

# WESTERN DAKOTA TECH

## 2019-2020 Student Handbook

Version 2

*Approved April 10, 2019  
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### MISSION

Western Dakota Tech is a public institution of higher learning that embraces quality programs, expert faculty and staff, and a commitment to academic excellence to teach the knowledge, skills, and behaviors students need to be successful.

## ACCREDITATION

Western Dakota Tech is accredited by the [Higher Learning Commission](#) (HLC), at 230 South LaSalle Street, Suite 7-500, Chicago, IL 60604.

The [HLC](#) has accredited Western Dakota Tech as a certificate-granting institution since 1983 and as an associate degree-granting institution since 1990.

To obtain more information about Western Dakota Tech's accreditation or approval relationships, contact the Vice President for Institutional Effectiveness and Student Success, [Kelly Oehlerking](#).

## LIMITS OF HANDBOOK INFORMATION

NOTE: Due to conditions beyond the control of Western Dakota Tech, it may be necessary to add, amend and/or delete statements appearing in this handbook without notice. Every reasonable effort has been made to include factual information herein, and no responsibility is assumed for any errors. For complete information, students need to refer to WDT policies, the WDT Student Handbook, and the WDT Catalog.

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## Section One: Services to Students

### **BOOKSTORE**

The WDT Bookstore, located in Dakota Hall, offers a wide variety of school supplies and WDT apparel in addition to required textbooks. Students are encouraged to keep their bookstore receipt for a variety of purposes, including tax preparation. The bookstore cannot issue duplicate receipts.

### **Required Course Material**

WDT complies with Section 133 of the Higher Education Opportunities Act (PLL110-315) by providing students with access to required course material. Students may obtain this information at <https://www.wdt.edu/student-life/bookstore>, at <https://www.wdt.edu/current-students/wdt-master-syllabi/>, and through their course instructors.

### **Book Return Policy**

Students may return books to the bookstore under the following guidelines:

- During the official add period for a course, students may return books, with a receipt, for a full refund.
- After the official add period and before the end of the official drop period for a course, students must present a drop slip or withdrawal paperwork, along with a receipt, in order to receive a full refund. No other refunds will be given.
- Books must be in salable condition and must be accompanied by any workbook originally sold with the textbook.
- Textbooks sold with software may not be returned if opened.

### **Book Buy-Back Policy**

The WDT Bookstore offers a book buy-back period at the end of the fall and spring semesters. The bookstore buys back books in the amount and the quantity shown on the current buy-back list. The WDT Bookstore buy-back is funded by Nebraska Book Company. Buy-backs and prices are determined by the Nebraska Book Company.

- Prices are quoted for relatively clean books with sound bindings.
- Books with poor bindings or books that are worn or frayed may be purchased at lower prices.
- Paperback books in poor condition have no value.
- Books may be highlighted and underlined in the text. Very little ink pen writing is allowed. Pencil writing or marks must be erased.
- Books previously purchased in new or used condition may qualify.
- Receipts are not required.
- Students funded by third-party funding agencies are responsible to know the policy of their funding agency in regard to book buy-back eligibility.

### **Laptops**

The Bookstore offers reliable business grade refurbished laptops for student purchase at a reasonable price. These laptops are professionally refurbished by a Microsoft-registered refurbisher. The laptops meet or exceed Western Dakota Tech specs for most programs. Please see the Bookstore for more information.

### **CAREER SERVICES**

The Career Services Office at WDT collaborates with academic and other support units to provide career development assistance to students seeking career and part-time employment opportunities. Prospective graduates seeking placement assistance can contact the Library & Disability Services Coordinator located in the Student Success Center for help with resumes, interview skills, application preparation, and job search tools.

Maintaining a full academic schedule is a full-time job in itself and should be each student's first priority. The Career Services Office assists students as much as possible in finding part-time after-school employment while attending WDT when requested. Full-time and part-time employment opportunities for WDT students will be posted on campus and online at [www.wdt.edu/job-listings/](http://www.wdt.edu/job-listings/).

Western Dakota Tech does not guarantee placement to any student.

## **COUNSELING SERVICES**

Counseling services are available to students through a third party. Please contact the Student Success Center for more information at 718-2955 or by email at [StudentSuccessCenter@wdt.edu](mailto:StudentSuccessCenter@wdt.edu).

## **DISABILITY SERVICES**

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA), it is the policy of Western Dakota Tech to ensure that no qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated by the college. Western Dakota Tech works to ensure campus accessibility for persons with disabilities, which include, but is not limited to, admissions, services, educational opportunities, programs, activities, employment practices, and facilities use/maintenance (except those that would result in fundamental alteration of programs, place undue financial and administrative burdens upon the college, and that can be provided without lowering academic and other essential standards).

