judicial Council; knowingly filing a complaint without cause; intimidation and/or harassment of any member of the Judicial Council or University personnel before, during, or after a proceeding.

- Any conduct violation that is motivated by bias will result in stronger penalties. A violation motivated by bias is any violation wherein the accused intentionally selects the alleged victim because of the alleged victim’s race, creed, color, national origin, religion, disability, gender, age, marital status, sexual orientation, public assistance status or inclusion in any group protected by state or federal law.

- Student violators will be held financially responsible for direct and/or indirect charges associated with Code of Conduct violations.

- Removal from a residence hall for disciplinary reasons may involve immediate relocation to another assigned space or the immediate loss of the privilege to live on campus.

### Summary Suspensions Prior to Hearings:

In certain circumstances, the administrator may impose a summary suspension prior to the informal or formal proceedings described in the previous articles. A summary suspension may be imposed only when, in the judgment of the administrator, the accused student's presence on the University campus would constitute a threat to the safety and well-being of members of the campus community. To the greatest extent possible before implementing the summary suspension, the accused student shall be given oral or written notice of the intent to impose summary suspension and shall be given an opportunity to present oral or written arguments against the imposition of the suspension. However, the refusal of a student to accept or acknowledge this notice shall not prevent the implementation of a summary suspension. Notice of the summary suspension shall be provided in writing to the student. After the student has been summarily suspended, the student shall be provided an opportunity for a formal or informal hearing within the shortest reasonable time period, not to exceed nine (9) school or business days. During the summary suspension, the student may not enter the campus without obtaining prior permission from the administrator.

### Student Judicial Affairs

The purpose of the University Judicial Affairs Program is to provide a campus grievance mechanism for any person who believes that any Southwest Minnesota State student (whether living on or off campus) has violated his or her individual rights, community expectations of behavior or a campus code of conduct. It also provides the institution with a mechanism of dealing with students' behavior, on or off campus, when that behavior poses a direct threat to the safety or well being of those students or those around them.

This program provides the University a means by which to define accountability for the student who fails to meet these expectations and/or fails in the demonstration of adult responsibility to self and others. The focus of the Program is to hold students accountable for their choices and behaviors by providing the opportunity for an educational experience within a discipline procedure based on due process. **The following provides the sources of expectations for Southwest Minnesota State University students:**

1. Campus Code of Conduct
2. Federal, State of Minnesota, and local ordinances, statutes and law.
3. Southwest Minnesota State University (including areas and departments) and MnSCU Board regulations and policies.
4. Campus procedures established by the Student Association, RHA, and living unit communities.

**The specific educational objectives of this Program are as follows.**

1. To bring about a change in understanding and accepting the need for balance between personal and external control of behavior.
2. To develop some empathy for the needs and rights of others, and to enhance understanding of the concepts of self-autonomy.
3. To demonstrate and enhance recognition and acceptance of the principles of personal accountability.
4. To assist individuals to achieve their educational and personal potential and to allow community members to resolve differences and grievances to their mutual benefit.
5. To maintain effective community standards and to protect the rights of individuals.
6. In this same regard, the community has the right to protect itself against the individual whose behavior consistently or repeatedly demonstrates a disregard for the welfare of the individual(s) who comprise the larger community.

### How to Access the Program:

Persons within the University community who believe that their rights have been infringed upon by any SMSU student's conduct may process a referral to the Coordinator of Student Judicial Affairs. Incident reports and Complaint Decision Forms may be obtained from either Commons Coordinator, any Resident Assistant, the Student Association Judicial Affairs Coordinator, Coordinator of Student Judicial Affairs or the Associate Vice President for Student Affairs office.

As the Complaint Decision Form indicates, a judicial hearing is only one of the options available as response to an incident of student misconduct. A referrer may also elect:

- a. To file a complaint with local police or County sheriff (in addition to pursuing a campus resolution).\*
- b. to request that the incident be handled administratively by an appropriate staff member;
- c. to request assistance in confronting the student personally;
- d. or may request that no immediate action be taken after documenting the incident (although in some instances the University may be compelled to take action even without the complainant's cooperation);
- e. to initiate an on-campus judicial hearing.\*

*\*Both on and off campus processes may be pursued simultaneously. If applied, on-campus hearing sanctions pertain only to the referred student's relationship to SMSU and its community members.*

### An Overview of Due Process Rights:

The university will make an initial determination as to whether there is a sufficient basis to believe that a violation of the Code of Conduct may have occurred. The investigating officer may interview the complainant and /or other witness or request additional information from the complainant.

If the student(s) referred live in the residence halls, or the conduct violation occurs in the residence halls, the referral will be investigated by the Commons Coordinators, Associate Director of Residential Life, or the Director of University Public Safety. If the student(s) live off campus and the behavior occurs elsewhere than a residence hall, the investigation will be conducted by the Director of University Public Safety. If the accusations seem unwarranted, the investigating officer may discontinue the referral. A written response will document why the referral was not pursued.

### Student Rights

1. If you are referred, you will receive a notification of referral letter which will review the nature of the allegations and conduct code violations, a copy of the incident report detailing the alleged misconduct, a copy of the Judicial Expectations Handbook, and a request to meet with an Administrative Hearing Officer.
2. You will receive a timely hearing.
3. If you are referred, you are **STRONGLY** urged to attend the hearing. If you do not request a change of hearing time and elect not to attend, the hearing will still occur and sanctions will be applied as appropriate.
4. You are not required to admit accountability for any behavior during a hearing.
5. You may provide witnesses to testify on your behalf.
6. An Administrative Hearing Officer determines a referred student's accountability in a hearing based on the preponderance of the information and evidence presented.
7. You may bring in a third party to act as an advisor if desired. Examples of such an advisor could include another student, a staff or faculty member, or attorney\*\*. This advisor is not an active participant in the hearing and may not engage in questioning or interrogation of other parties. The advisor's function is one of support to you: the advisor may suggest areas of questioning for you to pursue, may seek clarification of particular questions so that you might most accurately respond, or may assist you in fully conveying your input to the Committee.

*\*\*When a referral is also subject to a court proceeding, or when the behavior is such that suspension of more than ten days or dismissal from the University may result as a sanction, the referred student is encouraged to consider having an attorney present.*

*\*\*\*If a third party advisor is to be an attorney, the student must so inform the Coordinator of Student Judicial Affairs.*

8. Reasonable sanctions and expectations will be established which will directly relate to the behaviors that caused the referral.
9. The Administrative Hearing Officer will act in good faith with you and strive to maintain confidentiality regarding judicial referrals and matters discussed within a hearing as permitted by law. You need to understand that

you are encouraged to uphold this same standard of confidentiality.

10. You will be provided information on how to pursue the appropriate avenues of appeal.

#### **The Rights of Victims:**

It is important to note that both the student who is referred and the referring party have rights within this process. While the rights as printed here are specifically taken from the MnSCU Policy on Sexual Violence or Assault, these victims' rights apply in other situations involving student misconduct. These rights include:

1. The right to file criminal charges with local law enforcement officials.
2. To have University authorities provide assistance as needed in reporting incidents to appropriate law enforcement agencies or disciplinary authorities.
3. At the direction of law enforcement authorities, the appropriate campus personnel will provide complete and prompt assistance in obtaining, securing, and maintaining evidence in connection with an incident of (sexual assault) criminal misconduct.
4. University authorities will assist a complainant in preserving materials relevant to a campus disciplinary hearing.
5. Complaints will be investigated and resolved by the appropriate campus disciplinary authorities.
6. The victim may be accompanied by an advisor and may participate in any campus disciplinary proceeding concerning the complaint.
7. The victim will be informed of the outcome of any campus disciplinary proceeding concerning the complaint, consistent with laws relating to data privacy and practices.
8. At the request of the victim/complainant, University authorities in cooperation with appropriate law enforcement authorities will provide assistance in shielding the victim from unwanted contact with the alleged assailant, including transferring the victim to alternative classes or alternative University-owned housing (if alternative classes or housing are available and feasible) and/or by prohibiting contact with and/or restricting the access to the victim by the assailant/referred party.
9. In instances of sexual assault, University authorities will inform victims of their rights to assistance from the office of the Crime Victim Ombudsman and the Crime Victims Reparations Board and will provide assistance in contacting these offices.

#### **Procedures to Process and Implement a Judicial Referral:**

##### **Investigation and Informal Process**

1. Any member of the University community may file a written complaint alleging that a student or student organization has violated student conduct proscriptions. Any complaint should be submitted as soon as possible after the event takes place. Persons filing com-

plaints shall be informed of their rights under the Minnesota Statute 13.04, Subdivision 2. Following the filing of a complaint against a student or student organization, the administrator shall conduct an investigation of the allegations.

2. If the complaint seems unwarranted, the administrator may discontinue proceedings.
3. Students involved in conduct cases where the sanctions don't involve suspension or expulsion will be given an opportunity to plead accountable before any hearing is held. The student will be able to read the complaint via e-mail and plead accountable in lieu of any informal hearing. If the student chooses to plead accountable, sanctions will be applied to the case by the hearing officer.
4. If there is sufficient evidence to support the complaint, the administrator shall offer the accused student an opportunity to resolve the alleged violation at an informal meeting. Prior to this meeting, the student shall be given written notice of the specific complaint against him/her and the nature of the evidence available to support the complaint and provided with a copy of the code of conduct. During the meetings the administrator shall review the complaint and the evidence with the student and allow the student to present a defense against the complaint including witnesses. Within a reasonable time period following the meeting, the administrator shall inform the accused student in writing of his/her decision whether a violation of the code was established by a preponderance of evidence and any applicable sanction as well as options available for an appeal and/or a formal hearing.
5. A student who is subject to a sanction of expulsion or suspension, except summary suspension, for more than nine days may agree to accept the sanction, or may request a formal hearing prior to implementation of the sanction. Other sanctions shall be accepted or may be appealed in accordance with the institution's appeal procedures.
6. If the accused student fails to appear for the informal hearing, the administrator may proceed to review and act upon the complaint in his/her absence and shall notify the student in writing of an action taken.

##### **Formal Hearing**

Formal Hearings may be held as an avenue of appeal if a student disputes the decision and/or sanction of an Administrative Hearing Officer. Formal Hearings shall be routed as follows:

1. A student subject to expulsion or suspension for more than nine days will have their appeal routed to the Administrative Hearing committee for disposition
2. A student subject to a lesser sanction than expulsion or suspension for more than nine days will have their appeal routed through the Student Association Judicial Board for disposition.

##### **Formal Hearing**

The appropriate hearing committee chairperson will notify both the complainant and referred student by letter of the date, time and location of the hearing. This notification shall occur at least 72 hours prior to the Committee's meeting.

The accused will receive:

- a. A list of the names of the material witnesses who may be called to speak at the hearing on behalf of the university.
- b. Copies of all documents or written statements to be presented at the hearing.
- c. The name and title of the person who will present the evidence on behalf of the university.

Accused students will be afforded an opportunity to meet with the Coordinator of Student Judicial Affairs to discuss the Student Association Judicial Council hearing and/or an Administrative Committee hearing.

At least three (3) days prior to the hearing, the accused will provide the Hearing Committee's Chairperson or the Coordinator of Student Judicial Affairs with any written documentation to be presented by the accused and the names of any material witnesses who will be called by the accused at the hearing. It is the responsibility of the accused to notify these witnesses of the time, date, and location of the hearing.

d. Each Hearing Committee will have a chairperson who will preside at the hearing and will rule upon procedural matters. Formal rules of evidence will not apply, although objections to introduction of specific statements or documents may be considered by the chair. Irrelevant, immaterial, or unduly repetitious information may be excluded by the chair. Evidence of prior misconduct by the accused will be admissible only after a finding that a Code of Conduct violation has been committed and may be used in the determination of recommended sanction(s).

e. A representative of the university will present the evidence, which supports the alleged charge(s) and will have the burden of showing that it is more likely than not that a violation of the Code of Conduct has occurred.

f. Material witnesses will be asked to leave the hearing following their testimony before the hearing committees. The complainant and accused may remain throughout the entire hearing.

g. The order of presentation at the hearing will be as follows:

1. The university representative will present an opening statement.
2. The accused may present an opening statement.
3. The chair will call witnesses for the university to provide statement.
4. The chair will then call witnesses for the accused to provide statement.
5. At the conclusion of each witness' statement, he/she may be questioned by the

accused, complainant, and/or university presenter and by members of the Student Association Judicial Council or the Administrative Hearing Committee. Any witness may be recalled.

6. Following the testimony of all witnesses, case summations may be presented by the representative of the university and then by the accused.

7. Only the members of the hearing committees may be present during deliberations. A simple majority of votes is necessary to make a recommendation that a Code of Conduct more likely than not occurred. A majority plus one (1) vote is necessary to recommend suspension or expulsion from the university.

h. The Hearing Committee's Chairperson shall notify the student of the Committee's findings and decision in writing within five (5) class days of the hearing. Notification will include information regarding the appeal procedure.

i. Copies of the decision letter will be sent to the Judicial Board Advisor (if applicable) and the Coordinator of Student Judicial Affairs. Any other persons receiving a copy of the decision letter will be indicated as copied. Written notice of the Committee's decision and sanction will be provided to the person who filed the referral as consistent with the law.

j. The Committee Chairperson will make an appointment with the student at the end of the hearing to meet and discuss the Committee's findings and decision. The appointment shall occur as soon after the hearing as possible.

### Formal Hearing Rights

1. You may, when recognized by the Committee Chair, ask questions of the referring parties or witnesses in your own behalf. Questioning will be conducted in a civil manner as defined by the Committee Chair who will also determine the relevance of questions posed by all parties.

2. Each hearing will be digitally recorded and the recording will be maintained in accordance with the time allocated for potential appeal. In the event of the imposition of suspension or removal from the University or eviction from the residence halls for 10 days or more, or expulsion or dismissal from the institution as sanctions\*\*, this recording will be transcribed. The Coordinator of Student Judicial Affairs will maintain both the original recording and hard copy transcription for the current academic year. All recordings remain the property of Southwest Minnesota State University and appropriate access to these materials is pursued through the Associate Vice President for Student Affairs.

*\*\*When a referral is also subject to a court proceeding, or when the behavior is such that suspension of more than ten days or dismissal from the University may result as a sanction, the referred student is encouraged to consider*

*having an attorney present.*

3. You may bring in a third party to act as an advisor if desired.\*\*\* Examples of such an advisor could include another student, a staff or faculty member, or attorney.\*\*\* This advisor is not an active participant in the hearing and may not engage in questioning or interrogation of other parties. The advisor's function is one of support to you: the advisor may suggest areas of questioning for you to pursue, may seek clarification of particular questions so that you might most accurately respond, or may assist you in fully conveying your input to the Committee.

*\*\*\*If a third party advisor is to be an attorney, the student must so inform the Coordinator of Student Judicial Affairs.*

4. Reasonable sanctions and expectations will be established which will directly relate to the behaviors that caused the referral.

5. The hearing committee will act in good faith with you and strive to maintain confidentiality regarding judicial referrals and matters discussed within a hearing as permitted by law. You need to understand that you are encouraged to uphold this same standard of confidentiality.

6. You will be provided information on how to pursue the appropriate avenues of appeal.

### Range of Possible Sanctions:

The Administrative Hearing Officer and/or hearing committees have the prerogative to require that students perform specific activities as a learning experience, as well as the authority to impose restrictions, expectations of, or required changes in behavior as sanctions and expectations. The following are examples of the more frequently applied sanctions. This list is not exhaustive and examples are not listed in any rank order. The Administrative Hearing Officer and/or hearing committees may create other sanctions to better respond to particular referrals.

1. A written warning or reprimand.
2. Written letters or verbal apologies presented to individual(s) and/or groups inconvenienced by the misconduct.
3. Required counseling.
4. Required interventions, evaluations, or assessments (e.g. referral to a treatment center or administration of an alcohol assessment).
5. Judicial Probation:

a. *General Judicial Probation:* This is the basic form of probation and can be applied for a minimum of one month to a maximum period equal to the student's academic career. Students placed on judicial probation who are again referred and found accountable for other conduct violations during their probation will minimally receive an extended or more restrictive probation and more severe sanctions than in their first hearings.

b. *Residential Probation:* This is a probation which can be applied only to students living in the residence halls for a period of one month up to the student's academic career

(while still living on campus). Students placed on residential probation who are again referred and found accountable for other conduct violations during their probation will minimally receive as a sanction the immediate relocation to another assigned space or the immediate loss of the privilege to live on campus. In cases of removal, the residence hall contract terms will remain in effect while the students will be required to immediately vacate the premises; they will still pay the termination fee and the full 30 days room and board costs from either date of sanction or appeal decision.

6. Community service (e.g. 50 hours assigned to grounds crew for littering or to the Library for resale of stolen books, etc.).

7. Observing court proceedings pertinent to misconduct.

8. Research papers of specified length and quality and/or verbal presentations to the hearing committee.

9. Restriction from all residential areas.

10. Eviction from residence halls.

11. Financial restitution and/or administrative fees (e.g. replacement/repair costs and charges for work and time spent by University personnel resulting from a referral; fees associated with attending a stipulated workshop, course or activity, etc.).

12. Required attendance at specified activities, events, programs, and written/oral summaries given to Committee chair.

13. Required relocation of on-campus residence.

14. Suspension (separation from the institution for a specified period of time).

15. Dismissal/expulsion from the institution or MnSCU System. In the event that a sanction of suspension or removal from the University or eviction from the residence halls for a period of 10 days or more, or dismissal from the institution is imposed, the student has the right to further appeal beyond the campus level per the conditions set forth in Minnesota State Statute Chapter 14, a copy of which is available in the offices of the Coordinator of Student Judicial Affairs, or the Associate Vice President for Student Affairs for review.

### Factors Effecting Sanctions:

1. A student's prior conduct or discipline history can have an influence on the sanctions or expectations imposed by a hearing committee. Once a committee has determined a student's accountability in a hearing, the committee can review and consider written documents of past history to assist in determining the most appropriate sanctions. Such history can include being on a continued sanction of judicial probation, prior incident reports that resulted in documented administrative meetings or warnings or confrontations by RA's, other staff or students.

2. If such documentation exists it may be submitted to the Coordinator of Student Judicial Affairs who will inform the student of its receipt and will review it with the student

upon his or her request prior to the hearing. The information will then be given to the Committee Chairperson who will share it with the Committee only if and when the student is found accountable in the hearing.

