

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

The university developed this policy not only in response to the federal drug-free legislation, but also to attempt to provide a healthy environment by preventing the use of illegal drugs or the abuse of alcohol within the university community. All employees and students annually receive notice of this policy through appropriate handbooks and electronic media.

MMU prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances and alcohol by any university employee or student, on university property, or at any university sponsored function, whether on- or off-campus. MMU is an alcohol-free campus. It is unlawful to have any alcohol on campus unless special permits are granted by the university President. The university requires the cooperation of the entire campus community in its pursuit to maintain a drug-free environment.

1. Any employee or student who violates this prohibition, or who does not cooperate with the university in its attempts to maintain a drug-free environment will face disciplinary action up to and including expulsion or dismissal from the university. Such persons also may be required, as a condition of continuing their relationship with the University, to enroll, at their own expense, in a substance abuse counseling and/or treatment program.
2. Individuals violating any city ordinances, state criminal laws, or federal laws relating to alcohol or drug use also risk fines and imprisonment.

Employees are required to notify the institution of any drug conviction resulting from a violation in the workplace no later than five (5) days after the conviction. Notification should be made to the appropriate university department head.

SEXUAL ASSAULT POLICY AND PROCEDURES

The statement was developed in response to the 1990 Student Right to Know and Campus Security Act (Public Law 101-542) and the Higher Education Amendments of 1992. Sexual assault may be defined as any form of forced sexual contact, including, but not limited to, acts of rape (stranger and acquaintance), as well as unwanted touching, fondling or other forms of sexual conduct. Sexual assault, in any form, is unacceptable and will not be tolerated. All members of this community share responsibility for maintaining an environment which promotes the safety and mutual respect of each individual.

SEXUAL ASSAULT REPORTING PROCEDURE

A person who has been a victim of sexual assault is encouraged to report the crime to the **Yankton Police (9-911 or 9-668-5210)**. A student who has been a victim of sexual assault is also encouraged to report such incidents to the Avera Sacred Heart Hospital Emergency Room 668-8100, MMU Counseling Office 668-1518, Lewis and Clark Behavioral Health Service Crisis Line 605-665-4606, and Student Affairs 668-1541. *Those who report a sexual assault will be advised of the importance of preserving evidence, which may be necessary to provide proof for prosecution.*

MMU provides support services for all persons who have been victims of sexual assault, domestic violence, dating violence, and stalking. University staff will serve in any advocacy role and help refer individuals for medical, police, judicial and counseling assistance on or off campus. Upon request to the Vice President for Student Success, assistance will be provided in changing academic schedules, living, working, and transportation arrangements when reasonably available.

Whether or not a victim chooses to initiate criminal charges, she/he retains the right to file a complaint through the university's grievance process by contacting the Vice President for Student Success. Reported complaints of sexual assault will be investigated and information obtained in the process will be kept as confidential as possible. Should the alleged misconduct of a student be subject to review through formal hearing procedures, both the accused student and the victim will be afforded the opportunity to present relevant information, be accompanied by a support person of their choice from MMU, and be apprised of the results of the hearing. Upon request, the university will disclose the results of a disciplinary proceeding for a violent crime or non-forcible sex offense to the victim of such crime or offense or the next of kin, if the victim is deceased. In the event the accused student is found in violation, the entire range of sanctions outlined in the Student Handbook may be considered, including, but not limited to, probation, suspension or dismissal from Mount Marty University. Educational programs to promote prevention and awareness about sexual assault are offered through the New Student Orientation Program and other campus programs.

Title IX Coordinator:

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(605) 668-1491
katie.harrell@mountmarty.edu

[Mount Marty University Title IX Information](#)

Registered Sex Offenders

All sex offenders are required to register in the state of South Dakota and to provide notice of each institution of higher education in South Dakota at which the person is employed, carries a vocation or is a student. A list of all registered sex offenders in South Dakota is available from the [State of South Dakota](#).

MISSING PERSONS POLICY

For purposes of this policy, a student will be considered missing if a roommate, classmate, faculty member, family member, or other campus personnel has not seen the person in a reasonable amount of time. A reasonable amount of time may vary with the time of day and information available regarding the missing person's daily schedule, habits, punctuality, and reliability. Individuals will also be considered missing immediately if their absence has occurred under circumstances that are suspicious or cause concerns for their safety. If the initial report that a person is missing is made to a department other than Campus Safety, the employee receiving the report will ensure that Campus Safety is contacted immediately.