### **Transitioning**

Transition to higher education is a big step. As a student entering post-secondary education, you have new rights and responsibilities related to your disability. It is important to inform yourself, so you can fully engage in the educational opportunities available. These pamphlets, published by the Office of Civil Rights of the Department of Education, provide guidance and suggestions for students entering post-secondary education.

- <https://www2.ed.gov/about/offices/list/osers/transition/products/postsecondary-transition-guide-may-2017.pdf>
- <http://www2.ed.gov/about/offices/list/ocr/letters/parent-20070316.pdf>

### **Student Responsibility**

To be eligible for accommodation, the student must contact the Student Success Director/Registrar or designee to submit required documentation and to complete the ADA Student Accommodation Notification form. This contact should be made as early as possible. It is the student's responsibility to provide medical or other diagnostic documentation of disability and limitations. If documentation is not available or is inadequate for determining academic needs, the student may be asked to participate in additional evaluation prior to receiving accommodations. The student will incur the cost of this testing. Once the need for ADA accommodations is verified, the student is responsible for talking with, and getting signatures from, instructors in classes where accommodations will be used.

Students with disabilities are not exempt from following WDT policies and procedures such as program attendance requirements and assignment due dates.

### **Faculty and Staff Responsibility**

If a student discloses a disability to a staff or faculty member, the staff/faculty has the responsibility to direct the student to the Student Success Center.

### **Academic Accommodations**

The Student Success Director/Registrar, Library & Disability Services Coordinator, or other designee will review the documentation and conduct an interview with the student to determine appropriate accommodations.

Instructional/classroom accommodations may include, but are not limited to:

- Oral tests
- Enlarged material
- Extended time on exams (up to 1.5 times)
- Reduced-distraction environment
- Note-taking assistance
- Digital textbooks, as available
- Recording devices
- Preferential seating
- Graphic organizers

## **Section 504/ADA Grievance Procedure**

See Section Six of this handbook for the Section 504/ADA Grievance Procedure.

## **FOOD SERVICES**

The Commons is located in Wanbli Hall and is a gathering spot for WDT students. Food service is available to students and staff with a daily menu including breakfast and lunch. Students can take advantage of cashless payments by setting up a FreedomPay account through the cafeteria servicer, Aramark. Vending machines and microwaves are also available for student use. Students in need are encouraged to take items from the WDT Campus Food Pantry located just outside the Student Success Center.

## **HOUSING**

WDT does not provide housing. All students are expected to make their own living arrangements. A list of rental units is available upon request through Enrollment Services or the Student Success Center. Student Success Coaches can offer assistance with finding housing to meet your needs.

## **LIBRARY SERVICES**

The WDT library is located in Dakota Hall.

Library staff is available to assist students in conducting research tasks, transferring files, scanning documents, and printing materials along with providing basic technology troubleshooting. Materials, features, and services available to students include:

- Computer stations
- Current course textbooks for in-library use
- Non-fiction print materials aligned with WDT degree programs
- Leisure-reading collection in print and audiobook formats
- Online databases of encyclopedias, magazines, newspapers, journals, and e-books
- Study rooms
- Study tables with power outlets and multimedia collaboration stations
- Self-checkout/check-in station and 24/7 outside return book drops
- Printing from the library computers is available. More information on printing services from mobile devices can be found at: <https://www.wdt.edu/student-life/printing>.

Whether online or in person, the library staff is available to help. For more details, visit the library's webpage at <https://www.wdt.edu/student-life/library>.

## **PRINTING/FAXING**

Western Dakota Tech Students have the ability to print from any compatible personal devices (phone, laptop, tablet) to any copier on campus. The cost of printing or making copies is \$.15 for black and white and \$.25 for color per each side of the paper. Please be advised that this credit does not roll over from semester to semester. If students exhaust all of credit in a semester and still need to print material, the student will be required to purchase more credit in the Western Dakota Tech Bookstore. Faxing will be available in the Bookstore for students at a cost of \$.25 per page.

## **SERVICE ANIMALS – WDT Policy 4013**

WDT complies with federal, state, and local laws which allow a service animal to accompany any person with a disability on the WDT campus, except where noted in the policy. Prior to full campus access, students with a service animal must meet with the Disability Services Coordinator, and WDT employees with a service animal must meet with the Human Resources Director. The complete policy is located on the WDT website's policy page at <https://www.wdt.edu/about/policies-and-procedures>.

### **STUDENT SUCCESS CENTER**

The Student Success Center, located in the WDT library, houses Student Success Coaches who help Western Dakota Tech students succeed. The Center provides an array of services including, but not limited to, free tutoring, ADA accommodations, academic coaching, community resources, and student success seminars. Students are encouraged to reach out to their Coach with questions they may have. The Center may be reached via email at [StudentSuccessCenter@wdt.edu](mailto:StudentSuccessCenter@wdt.edu), through the [chat online](#) button on the WDT website, or by phone at 605-718-2955.