#### **Judicial Records:**

1. Records of judicial actions are confidential and the SMSU Policy on Release of Student Records as well as State and Federal law governs any release of these records.

a. Student judicial records are maintained by the Associate Vice President for Student Affairs in the Student Confidential Record for a minimum of seven years and disposed of in accordance with the University's Destruction of Documents procedure and schedule.

b. Copies of judicial records and correspondence received by judicial committee secretaries, chairpersons, and advisors will be purged at the end of each academic year unless a sanction continues in effect (see #2 below).

2. The student Coordinator of Judicial Affairs and the Coordinator of Student Judicial Affairs maintain active judicial files on students who remain under continuing behavioral sanctions until all such sanctions, including periods of probation, have been completed.

3. The student Coordinator of Judicial Affairs maintains a precedent file for reference. It consists of copies of decision notification letters from which have been deleted student names and addresses and is protected by the same rule of confidentiality, as are other active judicial records.

#### **Judicial Hearing Recording Procedure:**

1. Conduct hearings by the Student Association Judicial Council and Administrative Hearing Committee will be digitally recorded. Recording content is limited to include the presentation of facts and evidence. (Judicial Appeal Committee hearings are recorded only if the sanctions include expulsion or suspension from the University for a period of 10 days or more or dismissal from the institution.)

2. The recordings are, and remain, the property of Southwest Minnesota State University. The Associate Vice President for Student Affairs provides access to them for use in appeal or court proceedings.

3. These recordings are maintained for a period of seven years, at which time they will be destroyed.

4. These recordings may be released by the Associate Vice President for use in civil or criminal proceedings upon presentation of the appropriate court order or subpoena. A Judicial Appeal Committee may review the recording of a hearing. No other release of these tapes is permitted except as required by law.

#### **Judicial Appeals**

Except as required to explain the basis of new information, an appeal shall be limited to a review for one or more of the following

purposes:

a. To determine whether the Informal or Formal Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

b. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Code occurred.

c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code which the student was found to have committed.

d. To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Informal or Formal Hearing.

Formal Hearings will be held as the first avenue of appeal if a student disputes the decision and/or sanction of an Administrative Hearing Officer. Formal Hearings shall be routed as follows:

1. A student subject to expulsion or suspension for more than nine days will have their appeal routed to the Administrative Hearing committee for disposition. Such appeals shall be in writing and delivered to the Coordinator of Student Judicial Affairs within five (5) class days of the decision. The Coordinator will then schedule the Formal Hearing in front of the Administrative Hearing committee.

2. A student subject to a lesser sanction than expulsion or suspension for more than nine days will have their appeal routed through the Student Association Judicial Board for disposition. Such appeals shall be in writing and delivered to the Coordinator of Student Judicial Affairs within five (5) class days of the decision. The Coordinator will then schedule the Formal Hearing in front of the Student Association Judicial Board.

*Note: Any sanctions are still in effect during any appeal*

A decision reached by the Administrative Hearing Committee or the Student Association Judicial Board may be appealed by the accused student(s) or complainant(s) to the Associate Vice-President for Student Affairs within five (5) school days of the decision. The appeal is initiated by going to the Associate Vice-President of Student Affairs office, submitting a Request to Appeal form and

scheduling an appointment. During this appointment, the Associate Vice-President will review the students Judicial Appeal form, the grounds claimed, the student's rights within the process and the appeal process itself.

If an appeal is upheld by Associate Vice-President for Student Affairs, the Associate Vice-President for Student Affairs may take any appropriate action. If an appeal is not upheld, the matter shall be considered final and binding upon all involved except that in cases involving sanctions of expulsion or suspension for 10 days or longer, students shall be informed of their right to a contested case hearing under Minnesota State Statute 14, Administrative Hearing Procedures.

#### **STUDENT APPEALS POLICY**

(SMSU Policy G-005)

In accordance with MnSCU Board Policies, an Academic Standing Appeals Committee, Student Grade Appeals Committee, and Judicial Appeals Committee shall be established to guarantee students the right to appeal academic and disciplinary decisions.

The **Academic Standing Appeals Committee** shall hear appeals from students who are suspended from the University for academic reasons and wish to be reinstated, and shall rule on all appeals involving admission and re-admission to the University, as well as those dealing with academic dishonesty.

The **Student Grade Appeal Committee** shall hear requests from students who wish to appeal a grade received in a course.

All administrative procedures established to implement the above appeal agencies will adhere to the standards specified in MnSCU Board Policies and shall specifically include the following:

1. Students shall receive written notification of arrangements for appeal hearings and written notification of dispositions, with reasons, which result from an appeal hearing.

2. Students shall be advised of their following rights:

a. Students have the right to an advisor or counsel in preparing for hearings and/or to be present at appeal hearings.

b. Students have the right to appear at appeal hearings and present evidence or witnesses.

c. Students have the right to decline to be present at appeal hearings and may present evidence in writing. The University shall respect the right of an individual to refuse to testify against himself/herself.

d. The appeals agency shall not consider statements against the individual unless she/he is present when they are made or she/he is advised in writing of their content and the names of those who made them and unless she/he is given an opportunity to rebut unfavorable inferences which might otherwise be drawn.

The Office of the Provost shall be responsible for establishing administrative procedures to implement this regulation as it applies to the Academic Standing Appeal Committee and the Student Grade Appeal Committee; the office of the Vice President for Student Affairs has responsibility as it applies to the Judicial Appeal Committee.

*See also SMSU Policies:*

*G-005.1 Academic Standing Appeals Committee*

*G-005.2 Student Grade Appeal Committee*

*G-005.3 Judicial Appeal Procedure and Committee*

## **ACADEMIC STANDING APPEALS COMMITTEE**

(SMSU Policy G-005.1)

A. The Academic Standing Committee shall consist of the following members:

1. *Five (5) faculty members selected by the Faculty Association*

2. *Two (2) students appointed by the Student Association.*

3. *Two (2) ex-officio non-voting members appointed by the Provost.*

B. A designee of the Provost shall serve as Secretary of the Committee and shall be responsible for the following tasks:

1. Notification of students who are suspended and advising these students of their right to appeal for reinstatement to the Academic Standing Committee. Notification of those students who are to appear in alleged cases of academic dishonesty. The students shall also be advised of their rights as specified in the Southwest Minnesota State University Student Appeals Regulation.

2. Development of Appeal and Committee Decision forms in consultation with the Committee.

3. Provision of student transcripts to be used in the Committee hearings.

4. Notification of appealing students in writing of the Committee's decision. If a student has been denied reinstatement, she/he should also be informed of his/her right to appeal to the Provost.

5. Implementation of the Committee's decision.

C. Decisions of the Academic Standing Committee may be appealed to the Provost in writing no later than the end of the semester following the one in which the decision was rendered. Decisions rendered in the spring semester must be appealed no later than the end of the fall semester of the following academic year.

The Provost' decision either upholding or rejecting the decision of the Academic Standing Committee shall be communicated in writing with reasons to the student and the committee members within five (5) instructional days after the appeal to the Provost. A copy of this communication shall be maintained in the student's confidential file (with the Provost).

D. All evidence presented in the course of an appeal shall be held in the strictest confidence. No portion of the proceedings shall appear in any permanent records kept on the student or faculty members involved in the appeal.

## **GRADE APPEALS**

(SMSU Policy G-005.2)

Southwest Minnesota State University, like most higher education institutions, believes that student evaluation in courses is the right and responsibility of the instructor. The Student Grade Appeal process is advisory only. It may include a mandatory reevaluation of the student's course work in accordance with the procedures outlined below.

*A. A Student Grade Appeal Committee shall consist of the following members:*

1. The appropriate academic dean, or his/her designee, shall serve as a non-voting chairperson of the Committee. The chairperson shall vote in case of a tie.

2. Four (4) faculty members selected by the Faculty Association with at least one of the faculty members from the department from which the grade is being appealed. If a department representative cannot serve on the Committee, a faculty member from a closely related academic discipline may be selected.

3. Three (3) students appointed by the Student Association.

*B. Criteria for Grade Appeals*

Students have the right to know the objectives of a course in which they are enrolled and the criteria that will be used in evaluating performance in a course. A student may initiate a grade appeal if he/she has grounds to believe that:

1. The course objectives were significantly changed in a manner so as to create unfair treatment; or

2. The criteria for evaluations were significantly changed in a manner so as to create unfair treatment; or

3. Evaluation was arbitrary or capricious.

*C. Grade Appeal Process*

1. If a student has grounds to appeal a grade, she/he should present his/her case to the faculty member who awarded the grade. If the meeting of the faculty member and student fails to resolve the student's complaint, he/she may appeal to a Student Grade Appeal Committee.

2. Students wishing to appeal a grade to the Student Grade Appeals Committee may do so by contacting the appropriate Dean and completing a Student Grade Appeal Form. The Student Grade Appeal Form shall include information supplied by the student that includes where and when the meeting indicated in C #1 occurred (date, time, place). The Student Grade Appeal Form shall also outline the student's case for the appeal. The Dean will forward a copy of the Student Grade Appeal Form to the faculty member. (An appeal is initiated with the filing of the Student Grade Appeal Form with the Dean.) The Dean will advise the student of his/her rights as

specified in the Southwest Minnesota State University Student Appeal Regulation. Appeals must be initiated within thirty (30) days of the date on which the student received her/his grade. In the event that the grade(s) being appealed was (were) received at the end of spring semester, the student must initiate an appeal by the end of the thirtieth (30th) calendar day from the beginning of the subsequent fall semester.

The appropriate Dean, or his/her designee, shall contact the President of the Faculty Association and the President of the Student Association to obtain a committee.

3. Decisions of a Student Grade Appeal Committee will not include making a specific grade change, but may include a mandatory re-evaluation of the student, by the faculty member or a consultant in the same discipline. If a consultant is to be used, the Student Grade Appeal Committee will select the consultant. Such re-evaluation and its results shall be submitted to the Committee before the case is consummated. Decisions of a Student Grade Appeal Committee are final and mandatory for both student and faculty. The Dean has the responsibility to insure that arbitrary or punitive decisions shall not extend into the re-evaluation process. It is to the benefit of the person making the appeal to be present at the hearing.

4. The Dean shall communicate the decision of the Committee in writing with reasons to the student and the faculty member within five (5) instructional days after receiving the Committee's decision. Tape or stenography records of all appeals shall be made and kept by the Academic Dean's Office. The records will be destroyed one (1) academic semester after the appeal is completed. All evidence presented in the course of an appeal shall be held in the strictest confidence. No portion of the proceedings of the Committee shall appear in any permanent records kept on the student or the faculty member.

## **JUDICIAL APPEAL PROCEDURE AND COMMITTEE**

(SMSU Policy G-005.3)

The Judicial Appeals Committee shall hear student appeals which result from original hearings from either the Student Association Judicial Council or the Administrative Hearing Committee. This Committee shall also rule on all appeals involving student records. All administrative procedures established to implement this Committee will adhere to the standards specified in MnSCU Board Governing Rules and shall specifically include the following:

1. Students shall receive written notification of arrangements for appeal hearings and written notification of dispositions, with reasons, which result from an appeal hearing.

2. Students shall be advised of their following rights:

a. Students have the right to an advisor or counsel in preparing for hearings and/or to be

present at appeal hearings.

b. Students have the right to appear at appeal hearings and present evidence or witnesses.

c. Students have the right to decline to be present at appeal hearings and may present evidence in writing. The University shall respect the right of an individual to refuse to testify against himself/herself.

d. The appeals agency shall not consider statements against the individual unless she/he is present when they are made or she/he is advised in writing of their content and the names of those who made them and unless she/he is given an opportunity to rebut unfavorable inferences which might otherwise be drawn.

#### **A. Composition of Judicial Appeal Committee:**

1. Eighteen persons will be identified by their respective bargaining groups to serve as the pool for a Judicial Appeal Committee. Six (6) persons shall be faculty members selected by faculty association; six (6) persons shall be Administrative and Service faculty selected by MSUAASF; and six (6) students selected by the Student Association. These persons, once appointed, shall serve two year terms, with no more than one-third of the number turning over in any one year. The names of this group's members will be maintained in three respective pools, from which two names per group will be pulled for each appeal hearing held.

#### **B. Training for Judicial Appeal Committee Members:**

1. Upon appointment of the three pool groups, all potential Appeal Committee members will meet for the first time in a session chaired by the Vice President for Student Affairs. This session will provide an orientation to the University Community Expectations Program (UCEP) and training. The UCEP Coordinator and lower board chair people and advisors will assist in the training process as appropriate. Training will include the following areas:

a. Developing an understanding of the UCEP.

b. Developing an understanding of the philosophic basis for the UCEP and an appreciation for it as an educational rather than punitive process.

c. Developing an understanding of when referrals are submitted and how they are processed.

d. Learning and gaining appreciation for the training and experience of lower judicial boards.

e. Participating in a discussion of how decisions are made regarding sanctions and expectations imposed in individual referrals.

f. Developing an understanding of the criteria questions used in deciding the merits of an appeal's being accepted.

g. Learning the role and responsibilities of the Appeal Committee Chairperson.

h. Learning the procedures for conducting a hearing and its correspondence requirements.

#### **C. Committee Composition for an Individual Appeal:**

1. Each appeal committee shall be composed of two (2) faculty members, two (2) students, and two (2) administrative/service faculty members. A hearing committee will be created each time an appeal is filed and will terminate at the end of each specific appeal case.

2. The student(s) making an appeal will select six (6) members of that appeal committee by drawing the above names from the judicial appeal pool in the presence of and as provided by the Vice President of Student Affairs. The student may challenge without cause a name drawn from any pool and cause another name to be drawn. A student may have a maximum of three challenges, although additional challenges may be permitted for cause. The student will also pull a third name from each of the pool's three groups to serve as alternatives to facilitate the scheduling of a specific appeal hearing.

3. Each appeal board shall elect its own chairperson, who will conduct each hearing and be responsible for accomplishing all appeal committee correspondence.

#### **D. Procedure for Hearing an Appeal:**

1. A student must initiate an appeal hearing within five (5) instructional days of receiving a sanction letter from a lower hearing committee. The appeal is initiated by going to the Vice President of Student Affairs's office, submitting a Request to Appeal and scheduling an appointment to meet the Vice President as quickly as his/her calendar allows.

a. During this appointment, the Vice President will review the student's Judicial Appeal Form, the grounds claimed, the student's rights within the process and the appeal process itself.

b. The appealing student(s) will select the names of the specific appeal committee's membership at this time.

2. Once selected the Appeal Committee will meet to conduct its hearing.

a. First the Committee will review and discuss the validity and merits of the student's appeal as submitted in writing. The decision to grant or deny an appeal will be made only upon consideration of the three criteria questions regarding the rights of due process under which a student may appeal. They are:

1) Did the judicial hearing body act in good faith by considering the necessary, relevant information, and was the student afforded the due process required by the Community Expectations Program?

2) Were the expectations and sanctions established by the Committee within the context and purpose set forth by the Community Expectations Program; were they a reasonable response to the behaviors referred?

3) Is there substantial new information which was not made known to the original hearing board? Why was it not provided to it?

b. After considering the written appeal the

Committee will meet with both the student filing the appeal (and advisor when appropriate) and representatives of the lower hearing board. Both parties will be present during the meeting to hear the statements and arguments presented to the Committee by the other, as well as the questions posed to each party by the Committee members. The Appeal Committee may review the evidence presented to the original hearing committee by listening to the tape of that hearing. Upon developing a sufficient understanding of the case, the Committee will meet privately to arrive at its findings and decision. The Committee may either deny or grant the appeal.

1) If the Committee finds that the appeal has no basis, it shall be denied and the decision of the lower board will be upheld. The scheduling of an appeal may require the Appeal Committee to extend sanction deadlines established by the original committee.

2) If the Committee grants the Appeal, dependent upon the criteria used and the Committee's findings, it may decide to dismiss a referral, or return the case to the original board for a new hearing. In rare cases, the Appeal Committee may impose sanctions more severe than those of the original hearing committee.

a) If a sanction is one of suspension or removal from the University, the student has the right of final appeal to the Provost.

b) If a sanction is one of suspension or removal from the University or eviction from the residence halls for a period of 10 days or more, or dismissal from the institution, the student has the right to further appeal per the conditions set forth in Minnesota State Statute Chapter 14 (a copy of which is available in the offices of the UCEP Coordinator, the Vice President of Student Affairs, or the Provost).

3) Whatever the Committee's decision, its findings and sanctions (if any) will be sent in written form to the student who filed the appeal within five (5) instructional days from the hearing. Copies of this notification letter will be sent to the original hearing board's chairperson and advisor (when applicable), the Vice President for Student Affairs (whose copy will be kept in the student's confidential file), and the UCEP Coordinator.

#### **E. Hearing Proceedings within the Appeal Process:**

1. Appeal hearings will be recorded either by tape or stenographer whenever they involve sanctions of suspension or removal from the University or eviction from the residence halls for a period of 10 days or more, or dismissal from the institution. The tape recordings or stenographic records of appeal hearings shall be the property of SMSU and will be maintained by the Vice President of Student Affairs for a minimum of seven years.

2. The evidence presented in the hearing shall be held in the strictest confidence by members of the Appeal Committee. No portion of the

proceedings of the Committee shall appear in any permanent records kept on either the student appealing or of any faculty members involved in the appeal hearing.

## STUDENT GRIEVANCE

(MnSCU Policy 3.8)

### Part 1. Definitions

*Appeal:* A request for reconsideration of a grievance application of a policy or procedure.

*Complaint:* An oral claim by a student alleging improper, unfair, arbitrary, or discriminatory treatment.

*Grievance:* A written claim raised by a student, alleging improper, unfair, arbitrary, or discriminatory action by an employee involving the application of a specific provision of a college or university rule/regulation or a board policy or procedure.

*Retaliation:* Retribution of any kind taken against a student for participating in a complaint or grievance.

*Student:* An individual student, a group of students, or the student government.

### Part 2. General State of Policy

A student has the right to seek a remedy for a dispute or disagreement through a designated complaint or grievance procedure. Each college or university shall establish procedures, in consultation with student representatives and others, for handling complaints and grievances. These procedures shall not substitute for other grievance procedures specific in board, college, or university regulations or negotiated agreements. Students should use available informal means to have decisions reconsidered before filing a complaint or grievance. No retaliation of any kind shall be taken against a student for participation in a complaint or grievance. These procedures shall also protect data privacy rights.

### Part 3. Notification and Publication

Each college and university shall inform students of the established complaints and grievances procedures. These procedure should be publicized to students at least annually and include information for students about how and where to obtain grievance forms.

### Part 4. Complaints

A student may complain concerning any college or university issue, and discuss it with the appropriate employee(s), and/or administrator(s) as established by college or university procedure. A complaint may constitute a grievance, if not resolved, and if the complaint falls within the definition of a grievance.

### Part 5. Grievances

*Subpart A. Timeframe.* The college or university shall develop and publish a timeframe that establishes reasonable time requirements for each step of the process.

*Subpart B. Submit grievances in writing.* All grievances must be submitted in writing. The college or university shall develop a grievance form, which will provide an explanation of the grievance step procedures and timelines.

### Subpart C. Appeals.

1. The grievance procedure shall include an opportunity to appeal a grievance decision. The individual to whom an appeal is directed should be identified by the college or university for the issue(s) in question.

2. If the grievance involves a college or university rule or regulation, a student may appeal an official grievance through procedural steps up to the president or designee. The decision of the president or designee is final and binding.

3. If the grievance involves a board policy or the actions of a college or university president, a student may further appeal the college or university decision through the chancellor to the board. The decision of the board is final and binding.

## COMPLAINTS

(SMSU Policy G-011)

**Policy:** To comply with federal regulations and the Higher Learning Commission (HLC) of the North Central Colleges and Schools, Southwest Minnesota State University will maintain a record of formal written and signed student complaints. The complaints tracked are those filed with a University Officer with the responsibility to handle the complaint. The records provided to the federal government and the HLC include summary information that is in compliance with the Data Practices Act and FERPA.

### Procedure:

1. Students with complaints about any aspect of academic and non-academic programs may take those complaints to the Academic Dean's Office, BA 269.
2. University employees that receive a signed, written student complaint regarding any aspect of academic and/or non-academic programs will send a record of the complaint along with the resolution to the Academic Deans Office, BA 269. Actual complaint and supporting documents will remain in the affected office.
3. The Academic Dean's Office will establish a method of logging formal signed, written student complaints and resolutions that have been filed with a University Officer.
4. The log will include:
  - The date the complaint was first formally submitted to the appropriate officer.
  - Nature of the complaint (e.g. grade dispute, allegation of sexual harassment, etc.).
  - The steps taken by the institution to resolve the complaint.
  - The institution's final decision regarding the complaint, including referral to outside agencies.
  - Any other external actions initiated by the student to resolve the complaint, if known to the institution (e.g. lawsuit, EEOC investigation, etc.).
5. The log will only be used to track current and recent student complaints, not parents,

employees, etc., even if the complaint relates to a student.

6. Individual students' identities and names will not be included on the log and will not be shared with the visiting HLC team.

7. A formal written and signed student complaint includes complaints received by email or fax as long as the address and/or phone number and the name of the complainant are included.

# Personal Safety and Security

SMSU's campus is a relatively safe and secure environment, as is the city of Marshall itself. However, no community is perfectly safe, harm free, or crime-free. A campus community serves a wide and varied public, and attracts outsiders. For your present security here and future safety, there are habits you should begin developing.

These include:

1. Always be aware of your surroundings. Use common sense and trust your instinct in situations. Report all crime immediately.
2. Lock your room or apartment whenever you leave. An unlocked door is an open invitation to theft, vandalism, or uninvited intruders.
3. Never prop open an exterior door to a residence hall, apartment complex, or other living unit; it endangers the safety of all complex residents and their property.
4. If off campus, a person's first actions should be to have apartment or house locks changed.
5. Recognize that the people you live with are your best security. Become familiar with the people who live in your residence hall, apartment complex, and/or neighborhood so you in turn are aware if there is a stranger or outsider present who may not belong. Let roommates, RA's or other friends know where you are going and how long you will be gone.
6. If you have a car here, even if you don't drive it every day, remember to check it regularly. **LOCK YOUR CAR!** Check the back seat and its floor area before you get into your car at night.
7. Become familiar with various campus policies (e.g. how to lodge a sexual harassment/sexual assault complaint) and the resources available to you (residence hall staff, Counseling Services, Health Center, Sexual Assault Program) so you know what kind of support and assistance is available. Take advantage of various groups, workshops, and educational programs that can facilitate your growth and enhancement of life skills.
8. Report any crank or threatening phone calls or other similar communications immediately to the Housing Office (if you live on campus), the University Public Safety Office, or the Marshall Police Department. Maintain a written log of these calls or communications to assist authorities if you decide to pursue a complaint.

## SECURITY SERVICES

### University Public Safety

Founders Hall Lower Level 537-7252

Emergency: dial 9-911

Escort Service: 537-7252

The University has a proprietary security program that has a director to manage the

University security and safety programs. University Public Safety will work in concert with the Marshall Police Department regarding criminal violations.

Functions of the SMSU Public Safety staff include, but are not limited to: providing help in the areas of personal safety, individual rights, room security, vehicle security, DWI laws, federal, state and local laws; crime prevention; emergency first aid; building security and security functions arising under the policies of the University; security assistance on behalf of the University; parking and traffic control; investigations; and the furnishing of general information to guests and visitors at the university.

The University's Public Safety program also employs student security officers. Working under the direction and supervision of the Director of University Public Safety, the student security officers are scheduled so as to provide security coverage on weeknights and weekends throughout the calendar year. This coverage includes the routine patrolling of campus buildings, grounds, parking areas, and streets. University Public Safety will respond to calls from student security on matters concerning life safety, criminal activity, and campus disturbance within five (5) minutes of being contacted by the student security officer. In addition to the student security coverage on weeknights and weekends, the Marshall Police Department routinely patrols the campus perimeter and residential areas nightly and will always respond to requests for assistance, or to any observed criminal activity.

Additional security is provided by University Public Safety and operates several evenings each week providing extra security to residential areas of campus by patrolling parking lot perimeters, residence hall grounds, house lounges and entries. The staff is available to assist students and can be reached through University Public Safety at 537-7252, on the evenings of operation.

Student security officers are trained to respond to all emergency situations and will immediately call for professional assistance in cases of sexual assault and/or other situations as deemed necessary. All officers with University Public Safety have had training to be able to appropriately respond to cases of sexual assault and will handle such cases with concern and prompt attention.

You can be assured that all security requests and needs will be taken seriously and will be handled professionally by all security personnel. Please feel free to contact University Public Safety when they can be of service to you.

### Escort Services

Founders Hall Lower Level, 537-7252

For your safety and security, SMSU also has available, to members of the entire campus community, a 24-hour escort service. By calling 537-7252, you can request an escort to any destination on campus.

### Security Issues:

This information is offered as part of Southwest Minnesota State University's continued commitment to provide a safe living and learning environment and to comply with the 1990 Student Right-To-Know and Campus Security Act. All criminal behavior should be reported to the Marshall Police Department and violations of the University Code of Conduct should be reported to the Director of University Public Safety (537-7252) or the Associate Vice President for Student Affairs (537-6136). Students or staff who have a concern regarding violations of law or the Code of Conduct on campus may also contact any University administrator (to include the Provost, Associate VP for Student Affairs, VP for Finance and Administration, or an Academic Dean). Telephone numbers may be found in the campus directory.

### Sexual Assault:

1. Rape—sexual assault—is an act motivated out of power, anger, and control. It is not an act of sex, but uses sex to achieve control over another.
2. Sexual assault is any unwanted, coerced, manipulated, or forced sexual contact or intercourse.
3. 85-95 percent of sexual assaults are committed by someone you know.
4. One out of three women and one out of ten men will be sexually assaulted in their lifetimes.

### Some Signals to Beware of in Dating

#### Partners:

1. Partners who become hostile or angry when you say "No."
2. Partners who ignore your wishes.
3. Partners who attempt to make you feel guilty or accuse you of being uptight or a tease.
4. Partners who act excessively jealous or possessive.
5. Partners who ignore your personal space boundaries.
6. Partners who are quick to show anger or aggression.

### Tips and Precautions in Dating

#### Relationships:

1. The majority of rapes that occur are termed "acquaintance rapes" - the rapist and victim know one another. Trust your feelings; don't worry about "hurt" feelings.
2. If confronted with a situation that feels

uncomfortable or threatening, act assertively to get out of the situation immediately - even if you feel foolish or embarrassed in doing so.

3. Decide it is okay to set limits in dating situations without feeling paranoid or rude.

4. Alcohol can dull your perceptions and reactions. Do not allow peer pressure to influence the amount of alcohol you consume.

5. If possible, let a friend or roommate know whom you are with and where you will be. Leave an address and phone number when possible.

### Reporting Incidents of Sexual Violence (SMSU Policy P-013)

This policy and procedure is intended to further implement MnSCU Board Policy 1B.3 and Procedure 1B.3.1 and provides a process through which SMSU students and employees alleging sexual violence may pursue a complaint. In support of the MnSCU Board policy and procedure, SMSU reaffirms the policy that sexual violence in all forms will not be tolerated and the University will take appropriate remedial action against any individual found responsible for acts in violation of this policy.

#### 1. Definitions

The definitions in MnSCU Board Policy 1B.3 and Procedure 1B.3.1 also apply to this policy and procedure.

#### 2. Reporting Incidents of Sexual Violence

##### A. Prompt Reporting

The University urges victims of sexual violence to report incidents as soon as possible so that authorities can take whatever action is necessary to preserve evidence, pursue the assailant, or take other appropriate action. A medical examination within 72 hours is critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. However, an incident of sexual violence can be reported at any time.

B. Reporting Incidents of Sexual Violence  
Complainants are strongly encouraged to report incidents of sexual violence to local law enforcement officials and to the University Public Safety Office. Complainants are also encouraged to contact the local victim/survivor services office and counseling and health care providers.

Emergency - 911

Marshall Police – 537-7000

University Public Safety – 537-7252

Weiner Memorial Medical Center 532-9661

SMSU Health Center – 537-7202

SMSU Counseling – 537-7150

New Horizons Crisis Center – 532-5764

SMSU Affirmative Action Officer – 537-6243

Incidents of sexual violence can also be reported to a University Official who has significant responsibility for housing and campus activities, including but not limited to,

student housing, student discipline and campus judicial proceeding; and athletic coaches.

#### C. Support Resources

There are a number of resources available on the University campus or in the local area to assist a victim in recovering from and dealing with an incident of sexual violence.

New Horizons Crisis Center – 532-5764

SMSU Counseling – 537-7150

Western Human Development – 532-3236

#### 3. Notice of Complainant Rights

Complainants shall be notified of the following:

A. The right to file criminal charges with local law enforcement officials.

B. Victims of sexual violence have rights under the “Campus Sexual Assault Victims’ Bill of Rights” part of the *Higher Education Amendments of 1992* (Public Law: 102-325, section 486(c)) and the Crime Victims Bill of Rights (Minnesota Statute 611A.01-06), including the right to assistance from the Crime Victims Reparation Board (651) 282-6256 or 800-247-0390, and the Minnesota Office of Crime Victims Ombudsman at 800-247-0390.

C. University Public Safety staff, when informed of an alleged incident of violence, will promptly assist the complainant, including providing guidance in filing complaints with outside agencies including law enforcement; obtaining appropriate assistance from victim/survivor services or medical treatment professionals; and filing a complaint with the University Community Expectations Program (UCEP) Coordinator and Affirmative Action Officer.

D. University Public Safety personnel will assist in preserving materials related to a campus disciplinary proceeding.

E. Complaints of incidents of sexual violence made to the University Public Safety Office will be promptly and appropriately investigated and resolved.

F. The University may take interim action to prevent unwanted contact with the alleged assailant during any investigation including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site or to alternative college-owned housing, if such alternatives are available or feasible.

#### 4. Complaint Procedure

A. If the respondent is an employee, the investigation and disciplinary decision-making shall be conducted pursuant to the procedures outlined in MnSCU Board Procedure 1.B.1.1, except for the use of the optional “Personal Resolution” described in Part 3. The Designated Officer conducting the investigation will be the Director of University Public Safety.

B. If the respondent is a student, the investigation and disciplinary action shall be conducted

pursuant to MnSCU Board Policy 3.6 Student Conduct and SMSU Student Code of Conduct. The hearing officer will make written findings and issue a decision on the matter, including sanctions. If the hearing officer issues an adverse decision against either the complainant or respondent, that student may appeal to the president or designee.

D. If the respondent is both an employee and a student, the investigation shall be conducted pursuant to the procedures outlined in MnSCU Board Procedure 1.B.1.1. The Designated Officer conducting the investigation will be the Director of University Public Safety, Mike Munford, 537-7858. The results of the investigation will be submitted for review to both the decision maker appointed under Procedure 1.B.1.1, Part 2, Subpart B, concerning personnel action, and to the President or designee concerning the student action.

E. If a complainant does not desire to pursue a complaint through the University’s proceeding, SMSU reserves the right to investigate and resolve the complaint as it deems appropriate.

F. Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of student, or termination from employment. The appropriate sanction will be determined on a case-by case basis taking into account the severity of the conduct, the student’s or employee’s previous disciplinary history, and other factors as appropriate.

G. Mediation will not, under any circumstances, be used to resolve a complaint of sexual assault against another student or employee.

H. A complete investigation of an incident of sexual assault may take up to 60 days, depending on the complexity of the investigation. Both the complainant and respondent may be given periodic status updates.

I. Both parties will receive a response regarding the outcome of the complaint. Any appeal must be made to the Office of the President or designee within 5 days of receipt of the decision.

#### 5. Confidentiality of Reporting

Absolute confidentiality of reports cannot be promised. However, personally identifiable information about a complainant of sexual violence without the complainant’s consent will not be disclosed except as may be required or permitted by law. There may be instances in which SMSU determines it needs to act regardless of whether the complainant requests that no action be taken. In such instances, SMSU will investigate and take appropriate action, taking care to protect the identity of the complainant and any other report in accordance with this procedure. However, the ability of the University to adequately respond to a complaint of sexual violence may be limited.

## 6. Required Reporting

Any SMSU employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow University procedures for making a report for the annual crime statistics report. In addition, University Public Safety shall report to other University officials, as appropriate, such as the Affirmative Action Office, the UCEP and/or the Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

## 7. Retaliation Prohibited

Actions by a student or employee intended as retaliation, reprisal, or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.

## 8. Sexual Violence Prevention and Education

SMSU conducts a number of programs aimed at preventing sexual violence and making the SMSU community aware of the potential of such crimes. These programs include nightly security patrols of the campus, providing escorts, inspecting the campus for potentially dangerous areas, and implementing programs to inspect campus lighting and shrubbery. In addition, Residence Hall staff, University Public Safety, Health Center, and Counseling Offices provide educational programs concerning sexual assault awareness.

## ZERO TOLERANCE OF WORKPLACE VIOLENCE POLICY

(SMSU Policy P-005)

In accordance Minnesota State law (Minnesota Statute 1.5):

### Freedom from Violence

The State of Minnesota hereby adopts a policy of zero tolerance of violence. It is state policy that every person in the state has a right to live free from violence.

In furtherance of this policy, Minnesota Statute 15.86 mandates that each agency of state government adopt a goal of zero tolerance of violence in, and around, the workplace.

Each agency is required to develop a plan that describes how the agency will 1) seek to eliminate any potential for violence in and around the agency workplace; and 2) seek to eliminate any potential for violence by affecting the attitudes and behavior of the people the agency serves or employs.

### Definition

In 1994, the Minnesota Violence Prevention Advisory Task Force established by the Legislature endorsed the following definition of violence as a reference for those working on violence prevention issues:

“Violence is the abusive or unjust exercise of

power, intimidation, harassment and/or the threatened or actual use of force which results in or has a high likelihood of causing hurt, fear, injury, suffering or death.”

### Southwest Minnesota State University Policy

Southwest Minnesota State University will work to provide a safe workplace for employees, students and visitors to the University. The University will not tolerate workplace or campus violence. This includes threatening or violent actions by employees directed against other employees, students, or visitors, and by students directed against other students, employees, or visitors or by campus visitors directed against students, employees or other visitors.

### The University through its policy and plan is committed to the following:

- The University will actively work to prevent and eliminate acts of work or campus violence. It is the responsibility of its managers, supervisors and all of its employees to achieve a workplace free from threats and acts of violence. The University will respond promptly, positively, and aggressively to deal with threats or acts of violence. This response will include timely involvement of law enforcement agencies, when appropriate.
- The University hereby adopts, and will work to enforce, a policy prohibiting possession of firearms and other dangerous weapons in the workplace or on campus. Exceptions will be authorized by the Director of University Public Safety.
- Incidents of work-related or campus threats or acts of violence will be treated seriously by the University. Reports of such acts will be promptly investigated, and management will take action, as necessary, to appropriately address each incident.
- The University will develop a reporting and response process to be implemented and training to insure that all employees know how to use the reporting process.
- The University will take strong disciplinary action, up to and including discharge from State employment, against employees of the University who are involved in the commission of work-related threats or acts of violence. Students engaging in such behavior will be dealt with in accordance with the student code of conduct and the University Community Expectations Program.
- The University will report to the local authorities any incident involving those who threaten or commit work-related violence against its employees, students and visitors to the campus environment and will cooperate with authorities in investigation of those incidents.
- Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.

## Southwest Minnesota State University Implementation Plan

1. The University will provide a safe workplace and campus. The University is committed to ensuring that the workplace and campus provides for the safety of employees, students and visitors for reasonable protection from workplace violence.