### **TUTORING SERVICES**

Students often require on-going assistance in specific classes. As time permits, instructors will provide extra attention to students having difficulties with course content. Students also have access to peer tutors through the Student Success Center. There is no cost to students for tutoring services. Students on academic probation or returning from academic suspension may be required to utilize tutoring services, if deemed necessary by their instructor, advisor, or Student Success Coach.

### **WIRELESS ACCESS**

WDT provides wireless access in all buildings. Students can access the wireless network using WDT-ACAD, their student ID number, and the password that is located on bulletin boards around the building.



## Section Two: Student Achievement and Registration Information

### **ACADEMIC ADVISING**

Students are assigned an academic advisor to assist in completing educational programs successfully, to answer questions, and to discuss problems. All students are encouraged to confer with their assigned advisor regularly throughout the school year. Advisors will meet with students at least once each fall and spring semester during Midterm Advising Day to schedule classes, answer questions, and provide direction. Students are responsible for their own plan of study.

### **ACADEMIC AMNESTY**

Academic amnesty, when awarded, exempts courses on a student's transcript from being calculated into a student's cumulative GPA. A student can apply for and be granted academic amnesty one time during the student's entire enrollment period at WDT. A student may petition for academic amnesty based on one of the following:

1. **Change of Program**: A student who has attempted credits at WDT within the last year and who has been accepted into a new program may petition for amnesty for all credits not in the student's new program of study from being calculated into the cumulative grade point average.
2. **Interruption in Enrollment**: A student who has completed a minimum of one year of non-enrollment (three consecutive terms including fall, spring and summer) and who has been reaccepted into WDT may petition for amnesty for all credits accumulated previously that do not apply to the current program from being calculated into the cumulative grade point average.

- The student must petition for amnesty by completing the Academic Amnesty form.
- The Student Success Director/Registrar's approval is required before amnesty will be granted.
- Students who were not making satisfactory academic progress during the most recent enrollment term will be required to complete a success plan with a Student Success Coach prior to registering for courses.
- Exempted courses will remain on the transcript but marked to indicate that hours and grades were not used in computing credit hours earned and cumulative grade point average.
- Exempted grades will be noted on the transcript with an asterisk (i.e. D\* or F\*), and a note will be placed on the transcript noting the date that academic amnesty was granted.
- Exempted courses will not be used to satisfy any graduation requirement.
- Financial aid officials will look at all credits attempted, including courses that have been exempted, for financial aid purposes.
- Other schools are not bound by WDT academic amnesty decisions.

### **ADDING/DROPPING COURSES**

Students may add a course to their original course schedule during the official add period for each course as stated on the WDT academic calendar found online at <https://www.wdt.edu/current-students/academic-calendar>, based on space availability. To add a course, the student must obtain the course Add/Drop/Withdraw form from the Registrar's Office or Student Success Center and complete it with all required signatures. Adding a course(s) after the official add period requires permission from the VP for Teaching and Learning.

In the event of late enrollment into a course, the student is responsible for all missed coursework and is subject to any sanctions for late assignments or missed tests as stated on the course syllabus. An adjustment in tuition will be made, and payment or payment arrangements must be made at the time of enrollment in the course.

Students may drop a course from their original course schedule within the official drop period for each course on the WDT academic calendar found online at <https://www.wdt.edu/current-students/academic-calendar>. To drop a course, the student must obtain the course Add/Drop/Withdraw form from the Registrar's Office or Student Success Center and complete it with all required signatures. An adjustment in tuition and fees will be made and any refund due, if applicable, will be made after all processing is complete. These courses will not appear on the transcript.

Enrollment status changes during the add/drop period may result in the addition or cancellation of financial aid awards or the requirement for students to immediately repay a portion of their federal financial assistance.

The dates of the add/drop period are published on the [Academic Calendar](#) found on the WDT website.

### **ADMINISTRATIVE WITHDRAWAL DUE TO NON-ATTENDANCE**

Students who have a record of zero (0) attendance for twenty-one (21) calendar days will be administratively withdrawn from WDT and placed on academic suspension. Upon administrative withdrawal, all current course grades will be changed to a “WF” – Administrative Withdrawal with F’s. Administrative withdrawals are final. Students will be notified of their administrative withdrawal via their student email account and U.S. mail at the address on file.

Students who receive financial aid will have their financial aid status affected. Students should contact the Financial Aid Office as soon as possible to be advised on their Satisfactory Academic Progress status, future eligibility, and federal student loan repayment options, as applicable. Students who receive third-party funding need to contact that agency for details.

Students who plan to return to WDT in the future must meet with a Student Success Coach to complete a success plan.

Students are encouraged to contact WDT to properly withdraw from WDT before administrative withdrawal occurs. Withdrawing versus being administratively withdrawn may have less severe financial and academic consequences.