2. The University will attempt to reduce the potential for internal workplace violence by positively affecting the attitudes and behavior of its employees and students by:

- Creating a low-risk work/campus environment. University personnel are expected to treat employees and students with respect and dignity. Emphasis will be placed on creating a workplace/campus where established standards of conduct are clear, communicated, and consistently enforced, and where discipline is used fairly and appropriately to deal with instances of unacceptable behavior.
- To assist in reducing the potential for internal workplace violence, Southwest Minnesota State University has instituted the following programs:
  - Escort services
  - Residence Hall Night Watch Program
  - Lighting surveys
  - Security training programs for student support operations
  - Access control to facilities
  - Security patrol
- Providing supervisory training. Managers and supervisors will be trained to deal with workplace-related threats and acts of violence. This training will focus on prevention, recognition, and de-escalation of violence, conflict management, suggestions for appropriate responses to threats and acts of violence, and will identify those resources, which are available for use once a potential problem has been identified, or an incident has occurred. Coordinated by Human Resources, the Director of University Safety will provide initial in depth training of supervisors and managers by spring of 1998 and annual refresher training thereafter.
- Providing employee and student training. Employees and students will be given the opportunity to receive training in threat awareness, and appropriate responses to aggressive, threatening, and violent behaviors. Assessment of additional training needs for employees will be made upon request of the unit supervisor or student group to be coordinated by Human Resources and provided by University Public Safety.
- Encouraging employee/student counseling and assistance. The University will encourage use of the Employee Assistance Program (EAP). The EAP is primarily an assessment, short-term counseling, and referral agency. While supervisors, union representatives, or family members may encourage employees to seek help from EAP, the decision to use the services is a voluntary one. Students are encouraged to seek the services of the person-

al Development Center (PDC). Employees or students may also choose to seek assistance from private health services to deal with pressures, stress, emotional problems, or other personal issues which could, if ignored, lead to threats or acts of violence.

- Periodic assessment of campus climate. To prevent workplace violence, it is important to recognize the need to assess the complete workplace climate and environment. Through use of student and employee surveys, as well as other means, indications of campus climate should be reviewed once each year. This will be coordinated with others by the Director of University Public Safety.

- Providing information. Safety and security information is published annually in the SMSU Student Handbook and the SMSU Residence Hall Handbook and includes safety and protection guidelines for students. The SMSU Handbook is also distributed to employees each year. Under the Student Right to Know and Campus Security Act, an annual report of campus crime statistics and related incidents of violence is published in the SMSU Student Handbook and in a brochure format which is made available to all students, faculty and staff as well as prospective students and parents upon their request. Informational brochures and other media will be used to make all employees and students familiar with the services offered by the EAP and PDC, respectively. The University will provide information on how to take advantage of those services as well as other options for resolution of personal and work-related problems, which may have a potential for escalating to a violent incident.

- Auxiliary Policy/Procedure Development. The University will continue to develop and update policies and procedures, which relate to issues of violence, for example: alcohol/drug use policies for employees and students, background check procedures, and bomb threat procedure.

- SMSU Violence Task Force. The task force, which includes faculty, staff, administrators, and students, meets monthly. This task force works to educate students about a variety of issues related to the prevention of sexual assaults, domestic violence, and general crime.

- New Horizons Crisis Center. The University has developed a positive working relation with the Center. NHCC is a non-profit, community agency that provides education, advocacy, and assistance for survivors of sexual assault and for victims of general crime.

3. The University will effectively deal with threats of violence, and with actual incidents of violence. Managers and supervisors have a duty to ensure a safe work environment exists by:

- Developing sanctions and/or restrictions that will send a strong message that an office

will not tolerate violence or threats of violence.

- Contacting the Director of University Public Safety or the Marshall Police when a potentially unsafe or dangerous situation turns into an emergency that demands an immediate response.

- Responding promptly to any employee's expression of concern for their on-the-job security.

- Discussing options, which will provide support, including referrals to Employee Assistance Program.

- Reporting all incidents of violence to Human Resources/University Public Safety.

4. The University will work to eliminate dangerous weapons from the workplace. Dangerous Weapon Prohibition: Effective immediately, the possession of any dangerous weapon, to include any firearm, in any university workplace or campus by any persons other than a law enforcement officer in the course of duty, is strictly prohibited. University personnel are prohibited from possessing any dangerous weapon, to include any firearm, while on official duty. See Appendix C for a list of dangerous weapons included in this prohibition. Procedure and process for storage of weapons on campus will be the responsibility of the Director of University Public Safety.

**Exceptions:** Exceptions will be authorized by the Director of University Public Safety. Planned use of any items in Appendix C in the course of a general academic and work applications should be discussed and reported by faculty and staff to the Director.

#### 5. Plan Distribution and Responsibility

Copies of this policy and plan will be distributed to all current and new employees and will be posted on employee bulletin boards. Managers and supervisors will be responsible for informing employees of this policy and plan, and for enforcing compliance with it. A copy will also be available in the University library. This plan will also be included in the Student Handbook.

Copies of this plan will also be distributed to other agencies or organizations who lease SMSU facilities, who rent or use facilities for events and those who through contracts with the University are performing work on the SMSU campus. While these groups may be considered the public and not a regular part of the university community, they are typically on the campus for an extended period of time and will be expected, as appropriate, to adhere to this policy and plan.

The Director of University Public Safety will assume responsibility for coordinating the University response to workplace and campus-related threats and acts of violence. Managers and supervisors will continue to have primary responsibility for ensuring a safe workplace and campus, for monitoring and resolution of employee conflicts or disputes,

for taking appropriate corrective action when potentially violent situations develop, and for working with the Director of University Public Safety when threats or acts of violence occur.

#### Reporting and Response to Incidents of Violence

1. Any incident of violence experienced by an employee should be reported directly by the employee to their supervisor. Incidents initiated by a student for which the employee is victim, should be reported to the Assistant Vice President for Student Affairs, the University Judicial Officer or the employee's supervisor. Incidents initiated by an employee, for which the student is a victim should be reported by the student to the Assistant Vice President for Student Affairs, the employee's supervisor, or the Director of University Public Safety. All employees, including faculty, should be knowledgeable of this reporting process and ensure that victims of violence are referred to the appropriate university officials when such incidents occur.

2. This reporting will require written documentation in the form of an incident report. The information provided will include the date, time, and conditions of the incident as well as a record of other witnesses.

3. The supervisor will review the incident report, obtain any necessary follow up information, and determine appropriate action to be taken. If the offending employee is outside the supervisory reporting relationship, the supervisor will refer the matter to Human Resources who will coordinate communication and appropriate action with the offending employee's supervisor.

4. The supervisor of Human Resources could call on the Director of University Public Safety for investigative support. The Director would conduct appropriate investigation of the incident and report back to the supervisor.

5. Based on the severity of the situation, the Director of University Public Safety will review protection and safety precautions with the victim.

6. As appropriate, the supervisor, Human Resources and University Public Safety will review all information and determine the course of action for the university. Disciplinary action will be processed and taken in accord with appropriate bargaining units agreements.

#### MISSING STUDENT PROCEDURE

The purpose of this procedure is to establish procedures for the University's response to reports of a missing student, as required by the Higher Education Opportunity Act of 2008. This University procedure applies to students who reside in University operated residence halls and apartments.

For purposes of this procedure, a student may be considered to be a "missing student" if the student's absence is contrary to his/her usual pattern of behavior and unusual circum-

stances may have caused the absence. Such circumstances could include:

- A reasonable/reliable report or suspicion that the missing student may be endangered possible victim of foul play
- Expression of suicidal thoughts
- A documented, current pattern of continued substance abuse
- A life-threatening situation
- Recent contact with persons who may endanger the student's welfare

### **Procedures for designation of emergency contact information**

#### **a. Students age 18 and above and emancipated minors.**

Residential students will be given the opportunity upon check in to a University operated residence hall/apartment, to designate an individual or individuals to be contacted by the University within 24 hours of the time the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.

#### **b. Students under the age of 18.**

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the University is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

c. All information in parts a. and b., above will be treated in accordance with applicable data privacy laws.

### **Official notification procedures for missing students**

a. A person who has information that a student may be missing is expected to notify the SMSU Department of Public Safety as soon as possible. SMSU Staff and Faculty are required to notify the SMSU Department of Public Safety of a missing student as soon as possible.

b. The SMSU Department of Public Safety will work with campus offices, the reporting person(s) and the student's acquaintances to gather all essential information about the student (for example: description, clothes last worn, where student might be, who student might be with, vehicle description, information about the student's physical and mental well being, an up-to-date photograph, class schedule, etc.). Appropriate campus staff will be notified to aid in the search for the student.

c. If the above actions are unsuccessful in locating the student or it is apparent immediately that the student may be endan-

gered (e.g., witnessed abduction), the SMSU Department of Public Safety will contact the appropriate local law enforcement agency to report the student as a missing person and the local law enforcement agency will take charge of the investigation. The SMSU Department of Public Safety will assist external authorities with these investigations as requested.

d. No later than 24 hours after determining that a student is missing, the Dean of Students, or designee, will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing.

e. For missing students who are 18 years of age or older, and did not designate an individual to be contacted, the Dean of Students will act in accordance with FERPA and Minnesota Government Data Privacy guidelines with regard to contacting family members.

### **Campus communications about missing students**

Before any information regarding a missing student is disseminated, the University Relations Office shall consult with the SMSU Department of Public Safety, local law enforcement authorities, and the Dean of Students to ensure that communications comply with FERPA and Minnesota Government Data Privacy guidelines and do not hinder the investigation.

Once a student is determined to be missing and local law enforcement authorities have been notified, all communications regarding missing students will be handled by outside law enforcement authorities, who may consult with the University Relations Office.

### **WEAPONS ON CAMPUS**

(SMSU Policy G-008)

Minnesota State Law (Minnesota Statute 62A.714) Carrying of weapons without permit; penalties.

#### *Policy*

No student shall carry or possess any prohibited weapon on or about his or her person whether visible or concealed in or on Southwest Minnesota State University owned or leased buildings, grounds, and other facilities, with the exception of firearms possessed or carried in parking areas. No employee acting within the scope of their employment with the University, including student employees and employees or organizations utilizing University facilities, shall carry or possess any prohibited weapon on or about his or her person whether visible or concealed in or on Southwest Minnesota State University owned or leased buildings, grounds, and other facilities with the exception of firearms possessed or carried in parking areas. No other individual shall carry or possess any prohibited weapon, except firearms, on or about his or her person

whether visible or concealed in or on Southwest Minnesota State University owned or leases buildings, grounds, and other facilities. No vehicle owned, leased, or otherwise under the control of the University

Shall be used to store or carry a firearm.

#### *Definitions*

For the purpose of this policy a weapon is defined as any instrument, article, or substance, which is specifically designed for and presently capable of causing death, incapacitation, or serious physical injury. This includes but is not limited to firearms, replicate firearms, as defined by Minn. Statute 609.713, firearms ammunition, explosive devices (both incendiary and chemical), fireworks, knives having a blade that swings into position by force of a spring or centrifugal force (commonly known as switch blades), and knives (other than pocket knives) with blades longer than three and one-half inches, metal knuckles, straight razors, blackjacks, saps, sap gloves, koshers, bludgeons, martial arts stars, and weapons of the type known as nunchakus.

#### *Procedures:*

Anyone who observes someone violating this policy must immediately report the incident to University Public Safety by dialing 7252. If there is any appearance of threat of imminent harm of any type, contact local law enforcement (911) prior to contacting University Public Safety.

#### *Sanctions*

Violation of this policy by University students, faculty, and staff will be considered as misconduct subject to disciplinary action, up to and including dismissal, and/or other sanctions in accordance with federal, state, local, MNSCU, and/or University laws, regulations, policies and/or procedures. Violation of this policy by members of the public shall result in ejection from the property and/or confiscation of the weapon or dangerous instrument carried or possessed. The University also reserves the right to refer any violation of this policy to appropriate law enforcement agencies to investigate for possible violation of applicable laws.

#### **Southwest Minnesota State University Policy**

Southwest Minnesota State University will work to provide a safe workplace for employees, students, and visitors to the University. The University will not tolerate workplace or campus violence. This includes threatening or violent actions by employees directed against other employees, students, or visitors, and by students directed against other students, employees, or visitors or by campus visitors directed against students, employees, or other visitors.

The University through its policy and plan is committed to the following:

- The University will actively work to prevent and eliminate acts of work or campus violence. It is the responsibility of its managers, supervisors, and all of its employees to achieve a workplace free from threats and acts

of violence. The University will respond promptly, positively, and aggressively to deal with threats or acts of violence. This response will include timely involvement of law enforcement of agencies, when appropriate.

- The University hereby adopts, and will work to enforce, a policy prohibiting possession of firearms and other dangerous weapons in the workplace or on campus. Exceptions will be authorized by the Director of University Public Safety.
- Incidents of work-related or campus threats or acts of violence will be treated seriously by the University. Reports of such acts will be promptly investigated, and management will take action, as necessary, to appropriately address each incident.
- The University will develop a reporting and response process to be implemented, and training to insure that all employees know how to use the reporting process.
- The University will take strong disciplinary action, up to and including discharge from State employment, against employees of the University who are involved in the commission of work-related threats or acts of violence. Students engaging in such behavior will be dealt with in accordance with the student code of conduct and the University Community Expectations Program.
- The University will report to the local authorities any incident involving those who threaten or commit work-related violence against its employees, students, and visitors to the campus environment and will cooperate with authorities in investigation of those incidents.
- Pursuant to Minnesota Statute 15.86, this policy does not create any civil liability on the part of the State of Minnesota.

#### **STUDENT RIGHT-TO-KNOW AND CAMPUS SECURITY ACT OF 1990**

The Student Right to Know and Campus Security Act requires all post-secondary institutions to collect and report the following information:

- Graduation rates for all undergraduate (including baccalaureate) full-time, certificate and degree-seeking students. (*See also Graduation Rates on page 57*)
- Security policies, crime reporting policies, and criminal acts reported to campus security authorities or police, identifying: murder, rape, robbery, aggravated assault, burglary, motor vehicle theft; and
- for crimes that occurred on campuses that resulted in arrest: liquor law violations, drug abuse violations, and weapons possessions.

To comply with this Act, SMSU began gathering information and statistics during the 1990-91 school year and will annually report the information in the Student Handbook.

It is important to note that these statistics reflect only those crimes or behaviors that are reported. National studies continue to tell us that sexual assaults and forms of harassment

are severely under-reported (some cite only 1 in 12 sexual assaults being reported on college campuses); we know that other behaviors like theft, illegal entry, and even simple assault go unreported as well. The campus security reports themselves, we hope, will continue to describe SMSU as a relatively safe campus environment, but we must not let that allow us to take our personal security too much for granted.

**SMSU University Crime Statistics**  
Per Calendar Year, January-December

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	<u>2008</u>	<u>2009</u>	<u>2010</u>
<b>Reports of:</b>			
Aggravated Assault	1	1	1
Arson	0	0	0
Burglary	0	2	1
<b>Forcible /Sex Offenses</b>			
Sexual Assault	0	0	6
Sodomy	0	0	0
Sexual Assault with object	0	0	0
Forcible Fondling	0	1	0
<b>Non Forcible Sex Offenses</b>			
Incest	0	0	0
Statutory Rape	0	0	0
Motor Vehicle Theft	0	0	0
Murder	0	0	0
Robbery	0	0	0
<b>Arrests for:</b>			
Liquor Law Violations**	1	1	1
Drug Related Violations	2	0	1
Weapons/Fire Arms Violations	0	0	0
<b>Disciplinary Referrals for:</b>			
Alcohol Violations	103	73	101
Drug Violations	13	5	11
Weapons Violations	0	0	0

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*\*\*Liquor law violations include minor in possession, driving under the influence, driving while intoxicated, and misrepresentation of age.*

*Note: None of the above reported crimes manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, as defined by the Hate Crimes Statistics Act (28 USC. 534).*

# Policies and Procedures

These policies are current as of the date of publication; however, certain policies may be subject to change between editions of this handbook. Any revisions will have priority over the contents of this edition and will be made public. All SMSU policies can be viewed online at:

[www.smsu.edu/nca/view.cfm](http://www.smsu.edu/nca/view.cfm)

You should become familiar with the information included in this section so that you may refer to it in future situations. If you have any questions regarding these or other policies, contact the Office of the President, FH 209, 537-6272.

## **AFFIRMATIVE ACTION IN EMPLOYMENT (MnSCU Policy 1B.2)**

Minnesota State Colleges and Universities is committed to and supports aggressive affirmative action steps and programs intended to remedy the historical under-representation of persons of color, women, and persons with disabilities in the work force.

## **NONDISCRIMINATION IN EMPLOYMENT AND EDUCATION OPPORTUNITY**

(MnSCU Policy 1B.1)

**Part 1. Policy Statement.** Minnesota State Colleges and Universities is committed to a policy of nondiscrimination in employment and education opportunity. No person shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in, programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, or sexual orientation is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minnesota State Colleges and Universities will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and

harassment are not within the protections of academic freedom or free speech.

The system office, colleges, and universities shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching, and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation, or coercion.

This policy shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

This policy supersedes all existing system, college, and university non-discrimination policies.

### **Part 2. Definitions.**

**Subpart A. Consensual Relationship.** A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the Board of Trustees Nepotism policy 4.10.

**Subpart B. Discrimination.** Discrimination is defined as conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the system or colleges and universities or otherwise adversely affects the individual's employment or education.

**Subpart C. Discriminatory harassment.** Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and that is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

**As required by law, Minnesota State Colleges and Universities has further defined** sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic perfor-

mance, or term or condition of participation in student activities or in other events or activities sanctioned by the college or university; or

2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the college or university; or

3. Such conduct has the purpose and effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

**Subpart D. Employee.** Minnesota State Colleges and Universities personnel include all faculty, staff, administrators, teaching assistants, graduate assistants, residence directors and student employees.

**Subpart E. Protected Class.** Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance or sexual orientation. In addition, membership or activity in a local human rights commission is a protected class in employment.

**Subpart F. Retaliation.** Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are disabled or are of a different race, color, creed, religion, sexual orientation or national origin. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

**Subpart G. Sexual harassment and violence as sexual abuse.** Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the system office and colleges and universities shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the system office or any college or university from taking immediate action to protect victims of alleged sexual abuse. Minnesota State Colleges and Universities 1B.3 Sexual Violence Policy addresses sexual violence.

**Subpart H. Student.** "Student" means an

individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit, at any System college or university; or
2. between terms of a continuing course of study at the college or university, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college or university, during the pendency of any adjudication of the student disciplinary action.

**Part 3. Consensual Relationships.** An employee of Minnesota State Colleges and Universities shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, each college and university and system office shall develop a procedure to reassign evaluative authority as may be possible to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

**Part 4. Retaliation.** Retaliation as defined in this policy is prohibited in the system office, colleges and universities. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

The chancellor shall establish procedures to implement this policy. The nondiscrimination in employment and education opportunity policy and procedures of colleges and universities shall comply with Policy 1B.1 and Procedure 1B.1.1.

*Related Documents:*

- *Procedure 1B.1.1 - Report/Complaint of Discrimination/Harassment Investigation and Resolution*
- *Minnesota State Statute 626.556 - reporting of maltreatment of minors*
- *Minnesota State Statute 626.557 - Vulnerable Adult Protection Act*

### **MnSCU Procedure 1B.1.1: Report/Complaint of Discrimination /Harassment Investigation and Resolution**

#### **Part 1. Purpose and applicability.**

**Subpart A. Purpose.** This procedure is designed to further implement Minnesota State Colleges and Universities policies relating to nondiscrimination by providing a process through which individuals alleging violation of Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity may pursue a complaint. This includes

allegations of retaliation, or discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, marital status, or status with regard to public assistance. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

**Subpart B. Applicability.** This procedure shall apply to all individuals affiliated with Minnesota State Colleges and Universities, including its students, employees, and applicants for employment, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation/reprisal. Individuals who violate this procedure shall be subject to disciplinary or other corrective action.

A single act of discrimination or harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman might be based on sex, marital status, or both; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment. Harassment includes action beyond the mere expression of views, words, symbols, or thoughts that another individual finds offensive. To constitute a violation of Board Policy 1B.1, conduct must be considered sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from the services, activities, or privileges provided by Minnesota State Colleges and Universities.

**Subpart C. Scope.** This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1. In addition, harassment and discrimination complaints not arising from alleged violations of Board Policy 1B.1, are to be addressed under other appropriate policies and established practices.

**Part 2. Definitions.** The definitions in Board Policy 1B.1 also apply to this procedure.

**Subpart A. Designated officer.** Designated officer means an individual designated by the president or chancellor to be primarily responsible for conducting an initial inquiry, determining whether to proceed with an investigation under this procedure, and investigating or coordinating the investigation of reports and complaints of discrimination/harassment in accordance with this procedure.

Southwest Minnesota State University's designated is the Affirmative Action Officer, Deb Almer, BA 257 537-6243, unless otherwise designated by the President of the University.

Prior to serving as the designated officer, the individual must complete investigator training provided by the Office of the Chancellor.

**Subpart B. Decision maker.** Decisionmaker means a high level administrator designated by the president or chancellor to review investigative reports, to make findings whether Board policy 1B.1 has been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings.

Prior to serving as a decisionmaker for complaints under this procedure, administrators must complete decisionmaker training provided by the Office of the Chancellor.

**Subpart C. Retaliation.** Retaliation means any action against a complainant or other individual because the individual:

1. Participated in the investigation or resolution of a complaint under this procedure;
2. Opposed conduct the individual believes was in violation of Board policy 1B.1.; or
3. Associates with another individual who is protected from discrimination under Policy 1B.1.

**Part 3. Consensual relationships.** Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity prohibits consensual relationships between an employee and a student or another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

Examples of prohibited consensual relationships include, but are not limited to:

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, housing, participation in athletics, or any other college or university activity (employee includes, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors and residence life staff);
- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

A faculty member or other employee is prohibited from undertaking a romantic or sexual relationship or permitting one to develop with a student or supervisee who is enrolled in the person's class or is subject to that person's supervision or evaluation.

If a consensual, romantic, or sexual relationship exists between an employee and another individual and subsequent events create a supervisor/supervisee, faculty/student

or similar relationship between them, the person with evaluative or supervisory authority is required to report the relationship to his or her supervisor so that evaluative functions can be reassigned if possible.

This procedure does not cover consensual relationships between individuals that do not require one to exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence over the other.

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

#### **Part 4. Reporting incidents of discrimination/harassment**

**Subpart A. Reporting an incident.** Any individual who believes she or he has been or is being subjected to conduct prohibited by Board Policy 1B.1 is encouraged to report the incident to the designated officer. The report/complaint should be brought as soon as possible after an incident occurs.

Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is strongly encouraged to report the information or complaint to the designated officer of the Office of the Chancellor, college, or university.

**Subpart B. Duty to report.** Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under Board Policy 1B.1 to the designated officer, or in consultation with the designated officer may inquire into and resolve such matters.

**Subpart C. Reports against a president.** A report/complaint against a president of a college or university shall be filed with the Office of the Chancellor. However, complaints against a president shall be processed by the college or university if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter.

#### **Subpart D. Reports against Office of the Chancellor employees or Board of Trustees.**

For reports/complaints that involve allegations against Office of the Chancellor employees, the responsibilities identified in this procedure as those of the president are the responsibilities of the chancellor. Reports/complaints that involve allegations against the chancellor or a member of the Board of Trustees shall be referred to the chair or vice chair of the Board for processing. Such reports/complaints may be assigned to

appropriate system personnel or outside investigatory assistance may be designated.

**Subpart E. False statements prohibited.** Any individual who is determined to have provided false information in filing a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

**Subpart F. Withdrawn complaints.** If a complainant no longer desires to pursue a complaint, the Office of the Chancellor, colleges, and universities reserve the right to investigate and take appropriate action.

**Part 5. Right to representation.** In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

**Part 6. Investigation and Resolution.** The Office of the Chancellor, college or university has an affirmative duty to take timely and appropriate action to stop behavior prohibited by Board Policy 1B.1, conduct investigations and take appropriate action to prevent recurring misconduct.

**Subpart A. Personal resolution.** This procedure neither prevents nor requires the use of informal resolution by an individual who believes he or she has been subject to conduct in violation of Board Policy 1B.1. In such a situation, the individual should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and must stop. If the behavior does not stop or if the individual believes retaliation may result from the discussion, the individual should report to the designated officer. Under no circumstance shall an individual be required to use personal resolution to address prohibited behaviors.

**Subpart B. Information privacy.** Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and state data privacy laws.

**Subpart C. Processing the complaint.** The designated officer must be contacted in order to initiate a report/complaint under this procedure. The scope of the process used in each complaint/report shall be determined by the designated officer based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. **Jurisdiction.** The designated officer shall determine whether the report/complaint is one which should be processed through another Office of the Chancellor, college or university procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.

2. **Conflicts.** The designated officer should identify to the president or chancellor/designee any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president or chancellor/designee determines that a conflict exists, another designated officer shall be assigned.

3. **Information provided to complainant.** At the time the report/complaint is made, the designated officer shall:

- a.) inform the complainant of the provisions of the Board Policy 1B.1 and this procedure;
- b.) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the complainant;
- c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and
- d.) inform the complainant of the provisions of Board policy 1B.1 prohibiting retaliation.

4. **Complaint documentation.** The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the Office of the Chancellor, college or university.

5. **Information provided to the respondent.** At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:

- a) provide a copy of or Web address for Board Policy 1B.1 and this procedure to the respondent;
- b) provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
- c) explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
- d) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
- e) inform the respondent of the provisions of Board policy 1B.1 prohibiting retaliation.

6. **Investigatory process.** The designated officer shall:

- a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;

b.) inform the witnesses and other involved individuals of the prohibition against retaliation;

c.) create, gather and maintain investigative documentation as appropriate;

d.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and

e.) handle all data in accordance with applicable federal and state privacy laws.

#### 7. **Interim Actions.**

**a.) Employee reassignment or administrative leave.** Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.

**b.) Student summary suspension or other action.** Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.

**8. No basis to proceed.** At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under Board Policy 1B.1. The designated officer shall refer the complaint as appropriate. The designated officer shall notify the complainant and respondent of the outcome as appropriate, in accordance with applicable data privacy laws.

**Subpart D. Resolution.** After processing the complaint the designated officer may consider one or more of the following methods to resolve the complaint as appropriate:

1. conduct or coordinate education/training;
2. facilitate voluntary meetings between the parties;

3. recommend separation of the parties, after consultation with appropriate Office of the Chancellor, college or university personnel;

4. other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;

5. the Office of the Chancellor, college or university may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint;

6. upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

**Subpart E. Decision process.** If the above methods have not resolved the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

**1. Designated officer.** The designated officer shall:

a.) prepare an investigation report and forward it to the decisionmaker for review and decision;

b.) take additional investigative measures as requested by the decisionmaker; and

c) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.

**2. Decision maker.** After receiving the investigation report prepared by the designated officer, the decisionmaker shall:

a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:

1. a request that the designated officer conduct further investigative measures;

2. a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and

3. a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.

b.) take other measures deemed necessary to determine whether a violation of Policy 1B.1 has been established;

c.) when making the decision, take into account the totality of the circumstances,

including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;

d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline;

e.) As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether Board policy 1B.1 has been violated. The written response to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists.

f.) Conduct that is determined not to have violated Board policy 1B.1 shall be referred to another procedure for further action, if appropriate.

**Part 7. Office of the Chancellor, college, or university action.** The Office of the Chancellor, college, or university shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates Board policy 1B.1, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the Office of the Chancellor, college or university. In accordance with state law, the Office of the Chancellor, college or university is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Employee Relations within 30 days of final disposition.

#### **Part 8. Appeal.**

**Subpart A. Filing an appeal.** The complainant or the respondent may appeal the decision of the decisionmaker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decisionmaker.

**Subpart B. Effect of review.** For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken

as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

**Subpart C. Appeal process.** The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

**Part 9. Education and training.** The Office of the Chancellor, colleges and universities shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about Board policy 1B.1 and this procedure. All colleges and universities and the Office of the Chancellor shall promote awareness of Board policy 1B.1 and this procedure, and shall publicly identify the designated officer.

**Part 10. Distribution of board policy 1B.1 and this procedure.** Information regarding Board Policy 1B.1 and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet Web site, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations at the Office of the Chancellor and on college and university campuses at all times and shall include the designated officers' names, locations, and telephone numbers.

Designated officers also must be identified by name, location, and phone number in informational publications such as student catalogs, student and employee handbooks, bulletin boards, campus Web sites and other appropriate public announcements.

**Part 11. Maintenance of report/complaint procedure documentation.** During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the Office of the Chancellor, college or university in accordance with the applicable records retention schedule. Access to the data

shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

#### **SMSU POLICY ON AIDS** (SMSU Policy G-023)

The following policy and guidelines are provided in order to prevent the spread of the AIDS virus, to reduce fears and dispel myths, and to create an informed and supportive campus community. The policy and guidelines are based on the most currently available medical information obtained from several sources including the Task Forces of the American College Health Association, Minnesota Department of Health, Minnesota Department of Education, Public Health Service, and the Center of Disease Control.

#### **Policy**

1. Southwest Minnesota State University shall establish an AIDS Task Force committee to plan a comprehensive educational program and to develop administrative procedures that address campus issues related to the AIDS virus. The AIDS Task Force should be broadly representative of the campus community in order to be able to address the medical, personal, administrative, and legal issues associated with the disease. Where appropriate and necessary, procedures developed would be consistent with provisions specified in collective bargaining agreements for employees, the State of Minnesota's policy statement regarding AIDS in the workplace and the SMSU Student Handbook.

2. Southwest Minnesota State University shall develop and implement a comprehensive AIDS education program for students and employees. The implementation of an effective education program, based on current medical evidence, provides the best way to dispel fear associated with AIDS in an academic and employment environment.

3. Southwest Minnesota State University will not discriminate against any individual, applicant, client, student, or employee because he/she may have AIDS or an AID-related condition. AIDS will be viewed the same as any illness in the campus community. University procedures will be developed to evaluate individual circumstances and to respond to persons with AIDS or AIDS-related conditions on a case-by-case basis.

#### **Guidelines**

4. Current knowledge indicates that students or employees with AIDS, Aids-Related Complex or a positive HTLV-III antibody test do not necessarily pose a health risk to other students or employees in an academic setting. Students and employees with AIDS, Aids-Related Complex, or a positive HTLV-III antibody test should be offered regular classroom attendance, working conditions, and participation in extracurricular activities in an unrestricted manner as long as

they are physically and psychologically able to do so, and that their condition is not a threat to themselves or others.

5. In instances when students with special medical problems or conditions may potentially pose more risk of AIDS transmission to others and/or have an immunodeficiency that result in greater risk of encountering infectious agents in the University community, a consultation team of physicians, county and state health officials, family and appropriate University personnel will consider each case or situation on an individual basis.

6. No employee shall be required to submit to any test to determine whether he/she has an AIDS-related condition as a requirement to be in or maintain employment with the State of Minnesota. The state recognizes that employees with AIDS or AIDS-related conditions may wish to continue working. As long as employees are able to meet acceptable performance and attendance standards and medical evidence indicates that their condition is not a threat to themselves or others, employees shall not be denied continued employment solely because of their medical condition. If determined necessary, an effort will be made to modify an employee's duties based on medical recommendations of the employee's and/or the state's physician. Such determinations shall be made on a case-by-case basis.

7. Southwest Minnesota State University further recognizes that a student's or employee's health condition is personal and confidential. In the event of an absence from school or work because of an AIDS-related illness, the same confidentiality requirements that apply to any medical condition apply. Therefore, reasonable steps will be taken to protect such information from being disclosed inappropriately.

#### **ALCOHOL AND DRUG USE/ABUSE**

##### *Introduction and Philosophy Statement*

As an institution of higher education, Southwest Minnesota State University strives to provide experiences that enhance the development of responsible behavior in the academic social areas of student's lives. In accordance with the Standards of the Network of Colleges and Universities Committed to the Elimination of Drug and Alcohol Abuse (1988), Southwest Minnesota State University's goal is to create a campus environment that promotes learning, along with healthy, responsible lifestyles. Respect for campus, as well as community standards and regulations, is supported by the University. Alcohol abuse and illicit drug use are viewed as contrary to the educational process and goals of higher education.

Southwest Minnesota State University recognizes that students are adults, ultimately responsible for their own conduct, and responsible for the consequences of their

behavior, as well. Student's are expected to adhere to state and University regulations. Campus violators of the following alcohol/drug policies are subject to disciplinary actions.

#### **Campus Alcohol/Drug Prevention Program Goals**

Southwest Minnesota State University operates an alcohol/drug prevention program, which prescribes an institution-wide effort and collaboration with the community-at-large. The five major goals of this program are outlined as follows:

- 1) Increased awareness about alcohol/drugs and the consequences of use/abuse for SMSU students, and responsible decision-making about chemical use.
- 2) An enhanced campus environment where illicit drug use and alcohol abuse are perceived as negative by students.
- 3) Improved collaborative drug prevention networking with the local community and resources within the regional area.
- 4) Establish effective campus resources for early intervention, referral, evaluation, and treatment.
- 5) Establish clear, effective institutional policies regarding alcohol/drug use by SMSU students.

#### **Campus Alcohol/Drug Prevention Student Services**

Southwest Minnesota State University has designated a coordinator of alcohol/drug prevention programming. The person is responsible for coordinating campus-wide services for SMSU students dealing with alcohol, drugs, and related issues. The person coordinating the alcohol/drug prevention program is located in the Counseling and Testing Center, BA 156, 537-7150.

#### **BACCHUS (Boost Alcohol Consciousness Concerning the Health of University Students)**

BACCHUS is a national organization that promotes positive alternatives to drinking for college students. The BACCHUS Chapter at SMSU offers non-alcoholic bar programming on campus. Any SMSU student is eligible to join this group.

#### **State & Municipal Laws, and University Regulations**

Several state and local laws as well as University regulations impact the possession and consumption of alcoholic beverages by persons in the University community. These laws and regulations govern all persons, regardless of age or status. The University policy with respect to alcohol follows state and municipal laws of Minnesota and the city of Marshall. These laws apply regardless of the state or country from which a person has come or in which the person maintains official residence.

It is the responsibility of the server or consumer of alcoholic beverages to be aware of, and abide by, all state and local laws and University regulations. These statutes and

regulations are summarized and highlighted here for general use, and may not cover all situations. A more complete description of the statutes is available in the SMSU Library in the reference section.

Listed below are some of the provisions of state and municipal law. This is not an exhaustive or complete list of legal responsibilities. Other statutes, regulations, and ordinances may apply. In addition, common law concepts of negligence and liability may also apply.

*Alcohol on Campus.* Possession, consumption, distribution, or knowingly being in the presence of alcohol on University property is prohibited.

*Exception:* The one-time (single event) use of alcohol or 3.2% malt liquor (beer) at Southwest Minnesota State University events shall be allowed under the following criteria:

The President of Southwest Minnesota State University has been delegated the authority to approve use of alcohol or 3.2% malt liquor (beer) at specific campus or at University sponsored events off campus consistent with MnSCU Policy 1 A.9, and SMSU Policy G-012.

#### **Use or Possession of Alcohol and Controlled Substances at MnSCU Institutions.**

The sponsor of the event must take proper steps to insure any person under the legal age as specified by Minnesota statutes is not served any alcoholic beverage or 3.2% malt liquor upon the premises or grounds of Southwest Minnesota State University or at any Southwest Minnesota State University sponsored off campus event.

#### **DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENTS**

As part of the Drug-Free Schools and Communities Act Amendments of 1989, SMSU is required by law to provide to every employee and each student who is enrolled in one or more classes, written materials that adequately describe and contain the following:

- Standards of conduct that prohibit unlawful possession, use, or distribution of drugs and alcohol.
- Description of health risks associated with the use and abuse of drugs and alcohol.
- Description of counseling, treatment, or rehabilitation programs offered.
- A clear statement of the disciplinary sanctions the institution will impose on students and employees.
- Description of possible legal sanctions under local, state, or federal law.

*Updated, August 2007*

#### **Purpose**

The abuse of alcohol and the use of illegal drugs by members of the Southwest Minnesota State University community are incompatible with the goals and mission of the institution. In order to further the University's commitment to provide a healthy and productive educational

environment, and in compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 1-226, Section 22, subpart B), the University has established the following policy on alcohol and other drugs. The entire campus community is under this mandated compliance.

#### **Student Misconduct**

Southwest Minnesota State University's student conduct regulations prohibit the unlawful possession, use, or distribution of alcohol and other drugs by students and student organizations. The regulations also prohibit other alcohol-related misconduct. Sanctions for violation of these student conduct regulations may include alcohol and/or other drug education, mandated evaluation and treatment, community service, suspension, and/or expulsion. Student organizations that knowingly permit illegal drug activity will be subject to sanctions.

#### **Criminal Sanctions**

##### **Federal Law**

##### **Schedule I Drugs (Penalty for possession)**

*First Offense:* 10 years to life, 10 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$4 million fine individual, \$10 million other than individual.

*Second Offense:* 20 years to life, 20 year mandatory minimum; if death or serious injury, not less than life; up to \$8 million fine individual, \$20 million other than individual.

##### **Schedule II Drugs (Penalty for possession)**

*First Offense:* 5 to 40 years, 5 year mandatory minimum; if death or serious injury, 20 year minimum; up to \$2 million fine individual, \$5 million other than individual.

*Second Offense:* 10 years to life, 10 year mandatory minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

##### **Schedule I or Schedule II Controlled Drugs (Penalty for possession)**

*First Offense:* 0 to 20 years, if death or serious injury, 20 year minimum, not more than life; up to \$1 million fine individual, \$5 million other than individual.

*Second Offense:* 0 to 30 years, if death or serious injury, not less than life; up to \$2 million fine individual, \$10 million other than individual.

##### **Schedule III Drugs (Penalty for possession)**

*First Offense:* 0 to 5 years, up to \$250,000 fine individual, \$1 million other than individual.  
*Second Offense:* 0 to 10 years; up to \$500,000 fine individual, \$2 million other than individual.

##### **Schedule IV Drugs (Penalty for possession)**

*First Offense:* 0 to 3 years, up to \$250,000 fine individual, \$1 million other than individual.  
*Second Offense:* 0 to 6 years, up to \$500,000 fine individual, \$2 million other than individual.

##### **Schedule V Drugs (Penalty for possession)**

*First Offense:* 0 to 1 year, up to \$100,000 fine

individual, \$250,000 other than individual.  
**Second Offense:** 0 to 2 years, up to \$200,000 fine individual, \$500,000 other than individual.

#### **Minnesota Alcohol Violations**

**Driving while intoxicated:** (Blood alcohol content .10 or more) \$700 fine, 90 days in jail, revocation of driver's license for 30 days, reinstatement fee of \$20, retake driver's license exam – written and behind-the-wheel.

**Possession by persons under 21:** \$100 fine.

**Use of false identification for alcohol purchase:** \$100 fine. **Furnishing alcohol to persons under 21:** \$3,000 fine and/or 1 year in jail

**Party Ordinance:** \$300 fine and/or 90 days in jail.

#### **Minnesota Drug Laws**

##### **First Degree**

**Sale:** 10+ grams of cocaine, 50+ grams of other narcotic drug, 200+ doses hallucinogen, 50 kilos marijuana, or 25+ kilos marijuana in a school zone, park zone, or public housing zone.

**Possession:** 25+ grams cocaine, 500+ grams of other narcotic drug, 500+ doses hallucinogen, 110+ kilos marijuana.

**Penalty:** 0 to 40 years, 4 year mandatory minimum if prior drug felony; up to \$1,000,000 fine. 0 to 40 years, 2nd offense.

##### **Second Degree**

**Sale:** 3+ grams cocaine, 10+ grams of other narcotic drug, 50+ doses hallucinogen, 25+ kilos marijuana, or sale of a Schedule I or II narcotic drug of 5+ doses hallucinogen or methamphetamine either to a person under 18 or in a school zone, park zone, or public housing zone.

**Possession:** 6+ grams cocaine, 50+ grams of other narcotic drug, 100+ doses hallucinogen, 50+ kilos marijuana.

**Penalty:** 0 to 40 years, 3 year mandatory minimum if prior drug felony; up to \$500,000 fine.

##### **Third Degree**

**Sale:** Narcotic drug, 10+ doses hallucinogen, 5+ kilos marijuana, or sale of any Schedule I, II, or III drug (except a Schedule I or II narcotic drug or marijuana) to a person under 18 or employment of person under 18 to sell the same.

**Possession:** 3+ grams cocaine, 10+ grams of other narcotic drug, 10+ kilos marijuana, and any amount of a Schedule I or II narcotic drug or LSD or methamphetamine or 5+ kilos marijuana in a school zone, park zone, or public housing zone.

**Penalty:** 0 to 30 years, 2 year mandatory minimum if prior drug felony; up to \$250,000 fine. Between 0 to 30 year years, 2nd or subsequent offense.

##### **Fourth Degree**

**Sale:** Any Schedule I, II or II drug (except marijuana), or sale of marijuana in a school zone, park zone, or public housing zone or any Schedule IV or V drug to a person under 18 or conspiracy for the same.

**Possession:** 10 doses hallucinogen, any amount of a Schedule I, II, or III drug

(except marijuana) with the intent to sell it.

**Penalty:** 0 to 30 years, 1 year mandatory minimum if prior drug felony; up to \$100,000 fine.

##### **Fifth Degree**

**Sale:** Marijuana, or any Schedule IV drug.

**Possession:** All Schedule I, II, III, IV drugs except 42.5 grams or less of marijuana. Any prescription drugs obtained through false pretenses or forgery.

**Penalty:** 0 to 5 years, 6 month mandatory minimum if prior drug felony; up to \$10,000 fine.

#### **Counseling and Treatment Resources**

A variety of counseling services and treatment centers are available throughout the state for anyone experiencing problems related to substance abuse. Although most counseling and treatment centers charge for their services, some programs are free of charge. Faculty, staff, and students should consult the following referral sources to identify the services or programs that most closely meet their specific needs. The Student Assistance Program (SAP) is outlined below.

#### **Student Assistance Program**

1. The "On Campus Talking about Alcohol" (OCTAA) curriculum will serve as the educational portion of the SAP. The curriculum would be presented in three two hour sessions.
2. This program is mandatory and is consistent with current SMSU policy. The program will be required for those found guilty of violating current SMSU alcohol and other drug policies. Further sanctions may be applied if the governing bodies believe it is necessary based on the circumstances. The program also will be available for any individual seeking help for alcohol or other drug issues.
3. The plan of action for the SAP will be as follows:

**First offense:** The student will be sent a letter stating that he/she is required to sign up for and successfully complete the OCTAA program at the next available offering. The Student will sign up for the OCTAA program through the Continuing Education Center and will be required to pay a \$25 fee for the program. Successful completion of OCTAA requires a knowledge test score of 75 percent or above. The exam will be given at the completion of the OCTAA sessions. In addition, the student may be required to provide up to 40 hours of community service to the campus and/or may be suspended from the residence hall for a minimum of one semester, among other sanctions. This will be determined through the Office of Student Life. Upon completion of OCTAA, the student is required to conduct a SAP exit interview through Counseling Services before the student will receive a certificate of completion. This signifies that the student has successfully completed all steps of

the SAP.

**Second offense:** The student will be subject to the following action. This will include an appointment with Counseling Services. The student will be required to sign up for and successfully complete the OCTAA program at the next available offering. The Student will sign up for the OCTAA program through the Continuing Education Center and will be required to pay a \$35 fee for the program. A clinical assessment may be necessary to determine if addiction counseling or other treatments should be recommended. In addition, the student may be required to provide 40 hours of community service to the campus and/or may be suspended from the residence hall for a minimum of one semester. This will be determined through the Office of Student Life. Upon completion of OCTAA, the student is required to conduct a SAP exit interview through Counseling Services before the student will receive a certificate of completion. This signifies that the student has successfully completed all steps of the SAP.

**Third offense:** The student will be suspended from school for a minimum of one semester. In addition, he or she will be referred to Alcohol/Drug addiction counseling such as Middle Flint Behavioral Services, for proper evaluation and must complete his or her addiction education program. Only after showing completion of the educational program, may the student return to school.

4. This information will be publicized on the SMSU Website as well as in a pamphlet. Copies of the pamphlet are available from the Counseling Center, Public Safety Department, Student Health Center, and Student Housing. Faculty and staff may obtain a list of available alcohol and other drug counseling services and treatment centers from Human Resources or the Health Center.

#### **Health Risks**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. 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 cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucina-

tions, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters. The use of drugs can pose many risks to health. It can cause high blood pressure, heart or respiratory failure, impaired memory or injury, even death through violence or self destructive behavior. Even infrequent use may lead to tremors, impaired sexual response, cardiovascular damage, and impaired performance, which could lead to poor grades, financial problems, and interpersonal conflicts.

*Campus Contacts:*

Director, Counseling Services.....507-537-7150  
 Director, Health Services.....507-537-7202  
 Human Resources Department...507-537-6208  
 University Public Safety.....507-537-7252  
 Office of Student Life.....507-537-6136

**MINNESOTA COLLEGE  
 IMMUNIZATION LAW**

Students who have graduated from a Minnesota High School since 1997 may disregard the following immunization requirements. All other students (including PSEO's) enrolled in more than one class during a full academic term (semester) or live in campus housing, will be required to be in compliance with the Minnesota College Immunization law (Minnesota Statute 135A.14).

Beginning July 1, 1990, students born in 1957, or later, who are enrolled in more than one class, or live in campus housing, will be required to be in compliance with the Minnesota College Immunization Law. The law requires that you provide the University with the following documentation:

A statement that you have received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months, and against diphtheria and tetanus within ten years of first registration at the institution. This statement must indicate the month and year of each immunization given. Southwest Minnesota State University does not give these shots on campus.

Each student affected by this law will be required to have on file a completed Immunization History Form in the Student Health Services Office. If you need help in determining your immunization history, consult your personal physician or clinic where you received your shots. If you attended an elementary or secondary school in Minnesota, you may be able to get a copy of your record from them.

This information needs to be submitted to our Student Health Services office within forty-five (45) days of the beginning of the term of your enrollment. If you are not in compliance with the Minnesota College Immunization Law, you will be unable to register for any future classes or access transcripts for transfer until this form has been completed and returned to the Student Health Center in BA 158.

If you are enrolled in extension classes or correspondence classes only, you are exempt from the law. Other exemption are:

1. That, for medical reasons, you did not receive an immunization;
2. That you have experienced the natural disease against which the immunization protects;
3. That the laboratory has confirmed the presence of adequate immunity; or
4. If you submit a notarized statement that you have not been immunized as required because of you conscientiously held beliefs, the immunizations are not required.

Note: 1-3 require a statement signed by a physician.

If you have any questions in regard to the above-named law, or would like to receive a copy of the law, please contact Student Health Services, BA 158, phone 537-7202. Your completed form will not be accessible for duplication. PLEASE MAKE A COPY FOR YOUR RECORDS!

**LIBRARY FINE POLICY AND  
 PROCEDURES**

**Checkout Periods:**

Books: 28 days plus 1 renewal

Media: 7 days plus 1 renewal

Reserves: as determined by instructor

*Library patron accounts:* Patrons are responsible for all items checked out under their name. To verify the status of materials checked out, go to

<http://www.smsu.edu/Library/> under *My Account*.

*Print Materials:* Renewals may be made in person or online. An overdue notice is sent three days after the due date. If a book or print resource is not returned within the 2 week grace period, you will be billed a \$45 replacement cost and a \$10 non-refundable fee.

*Media Materials:* Renewals for media items may be made in person or online. An overdue notice is sent one day after the item is due. If a media item is not returned within the 6 day grace period, you will be billed a \$55 replacement cost and a \$10 non-refundable fee.

*Lost items:* The cost of a lost item, plus the \$10 non-refundable fee, will be charged for all items that cannot be found in the Library. When a borrower reports that he/she has returned an item but the item is not found within 6 weeks of the due date or by the end of the semester, the lost material charge and the non-refundable fee will be assessed.

*Refunds:* When an item is declared lost, the

borrower will be charged the non-refundable fee plus the replacement cost of the item. If the borrower subsequently returns the item, after all the charges have been paid, the borrower will be refunded the replacement cost only. When an item is returned after the bill has been sent, the replacement fee can be waived, but the non-refundable fee cannot.

*Paying fees:* Students must pay fines and/or lost-book charges prior to registration for each academic semester or summer session and before being cleared for graduation. Payments are made at the Cashier's window/Business Services.

*Library Privileges & Appeals:* Borrowers with outstanding fines and lost material charges may not be allowed further Library privileges. Those who repeatedly run up fines or repeatedly lose books may be subject to permanent suspension of Library privileges. The University Librarian will make such decisions in consultation with the Circulation Supervisor. Appeals may be made to the Dean of the College of Arts, Letters, and Sciences.

**POLICY ON CAMPUS USE OF IN-LINE  
 SKATES, SKATEBOARDS, AND  
 BICYCLES**

(SMSU Policy G-007)

1. This policy is set forth to insure personal safety and to prevent property damage at Southwest Minnesota State University while providing for recreational and transportational use of roller blades, skateboards, bicycles, and like devices (hereinafter referred to as "devices") on the campus.

2. Operators will be responsible for providing their own safety equipment and will keep their personal safety and the safety of others and of property in mind at all time. Southwest Minnesota State University, MnSCU, and the State of Minnesota will not be held responsible for accidents. Operators agree to save and hold Southwest Minnesota State University, MnSCU, and the State of Minnesota harmless from any and all claims or causes of action arising from the operation of these devices.

3. Operators of these devices will yield to pedestrian traffic at all times.

4. The use of these devices will not be permitted in the interior of any building including all housing areas.

5. The use of these devices will be permitted for transportation use around the exterior areas surrounding the campus buildings. Entertainment use on walkways and other areas surrounding the campus will not be allowed except as defined in point 6. Entertainment use is defined as repetitive travel for other than the purpose of reaching one destination from another and/or "jumps," "tricks," or other "stunts" performed while operating the device.

6. Currently enrolled Southwest Minnesota State University students may operate devices for entertainment purposes in certain parking

areas after 4 p.m. weekdays and on weekends and holidays. The parking area must be substantially vacant of parked vehicles and other property. No ramps or other equipment, other than the device and safety equipment, will be allowed. The use of lot B-3 (northeast corner of campus) and lower C lot (southwest corner of campus) are the designated lots for use of these devices. Operators of these devices must yield to all other traffic while operating in parking areas.

7. The University Public Safety department will enforce this policy. Violators will be asked to leave the campus area or, if the violator is a Southwest Minnesota State University residential student, they will be asked to cease the activity. Refusal to do so will result in a citation, issued by the Marshall Police, for disorderly conduct.

### **POLITICAL EVENTS POLICY** (SMSU Policy G-026)

#### **Scope**

The following policy applies to all campus sponsored political events. Southwest Minnesota State University encourages open and vigorous discussion of political ideas while maintaining its political neutrality.

#### **Policy Elements**

1. *Campaign rules.* The campus will adhere to Minnesota campaign laws. The relevant laws include MS211B for prohibited public employee activity, campaign literature and practices; MS43A for political activities, contact with elected officials, influence and solicitation of political funds; and MS10.60 for computer and technology use.

2. *University neutrality.* Political parties, candidates and other individual organizations are responsible for abiding by and knowing all laws and regulations relevant to political activities. No political candidate may imply by word or action that the University supports, endorses, or lends its name to the candidate or party. University representatives issuing an invitation, to sponsored political events, must make clear in all publicity the neutrality of the University.

3. *University logo.* University representatives or other parties may not utilize the University's letterhead, logo, or seal to imply support for a political candidate or political party.

4. *University space access.* Candidates, not specifically invited by University representatives to present at Southwest Minnesota State University, may campaign in public areas of the University as prescribed by Minnesota Campaign laws. If a candidate rents space and property from the University, then charges will be applied on a consistent and equitable basis with non-public rentals.

#### **Reference Documents**

- *Minnesota State Colleges and Universities Office of the General Counsel: Election Activities on Campus*
- *Minnesota State Colleges and Universities*

*System Policy 5.22.1, Acceptable Use of Computers and Information Technology Resources,*  
<http://www.mnscu.edu/board/procedure/522p1.html>

• *Minnesota Statutes 10.60, 43A.32, 211B,*  
<http://www.leg.state.mn.us/leg/statutes.asp>

### **POSTING GUIDELINES**

The following guidelines were developed to aid those individuals and groups wishing to post information for the University community. The University provides designated space on campus for the posting of materials and the University provides posting privileges so that the University community may be informed of current events, issues, and academic information.

The Associate Vice President for Student Affairs or his/her designee will provide administration of the guidelines for all posting pertaining to student or academic events, student job announcements, and student advertisements for the buying or selling of goods or services.

The Associate Vice President for Student Affairs may grant waivers of specific guideline requirements for special events (such as Student Association elections and/or SAC events).

The President or his/her designee will provide administration of the guidelines for all posting not indicated above and those pertaining to the various collective bargaining units, services provided by University departments, general academic information, and advertisements provided by off-campus commercial establishments. (Please note: Off-campus commercial establishments should be required to register and pay for this privilege.)

Regulations for accepted methods and areas for posting are as follows:

1. General posting and notices can be posted on any bulletin board or posting area assigned for general use posting. All postings outside the designated posting areas will be removed. These posting areas will be appropriately identified.
2. Bulletin boards or posting areas assigned to the collective bargaining units (e.g. IFO, MSUAASF, MMA, Council 5) or specific departments may be used only for the posting of notices by those units or departments. These posting areas will be appropriately identified.
3. A maximum of 14" x 22" poster will be allowed on general posting areas.
4. All posting items should indicate an event date or expiration date. Undated items will be removed immediately.
5. All individuals and groups posting materials have the responsibility of removing those items the day after the event.
6. Only masking tape may be used to post on designated wall surfaces, and only masking tape, straight pins, staples, or map tacks may be used to post on bulletin board surfaces.

(Thumbtacks may not be used as they puncture wheelchair tires. Tape other than masking tape may not be used as it damages surface areas.)

7. Posting on the exterior, grounds, and parking lots (including placement under windshield wipers) of the campus is prohibited. A \$50.00 cleanup charge will be assessed to individual(s) violating this policy.

Revenue Fund Facilities (i.e. Student Center, Food Service, Commons, and Residence Halls) will have their own procedures for posting. Those wishing to post in these areas should consult the officials in each area:

Student Center: information desk

Food Service: Dining Service Director

Commons: Commons staff

Residence Halls: Resident Assistants (RA)

### **FINANCIAL AID SATISFACTORY ACADEMIC PROGRESS STANDARDS**

Statutes specified in the Higher Education Act of 1965 (Public Law 89-329), as amended in 2002 [Part G, Section 484 (c)], require that all financial aid recipients maintain Satisfactory Academic Progress. Failure to maintain Satisfactory Academic Progress results in ineligibility for all Federal and State financial aid programs. This policy is effective January 2006.

The intent of this policy (and the underlying law and regulation) is to encourage all recipients to advance steadily toward the completion of their degrees. To receive aid, students must meet the minimum requirements as outlined below. The academic standards required to receive financial aid apply to all academic work attempted at Southwest MN State University whether or not financial aid was received at that time. Only Southwest MN State University and approved consortium/Common Market courses/credits are used in monitoring the GPA and completion rate components of Satisfactory Academic Progress. Transfer credits and SMSU/consortium/Common Market courses are used in monitoring the maximum timeframe component (see "Transfer Students/Courses" under Additional Information).

### **MINIMUM SATISFACTORY ACADEMIC PROGRESS STANDARDS**

#### **1. Grade Point Average (GPA)/ Qualitative Measurements**

##### **A. Undergraduate Students:**

Undergraduate students must have a cumulative minimum grade point average of:

1.60 for anyone having attempted 1-29 semester credits

1.80 for anyone having attempted 30-59 semester credits

2.00 for anyone having attempted 60 or more semester credits

##### **B. Graduate Students:**

Graduate students must have a cumulative

minimum grade point average of 3.0.

**C. For all students:**

Courses that receive a letter grade of A, B, C, D, F or N are included in the computation of the GPA.

**2. Completion of Attempted Credits/**

**Quantitative Measurements**

**A. All students** (undergraduate and graduate) must complete a minimum of 66.67% of **cumulative** credits attempted. Courses receiving grades of A, B, C, D, F, or I, IP, N, CR, FQ and NC are considered to be credits attempted for the purposes of this progress standard.

**B. Maximum Timeframe** – All students must complete their degree requirements within a maximum timeframe, not to exceed 150% of the normal length expected to attain the degree objective. For example, students attempting more than 192 credits towards their first Baccalaureate Degree will be ineligible to receive funding (128 credits x 150% = 192). Note: An additional 64 credits will be funded for students obtaining a second Baccalaureate Degree. Graduate students attempting more than 54 credits towards their Master's degree will be ineligible for funding (36 credits x 150% = 54).

**EVALUATION PERIOD**

Review of the grade point average, completion rate, and maximum timeframe standards will be evaluated at the end of each semester. (Fall, Spring and Summer.) The University further reserves the right to terminate financial aid at any time it becomes apparent that it would be impossible for the student to raise his/her academic record to the minimum requirements by the end of the semester.

**FAILURE TO MEET THE MINIMUM STANDARDS**

Students whose cumulative credits exceed the maximum timeframe will be suspended from financial aid. Students who do not maintain the minimum cumulative grade point average and/or fail to complete and earn a minimum of 66.67% of attempted credits will be placed on financial aid probation for one semester. A student on financial aid probation is allowed until the end of the next enrolled semester to bring his/her academic status up to or beyond the minimum standards outlined above. If, at the end of the probation term, the minimum satisfactory academic progress standards have not been met, financial aid will be suspended. Aid will remain suspended until the student once again meets the minimum standards or is approved on appeal (see below).

**NOTIFICATION**

Students who fall below the minimum standards will be notified in writing if they are placed on financial aid probation or if they are no longer eligible to receive aid. Upon suspension of aid eligibility, no further processing of the students financial aid application will take place. Any aid that has

been awarded for the subsequent term(s) will be canceled. Any costs already incurred will be the responsibility of the student and arrangements must be made with Business Services.

**APPEALING FINANCIAL AID SUSPENSION**

An appeal process is available to students that have been placed on financial aid suspension due to academic deficiencies. A student who has experienced extraordinary circumstances, which directly affected their ability to maintain satisfactory academic progress, may have their progress reviewed by Financial Aid Office personnel for possible reinstatement of aid. Examples of extraordinary circumstances include, but are not limited to the death of a relative or close friend, illness, hospitalization, or injury to the student, etc. The appeal must include the student's written statement and supporting documentation from a third party. The appeal committee will review each complete appeal submitted and will notify the student in writing of the decision within 2 weeks. Appeal forms are available in the Financial Aid Office and at <http://www.smsu.edu/CampusLife/FinancialAid/Index.cfm?Id=418>

**REINSTATEMENT**

A student is eligible for reinstatement of their financial aid when they have either, met minimum standards (2.0 CGPA and 66.67% Completion Percentage) or have a Satisfactory Academic Progress Appeal approved (see above).

**ADDITIONAL INFORMATION**

**A. TREATMENT OF GRADES:** Grades of A, B, C, D, F, or NC are included in the computation of the GPA (qualitative measurements). Grades of A, B, C, D, F, or I, IP, N, CR, FQ and NC are considered to be credits attempted for purposes of calculating the percentage completion rate and the maximum timeframe (quantitative measurements). Grades of F, I, IP, N, NC, FQ, and W are not completed/passed credits and, therefore, will count against the student when calculating the percentage completion rate. Grades of A, B, C and D are included in the calculation of cumulative credit completion percentage as courses successfully completed.

**B. AUDITED COURSES:** Any courses being audited will not count as credits attempted or credits passed. Audited credits will not be funded by Title IV or Minnesota State aid.

**C. CONSORTIUM PROGRAMS AND COMMON MARKET:** These programs are University supported and are included in all (qualitative and quantitative) satisfactory academic standards.

**D. REMEDIAL OR DEVELOPMENTAL COURSES (050 OR BELOW):** These courses will be included in all (qualitative and quantitative) satisfactory academic standards. To include lower level courses in the determination of financial aid, the Financial Aid

Office must have written documentation from the student's advisor or Learning Resources as to the reason the student is taking this course. SMSU can exclude up to 30 remedial credits from the maximum timeframe calculation.

**E. REPEATED COURSES:** When a student repeats a course, only the last grade obtained and credits earned will be counted in the grade point average, but the credits are considered to be credits attempted each time the course is taken.

**F. TRANSFER STUDENTS/ COURSES:** Transfer credits are not counted as credits attempted for calculating the completion rate or the cumulative GPA. However, transfer credits are used for tracking the maximum timeframe standard (192 credits towards 1<sup>st</sup> Baccalaureate, 54 credits towards Master's degree.)

**G. WITHDRAWALS:** Withdrawn credits are considered credits attempted (but not passed) for the purposes of calculating the completion rate, but are not used in the GPA computation.

For more information call the Financial Aid Office at 800-642-0684 or 507-537-6281.

**SMOKING POLICY**

(SMSU Policy G-004)

SOUTHWEST MINNESOTA STATE

UNIVERSITY POLICY

Tobacco-Free Environment Policy

Reference: Minnesota Statute 16B.24, Subd. 9, Smoking in State Buildings

**Purpose**

Southwest Minnesota State University (SMSU) in accordance with our mission is devoted to improving the health and well-being of our campus community by setting an example of healthy practice. In order to conform to the Minnesota Statute 16B.24, Subdivision 8 [Smoking in State Buildings] and to demonstrate the core value of health and wellness at SMSU, we will provide a safe and healthy environment for work and study for students, employees and visitors by making SMSU a fully tobacco-free campus.

**Definition**

Smoking includes all tobacco products, such as the carrying and/or burning of a lighted cigarette, cigar, pipe or the use of any other lighted smoking materials. Smokeless tobacco usage includes the use of any smokeless tobacco products such as chewing tobacco, snuff, smokeless pouches or other forms of loose leaf tobacco.

**Policy**

1. Smoking and smokeless tobacco usage is prohibited in all campus buildings including academic and administrative buildings, the student union, all residence halls including private rooms and campus or foundation owned apartments, and any other University owned, leased and/or operated facilities.

2. Smoking and the use of smokeless tobacco is prohibited in all university-owned, leased, and/or operated vehicles.
3. Smoking and the use of smokeless tobacco is prohibited on all university properties, including outdoor athletic facilities.
4. The sale of tobacco products on campus is prohibited, as well as the free distribution of tobacco products on campus.
5. Tobacco advertisements are prohibited in SMSU sponsored publications. Tobacco companies are prohibited from sponsoring any University event.

### **Smoking and Smokeless Tobacco Cessation Programs**

SMSU makes a strong commitment to work with employees to arrange a flexible work schedule that will allow for participation in structured smoking/smokeless tobacco usage cessation programs for those who wish to reduce and/or quit using tobacco products. A listing of community resources for cessation programs faculty and staff is available in the Human Resources Office. Students are encouraged to contact the Student Health Services for information about available cessation programs and services.

### **Policy Exceptions**

1. An exception for instructional purposes allows for the use of tobacco products in laboratory and classroom instruction/experiments, or artistic purposes. All research, educational, and/or artistic purposes that involve the use of tobacco on campus, must be approved in advance by the President or his/her designee. Such use must be preceded by reasonable advance notice to the public.
2. This policy does not apply to specific activities used in connection with the practice of cultural activities by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a. All ceremonial use exceptions must be approved in advance by the President of the University or his/her designee.

### **Enforcement**

Enforcement of this policy will depend upon the cooperation of all faculty, staff and students as well as campus visitors not only to ensure that SMSU becomes truly tobacco-free, but also to help and encourage others to comply with the policy.

In the event of a violation, the person will be informed of the SMSU Tobacco-Free Campus Policy.

Should that person continue to violate the policy, a report should be made to the appropriate office; in the case of an employee, to that person's supervisor; in the case of a student or visitor, to the Office of Public Safety. Employees who violate the policy shall be subject to discipline in accordance

with the appropriate bargaining agreement. Students who violate the policy will be reviewed through the student judicial process and may expect either a fine or a requirement to perform community service in the form of a suitable project that addresses some aspect of health and safety.

### **FUNDRAISING AND SOLICITATION**

(SMSU Policy G-024)

#### **Purpose**

To establish guidelines for campus groups, clubs, organizations, or individuals (including students, faculty, classified and unclassified staff) to conduct off-campus or on-campus solicitations of gifts, advertising, donations, or engage in any kind of fundraising activity; and for off-campus groups or individuals to conduct on-campus solicitations.

#### **Authorized Student Groups**

In order for a student club, organization, or group to request permission to conduct a fundraising activity, it must first be approved as a legitimate campus group by the SMSU Student Senate.

#### **Procedure for Off-Campus Solicitations**

All **off-campus** fundraising activities must receive authorization from the university Development Office one month prior to the solicitation. The SMSU Fundraising and Solicitation Approval Form is available in the Development Office. Two copies of this approval must be completed, including appropriate signatures, and returned to the Development Office one month prior to the solicitation. The second copy will be returned to the applicant group no later than one week prior to the solicitation.

#### **Procedure for On-Campus Solicitations and/or Sales**

All **on-campus** fundraising, solicitation, or sales activities must receive authorization from the Vice President for Student Affairs or his/her designee. The SMSU Fundraising and Solicitation Approval Form is available in the Student Center Director's office. Two copies of the approval must be completed in full and returned to the Student Center Director's office one week prior to the solicitation. On-campus solicitations or sales in the residence halls are handled through the Residence Hall Association (RHA) and must be approved through that Association.

#### **Procedures for Raffles**

All raffles conducted on the SMSU campus must receive prior approval from the SMSU Development Office. In addition, all approved raffles must adhere to Minnesota State Statutes 349.166, 609.75, and 609.76 as well as MnSCU Board Policy 5.15, Part 3. For further details on conducting raffles, contact the Development Office.

#### **Outside Organizations and Political Fundraising**

In general, Southwest Minnesota State University does not permit outside organiza-

tions on its campus to conduct fundraising. Any outside organization wishing to receive an exception must contact the Development Office and complete the Fundraising and Solicitation Form for consideration. There will be no solicitation for political parties or candidates on campus grounds.

#### **Exceptions**

The *Spur*, KSSU, and Mustang Athletic Department staffs may solicit for advertising and underwriting funds under the supervision of their supervisors/advisors. The Development Office may conduct fund drives for the SMSU Foundation, Alumni Association, Mustang Booster Club, or any project deemed appropriate by the University or SMSU Foundation Board

#### **Institutional Liability**

Southwest Minnesota State University assumes no responsibility or liability for any debts or encumbrances resulting from solicitations by any campus groups or organizations not acting specifically as agents for the University.

### **STRIKE DISCLAIMER**

In the event of a strike against it by a labor organization certified under the Minnesota Public Employment Labor Relations Act, the University shall not be held liable for damages resulting from its consequent failure to perform any or all obligations arising out of any contracts, whether explicit or implied, between the University and any student enrolled therein.

# Student Records

The following information governs the use of student records at Southwest Minnesota State University:

## STUDENT RECORDS

(SMSU Policy G-009)

### Privacy of Student Records under the Federal Family Educational Rights and Privacy Act and Minnesota Government Data Practices Act

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and the Minnesota Government Data Practices Act, (MGDPA) Minn. Stat. Ch 13, are federal and state laws that provide for the review and disclosure of student educational records.

**Definitions:** For the purposes of this policy, Southwest Minnesota State University has used the following definitions and terms:

**Student:** An individual currently or formerly enrolled or registered and/or applicants for enrollment or registration, or individuals who received shared time educational services from SMSU.

#### **Educational Data or Educational**

**Records:** Data in any form (print, handwritten, film, electronic, etc) directly relating to an individual student maintained by the University or by a person acting for the University.

#### **Educational records do not include:**

1. Financial records of the student's parents or guardian;
2. confidential letters or statements of recommendation placed in education records before January 1, 1975 or after January 1, 1975, if the student waived right of access;
3. records of instructional, administrative, and educational personnel which are kept in the sole possession of the maker and are not accessible or revealed to any other individual except a temporary substitute for the maker and are destroyed at the end of the school year;
4. records of law enforcement units (if law enforcement unit is a separate entity and the records are maintained exclusively by and for law enforcement purposes);
5. employment records related exclusively to a student's employment capacity (not employment related to status as a student, such as work study) and not available for use for any other purpose;
6. medical and psychological treatment records, which are maintained solely by the treating professional for treatment purposes;
7. records that only contain information about a student after that individual is no longer a student at the institution (i.e., alumni data).

#### **Notice of Policy**

Students are informed of their rights under federal and state privacy laws through this policy which is included in the SMSU Student

Handbook and on the SMSU Website. Additionally, the SMSU Student Handbook will be available for inspection through the Dean of Students Office, Library and most administrative offices.

#### **Access to Student Records Consent for Release Generally Required**

SMSU will not permit access to or the release of personally identifiable information contained in student educational records without the written consent of the student to any third party, except as authorized by the MGDPA and FERPA or other applicable law. A copy of an informed consent release form is available from the Registration and Records Office. A written consent generally must: 1) specify the records that may be disclosed; 2) state the purpose of the disclosure; 3) identify the party or class of parties to whom the disclosure may be made; and 4) be signed and dated by the student. If the release is for disclosure to an insurer or its representative, the release must also include an expiration date no later than one year from the original authorization, or two years for a life insurance application. If the student requests, the school shall provide him or her with a copy of the records released pursuant to the informed consent.

#### **Release without Consent**

As allowed by the MGDPA and FERPA, SMSU will release student records without consent as follows:

1. To appropriate school officials who require access to educational records in order to perform their legitimate educational duties (see explanation below);
2. to officials of other schools in which the student seeks or intends to enroll, upon request of these officials, and upon the condition that the student be notified and receive a copy of the record if desired;
3. to federal, state, or local officials or agencies authorized by law;
4. in connection with a student's application for, or receipt of, financial aid;
5. to accrediting organizations or organizations conducting educational studies, provided that these organizations do not release personally identifiable data and destroy such data when it is no longer needed for the purpose it was obtained;
6. upon adequate proof, to the parents of a dependent student as defined in section 152 of the Internal Revenue Code of 1954;
7. in compliance with a judicial order or subpoena, provided a reasonable effort is made to notify the student in advance unless such subpoena specifically directs the institution not to disclose the existence of a subpoena;
8. to appropriate persons in an emergency situation if the information is necessary to

protect the health or safety of the students or other persons; or

9. to an alleged victim of a crime of violence (as defined in 18 U.S.C. Sect 16) or non-forcible sex offense, the final results of the alleged student perpetrator's disciplinary proceeding may be released;
10. to another educational agency or institution, if requested by the agency or institution, where a student is enrolled or receives services while the student is also in attendance at the college or university, provided that the student be notified and receive a copy of the record, if desired.

#### **“School Officials” with a “legitimate educational interest”**

SMSU will release information in student education records to appropriate school officials as indicated in (1) above when there is a legitimate educational interest.

A school official is a person employed by the SMSU in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

#### **Record of Requests for Disclosure**

Where required by law, a record of requests for disclosure and such disclosure of personally identifiable information from student education records shall be maintained by the Registration and Records Office for each student and will also be made available for inspection pursuant to this policy. If the institution discovers that a third party who has received student records from the institution has released or failed to destroy such records in violation of this policy, it will prohibit access to educational records for five (5) years. Records of request for disclosure that are not subject to audit, nor presently under request for access, will be maintained according to the school's applicable records retention policy.

#### **Directory Information**

The following information on students at SMSU is designated as public Directory Information:

- 1) student's name, address, telephone number
- 2) place of birth
- 3) major field of study

- 4) participation in officially recognized activities and sports
- 5) dates of attendance
- 6) most recent previous educational institution attended
- 7) classification
- 8) degrees, honors, and awards received
- 9) date of graduation
- 10) physical factors of athletes (excluding injuries and other health related issues)
- 11) photographs
- 12) e-mail address
- 13) enrollment status (e.g., undergraduate, graduate, full-time, or part-time)

#### **Notice to students about Directory Information:**

Students may direct that any or all of the above-listed Directory Information be withheld from public disclosure by notifying the Office of the Registrar in writing each academic year. The student has until the 10th class day of the Semester in which to make the request. The university will honor the request only during the academic year in which the request was made. The student must make the request each academic year they wish the information to be withheld.

#### **Access to Educational Records by Student**

Upon written request, the University shall provide a student with access to his or her educational records. There is no charge for viewing the records even if the college or university is required to make a copy of the data in order to provide access. Responses to requests by students to review their educational records shall be within ten business days.

Upon request, the meaning of educational data shall be explained to the student by SMSU personnel assigned to, and designated by, the appropriate office.

Students have the right to review only their own records. When a record contains private information about other student(s), disclosure cannot include information regarding the other student(s).

Requests for educational records should be made to the following offices. If a student is not clear as to which office to make the request, he or she should contact the SMSU Dean of Students Office.

##### *A. Academic Records*

Registrar's Office: Registrar

##### *B. Student Services Records*

Counseling Office: Director of Counseling  
 Student Activities Office: Director of Student Activities  
 Student Services: Dean of Students

##### *C. Financial Records*

Business Office: Vice President of Finance  
 Financial Aid Office: Director of Financial Aid

#### **Challenge to Record**

Students may challenge the accuracy or

completeness of their educational records. Note: the right to challenge a grade does not apply under this policy unless the grade assigned was allegedly inaccurately recorded. Other challenges to grades would be made in accordance with SMSU Policy G-005.2.

Students who believe that their educational records contain information that is inaccurate, misleading, incomplete, or is otherwise in violation of their privacy rights may challenge the record through a written appeal to the SMSU Dean of Students Office.

It is recommended that a student discuss his or her situation informally with SMSU office or offices that they believe provided the inaccurate information. If agreement is reached with respect to the student's request, the appropriate record(s) will be amended, and a reasonable attempt will be made to notify past recipients of inaccurate or incomplete data, including recipients named by the student. If not, the student will be notified within a reasonable period of time that the records will not be amended, and they will be informed by the Dean of Students Office of their right to a formal appeal. Student requests for an appeal must be made within 10 class days of notification. The request must be in writing, and must be directed to the SMSU Dean of Students Office.

If after an SMSU Formal Appeal is completed and the student is still not satisfied with the outcome, the student may request a formal hearing with the Minnesota Commissioner of Administration. Student requests for a formal hearing must be made in writing to the Minnesota Commissioner of Administration within 60 days of receiving the final SMSU decision. The request must be directed to: Commissioner of Administration, State of Minnesota, 50 Sherburne Avenue, St. Paul, MN 55155, who, within a reasonable period of time after receiving the request, will inform the student of the date, place, and the time of the hearing. The hearing will be conducted by the Office of Administrative Hearings (OAH) and according to the procedures set forth in Minn. Stat. Ch. 14. Students may present evidence relevant to the issues raised and may be assisted or represented at the hearings by one or more persons of their choice, including attorneys, at the student's expense.

Decisions of the hearing officer will be based solely on the evidence presented at the hearing, will consist of the written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all parties concerned.

The education records will be corrected or amended in accordance with the decision of OAH if the decision is in favor of the student. If the decision is unsatisfactory to the student, the student may place with the education records statements commenting on the information in the records or statements setting forth any reasons for disagreeing with the decision of the hearing officer, or both. The statements

will be placed in and maintained as part of the student's educational records, and released whenever the records in question are disclosed.

#### **Copies**

Students may have copies of their educational records and this policy. The copies of records will be made at the student's expense at a rate of 25 cents per page, up to a maximum of \$25.00.

#### **Complaints**

Complaints regarding alleged failures to comply with the provisions of FERPA may be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605. Complaints about compliance with the MGDPA may be brought to the SMSU Dean of Students Office, or to the Minnesota Commissioner of Administration.

### **STUDENT RECORD PROCEDURES**

#### **I. TYPES OF STUDENT RECORDS**

- *Academic Opportunity Record*
- *Advising and Retention Record*
- *Cooperative Education Internship Record*
- *Counseling Services Information Record*
- *Placement Registration and Credential Material*
- *Registration Record*
- *Student Admission Record*
- *Student Degree Check and/or Teacher Certification Record*
- *Student Financial Aid Record*
- *Student Residence Hall Contract*
- *Transcript*
- *Veteran Student Record*

The Associate VP for Student Affairs will inform students annually of the description, contents, and use of each record. Appropriate office procedures will also be communicated to students.

#### **II. ESTABLISHMENT OF STUDENT RECORDS**

A. As a student applies for admission and is enrolled in the University, student records are established by the offices responsible for the maintenance of each record.

B. It is the responsibility of the student to supply the appropriate information to the offices responsible for maintenance of student records. Failure to do so may result in the student being ineligible for admission, financial aid, Veteran's benefits, registration, graduation, particular services, or entrance into certain programs until the student furnishes the appropriate information.

#### **III. DIRECTORY INFORMATION**

A. Directory information is collected at the time of application to the university.

B. If you do not wish to be listed in the university telephone directory, which is published once each year during the fall semester, you must notify the Office of the

Registrar in writing each academic year. The student has until the 10th class day of the Semester in which to make the request. The university will honor the request only during the academic year in which the request was made. The student must make the request each academic year they wish the information to be withheld.

The following information on students at SMSU is designated as public Directory Information:

- student's name, address, telephone number
- place of birth
- major field of study
- participation in officially recognized activities and sports
- dates of attendance
- most recent previous educational institution attended
- classification
- degrees, honors, and awards received
- date of graduation
- physical factors of athletes (excluding injuries and other health related issues)
- photographs
- e-mail address
- enrollment status (e.g., undergraduate, graduate, full-time, or part-time)

#### **IV. AUTHORIZED ACCESS TO STUDENT RECORDS**

A. The Associate VP for Student Affairs has access to all student records and has been delegated the authority by the President to determine those University employees who will have access to student records.

B. Offices that maintain student records will have available, at all times, a list of those persons who are authorized to have access to each type of student record.

#### **V. RELEASE OF INFORMATION IN STUDENT RECORDS**

A. Prior to releasing any information to unauthorized persons or agencies, the office responsible for the student record must have on file a written consent from the student.

B. Students requesting information to be released via telephone or mail must furnish the office responsible for the record with his/her mustang identification number.

C. The University will process normal requests at no charge to the student.

D. When information is released, directions will be given that the information is to be used only for the stated purpose of the request.

#### **VI. REVIEW OF STUDENT RECORD**

A. You may request to review the contents of any record being kept on you by the University (except student medical records) by contacting the office responsible for the student record.

B. If you wish to have material removed from the record under review, you may initiate

that request.

1. The person responsible for the student record will review the request and communicate to you in writing, within 10 instructional days, his/her decision.

2. If you do not agree with the decision, you may request an appeal of the decision by writing to the Associate VP for Student Affairs.

3. The Associate VP for Student Affairs will communicate his/her decision in writing to you within 10 instructional days.

4. The decision of the Associate VP for Student Affairs may be appealed to the President following those procedures established by University regulations.

5. When a final decision is reached, the Institution's copy of the request for review will be destroyed. A memo of action taken will be made by the staff member responsible for the record and sent to the Associate VP for Student Affairs. This memorandum will not include the specifics of the request.

#### **VII. PERSONNEL**

The staff member responsible for the student record is responsible for supervising office personnel who work with the records and for insuring that information processed as part of the office operation will be treated as strictly confidential information.

#### **VIII. STUDENT RECORDS MAINTAINED BY SOUTHWEST MINNESOTA STATE UNIVERSITY**

##### **A. Student Financial Aid Record**

The Student Financial Aid Record contains student and family financial needs analysis data, financial award record, correspondence related to the student's financial aid request, and the student financial aid applications. These records will be kept on file for 3 years past the last date of attendance.

The Director of Student Financial Aid is directly responsible for all student financial aid records. Financial Aid staff and the Director of Admission are authorized to access the information in the records. The information in the student financial aid records is used to determine eligibility for financial aid based on financial need and for completing administrative reports that are required by state and federal agencies.

Students who do not provide the information kept in this record cannot be considered for any federal, state, or local aid, which is based on financial need and administered by the University.

##### **B. Student Admission Record**

Your Admission Record contains your admission application, high school and/or post secondary school transcript, transcript evaluation (when applicable), and fee receipt, and photo copies of correspondence relating to the admission process.

These records are located in the Admission Office and become part of your permanent record. Admission records for students who do not enroll are maintained for three years. The Director of Admission is directly responsible

for all admission records. The Director of Admission, Admission personnel, Director of Data Management/Institutional Research, Registration and Records Office personnel, Director of Financial Aid, and others (upon request approved by the Director of Admission) are authorized to access the information in these records.

The information in your admission record is used to determine your eligibility to be admitted to the University, evaluation of credits transferable to SMSU (when appropriate) and for completing reports that are required by state and federal agencies.

If you do not provide the information kept in this record, you will not be admitted for study at Southwest Minnesota State University.

##### **C. Student Permanent Record**

Your permanent record contains all of the information that is in the electronic student record system, including your admission folder prior to your enrolling at the University. Additional items such as copies of correspondence from administrative offices to you, student withdrawal form, and transcripts are placed in your permanent folders on a need basis.

These permanent records are located in the Registration and Records Office and are under the direct supervision of the Registrar. The Director of Admission, Admission personnel, Registration and Records Office personnel, and others (upon request approved by the Registrar) are authorized to access the information in these records.

The information in your permanent record is used as a permanent record of your academic and non-academic achievements at the University.

You cannot be admitted for study at the University if you do not have a permanent student record established.

##### **D. Veteran Student Record**

The Veteran Student Record is for any veteran student who is utilizing veteran benefits for his or her education. The record contains your enrollment certificate, application for benefit, certificate of eligibility, any records relating to the change of benefits or academic program.

These records are located in the Registration and Records Office and are under the supervision of the Registrar. They will be kept on file permanently. The Registrar, veteran benefit clerks, state and federal veteran administrative representatives, and others (upon request approved by the Registrar) are authorized to access the information in these records.

The information in these records is used to determine your eligibility for veteran benefits and the completion of administrative reports required by state and federal agencies.

You cannot be certified as eligible to receive veteran benefits if you do not have a veteran student record established.

##### **E. Student Degree Check and/or Teacher Certification Record**

The Student Degree Check and/or Teacher Certification Record contains your degree requirements contract and in the case of education majors, the teacher certification requirements contract.

These records are located in the Registration and Records Office and are under the direct supervision of the Registrar. They will be kept on file permanently. The Registrar and Registration and Records Office personnel, and others (upon request approved by the Registrar) are authorized to access the information in these records.

The information in these records is used to determine your eligibility to graduate and/or receive state certification for teaching and for the completion of administrative reports required by state and federal agencies.

You are not able to graduate unless you complete this record.

#### **F. Release of Student Information**

The only information Southwest Minnesota State University is authorized to release is your directory information and graduation status. Any other information cannot be released without your written consent.

#### **G. Transcript**

The transcript is your official record of academic achievement at the University. It contains all course work and all grades achieved by you.

The transcript is permanently kept in the Registration and Records Office and is under the direct supervision of the Registrar. The Registrar, Registration and Records Office personnel, Director of Admission, Admission personnel, and others (upon request approved by the Registrar), are authorized to access the information in these records.

The information in these records is used to record your academic achievement at the University and determine your academic standing.

You must have a transcript established to receive credit for coursework completed at the University.

#### **H. Academic and Diversity Resources Student Record**

The Academic and Diversity Resources student records are maintained for all students who receive services from the Learning Resources programs: Disabled Students Academic Accommodations, Academic Opportunity for students admitted provisionally, TRIO Student Support Services, and Athletic Success. The records may include academic assessment test scores; disability evaluation and documentation; TRIO student demographic information regarding financial aid; parents education attainment and citizenship status; evaluation of academic strengths/weaknesses; learning style and cognitive style assessment; plans for services; documentation of student contacts; services provided; measurement of progress; summaries of credits attempted and earned; grade point average; courses dropped/reasons; remedi-

al/developmental courses taken and services received; and correspondence with sponsoring agencies.

These records are located in locked files in Learning Resources and are under the supervision of the Director of Learning Resources. Academic Opportunity advising materials are generally kept on file for one year before being transferred to your academic files. All other records delineated above are maintained permanently in Learning Resources. The staff of Learning Resources is authorized access to the information in your records through the Director of Learning Resources.

The information in these records is used to evaluate your academic needs, your academic progress, if disabled to provide you with your accommodations and auxiliary aids and services, and for the completion of administrative reports required by state and federal agencies.

#### **I. Student Medical Record**

The Student Medical Record contains your past medical history and record of treatment received while being a student at the University.

The student medical record is located at Health Services and is under the direct supervision of the Director of Health Services, college physician, and Health Center staff. Your medical record is kept on file for seven (7) years. The Health Center staff, college physicians, and the Director of Counseling and Testing Services are authorized access to the information in your records through the Director of Student Health Services and/or the Associate VP for Student Affairs.

As a health care provider, SMSU is required by M.S. Section 144.335, Subd. 5a, to prominently display, in the Student Health Center, a notice on Access to Health Records Practices and Rights. This Notice informs patients how they may access and obtain copies of their health records, and that, at times, their health records can be disclosed without their consent.

The information in your Medical Record is used for diagnostic purposes, for treatment of student illness and completion of reports required by state and federal agencies.

It is a pre-admission requirement to have a medical history on file in the Student Health Center prior to enrolling at the University.

#### **J. Counseling Services Information Record**

The information in the Counseling Services Information Record is used for counseling with students about educational, vocational, and personal concerns, and for research purposes (you are made aware of research in progress and may decline to participate). The Counseling Services Information Record includes information that you complete on a voluntary basis when you request counseling or testing services from Counseling and Testing Services. If you decline to complete any or all parts of the Counseling Services Information Record, services you request are still provided. The Counseling Services Information Record

contains your name, home address and telephone, and other general demographic information, attendance card with dates of counseling sessions, and test profiles (when given).

The Counseling Services Information Record is located in BA 156 and is under the direct supervision of the Director of Counseling and Testing Services. These records are kept on file for seven (7) years.

#### **K. Non-Education Placement Registration and Credential Material**

Non-Education placement registration material consists of a service information statement and an authorization statement pertaining to distribution of information to prospective employers. Non-education credential material typically includes a resume and may contain written evaluation statements.

These materials are permanently maintained in the Career Planning and Placement office and are under the direct supervision of the Director of Career Planning and Placement. The Director of Career Planning and Placement, the Coordinator of the Personal Development Center, and the Dean of Students are authorized to access the information in these records.

The information in these records is provided voluntarily by students and graduates, and is used by University staff for administrative purposes, and the credential material is specifically used by prospective employers.

#### **L. Education Placement Registration and Credential Material**

Education placement registration material consists of a service information statement and an authorization statement pertaining to distribution of information to prospective employers. Education credential material includes a biographical information statement, philosophy and goals statement, and written evaluation statements.

These materials are permanently maintained in the Career Services office and are under the direct supervision of the Director of Career Services. The Director of Career Services, Associate Director of Career Services, and designated office staff are authorized to access the information in these records.

The information in these records is provided voluntarily by students and graduates, and is used by University staff for administrative purposes, and the credential material is specifically used by prospective employers.

#### **M. Student Residence Hall Contract Record**

Your Residence Hall Contract Record contains your name, home address and telephone, room assignment in the residence halls, verification of paid deposit and your housing preferences.

Your Residence Hall Contract Record is located in the Student Center and is under the direct supervision of the Associate Vice President for Student Affairs. The Associate Vice President for Student Affairs and Residential Life personnel are authorized to access the information in these records.

The information in these records is used to provide the University with a record of your withdrawal, and to accomplish administrative procedures regarding your withdrawal from the residence hall. The records are permanent.

#### **N. Student Residence Hall Withdrawal Record**

Your Residence Hall Withdrawal Record contains your name, local and immediate forwarding address, and information concerning any damage assessments and disposition of your damage deposit, reason for withdrawal, and a copy of your residence hall contract.

The Student Residence Hall Withdrawal Records are located in SC 225 and are under the direct supervision of the Vice President for Student Affairs. The Vice President for Student Affairs, Residential Life staff, and Business Office personnel are authorized to access the information in these records.

The information in these records is used to provide the University with a record of your withdrawal, and to accomplish administrative procedures regarding your withdrawal from the residence hall. These records are permanent.

#### **STUDENT CONSUMER INFORMATION**

Section 493 of Part F of Title IV of the Higher Education Act of 1975 as amended by 20 U.S.C. 1088b-1 Part 178 "Student Consumer Information Services" requires that Southwest Minnesota State University inform its students of certain information through appropriate publications and that personnel responsible for such information be identified for students.

The following lists the information personnel responsible and location of the information as required by law. Additional questions may be directed to the Associate Vice President for Student Affairs, phone 537-6844.

1. The Financial Aid Office, IL 145, phone 537-6281, is responsible and has published information regarding the following items:

a. Description of all student financial aid programs to students who enroll, including the procedures and forms for applying for such aid, the student eligibility requirements, the criteria for selecting recipients and the criteria for determining the amount of the students' awards.

b. A statement of the rights and responsibilities of students receiving financial aid under the Pell, SEOG, CWS, Perkins, and Stafford programs, including the criteria for continued eligibility for each program; criteria for determining that a student is in good standing and maintaining satisfactory progress in his/her course of study as required by Section 497 (e) (1) of the ACT for the purposes of receiving financial aid payments; criteria by which a student who has failed to maintain satisfactory progress or good standing may reestablish his/her eligibility for payments; the means by which payment of awards will be made to students and the frequency of such payments; the terms of, and expected schedules for, re-

payment of any loans received by students as part of his/her student financial aid; and the general conditions and terms applicable to any employment provided to a student as part of his/her aid.

2. Costs for attending the University are published in the catalog, prospective student brochure, financial aid brochure, Registration Semester Course Schedule, the Residence Hall Information Handbook, or online at [www.smsu.edu/CampusLife/FinancialAid/Index.cfm?Id=410](http://www.smsu.edu/CampusLife/FinancialAid/Index.cfm?Id=410). All fees and tuition rates are subject to change under the rules of the MnSCU System.

The Director of Admission, FH 108, phone 537-6286, and the Registrar, IL 148, phone 537-6206, are responsible for informing prospective students and enrolled students of all costs of education at Southwest Minnesota State University. Questions regarding costs may be directed to either office.

3. The academic programs of the University are described in the University Catalog. The Provost, FH 214, phone 537-6246, is responsible for maintaining the official list of courses and major requirements. Questions regarding the academic programs of Southwest Minnesota State University should be directed to this office.

4. The Student Right-to-Know legislation requires this information. It represents two important aspects of the University. The first is the retention rate from new entering full-time students in the fall to those who return the next fall, and the graduation rate over a six-year period. The cohort group for the retention information is: 2006, 2007, 2008 new entering freshmen full-time students. The cohort group for the graduation rates is: 2000, 2001, 2002 new entering freshmen full-time students.

*The retention rates are as follows:*

New entering freshmen 2006 = 68%  
New entering freshmen 2007 = 71%  
New entering freshmen 2008 = 69%

*The graduation rates are as follows:*

New entering freshmen 2000 = 40.2%  
New entering freshmen 2001 = 42.8%  
New entering freshmen 2002 = 40.2%

The Data Management & Institutional Research Services office, BA 509, phone 537-6261, is responsible for this information and questions regarding the data may be directed to that office.