### **ATTENDANCE**

Students are expected to attend all sessions of courses for which they are enrolled. Absences do not excuse the student from meeting course requirements. Each instructor will provide policies concerning course attendance and the ability to make up missed work on their course instructor syllabus or in a program-specific student handbook. It is the student’s responsibility to know and understand the attendance requirements and make-up policies for each course.

Students subpoenaed to testify in court (in a case in which they are not a party) or summoned to serve on a jury panel are asked to speak to their instructors about meeting course requirements for the time they are required to be in court.

### **AUDIT**

Students may audit a class instead of taking it for credit. Audit students must pay all tuition and fees prior to being enrolled in the course. Audit students are also responsible for book, material, tool, and supply costs associated with the course. Audits are allowed on a space-available basis. Financial aid is not available for audit courses.

Students taking a course for Audit (AU) will not be able to transcribe the course for credit at a future date. Audit courses do not calculate in the student’s overall WDT GPA, do not count toward graduation requirements, do not meet pre-requisite course requirements, and may not be dropped or withdrawn from after the official drop date for that course. The official drop date for each semester is listed on the [Academic Calendar](#) on the WDT website.

### **CHANGE OF NAME/ADDRESS/EMAIL/PHONE**

All students must maintain current contact information in the event of an emergency. Current addresses, emails, and phone numbers are also important for job placement contacts. Students may update their information by logging on to MyWDT or through Enrollment Services. Name changes require valid documentation.

### **CHANGING PROGRAMS**

Students need to visit with their Student Success Coach to request a change of program. Students must meet the admission’s requirements of the program they seek to enter. Students are encouraged to speak to the Financial Aid Office to determine future aid eligibility as a result of changing programs. For current students, change of program forms are processed at the end of a term. Western Dakota Tech does not allow double majors unless the first program upstreams 100% into the second program, as is the case with embedded or stackable programs. See the Registrar’s Office for a listing of embedded and stackable programs.

## **COPYRIGHT LAW**

Western Dakota Tech is committed to supporting teaching, research, learning and nonacademic operations in the advancement of the college's educational mission. Intellectual, technological, and information resources and materials are provided for use by the entire college community and are to be used in accordance with the provisions of the United States Copyright Act of 1976 as amended, the Digital Millennium Copyright Act of 1998, and the Technology, Education and Copyright Harmonization Act of 2002, unless licenses or agreements exist which allow for exceptions. All users of such resources and materials are expected to follow the standards outlined in the college's copyright policy and supporting guidelines - WDT Policy 3010.

The copying of copyrighted materials without the express written permission of the owner or the proper licensee is prohibited. File-sharing software that downloads and distributes songs, videos, games and software without permission of the owner is illegal. Illegal downloading or distribution of copyrighted materials can result in criminal or civil prosecution. Content owners, such as the Recording Industry Association of America (RIAA), the Motion Picture Association of America (MPAA), and Home Box Office (HBO), use technological means to track file sharing of their intellectual property on the Internet.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the Web site of the U.S. Copyright Office <https://www.copyright.gov/>, especially their FAQ's.

Students found to be in violation of copyright infringement including illegal downloading or unauthorized distribution of copyrighted materials using the college's information technology system will be referred to college officials for disciplinary action under WDT Policy 4005 – Student Conduct and under the Student Code of Conduct found in the Student Handbook. Disciplinary actions may lead to expulsion.

## **COURSE CHALLENGE**

Course challenges are offered for select courses. A standard fee shall be charged to students who request the course challenge opportunities. The fee must be paid prior to the selected course challenge dates. The Student Success Center sends an email to a student's WDT email account with upcoming course challenge opportunities, including dates and fees. Students may challenge a course either to remove a remedial requirement or to earn credit for a program requirement.

Students taking a course challenge to remove a remedial math or English requirement must obtain a score placing them into a higher-level math or English course. See the Registrar's Office for MATH 112 requirements.

Students taking a course challenge to earn credit for a course must earn a "B" or better to pass the exam (in accordance with general education/technical grading scales found in the "Grading System" section of the WDT Student Handbook). If a "B" or better is earned, the credit will be posted to the student's transcript and noted as "CE". Students are allowed two testing opportunities per testing window for the same course but must adhere to the registration and fee payment guidelines. If standards are not met, the student will be required to pay full tuition and take the course.

## **COURSE/SCHEDULE CHANGES, COURSE CAPACITY, AND COURSE CANCELLATIONS**

WDT reserves the right to change course times, days, and rooms. WDT reserves the right to set course capacity and cancel courses.

## **COURSE SUBSTITUTIONS**

Students requesting a course substitution to fulfill their plan of study requirements must work with their Program Director to complete a Course Substitution form through the Registrar's Office. The VP for Teaching and Learning

will make final approval/denial of all requested course substitutions.

### **COURSE WITHDRAWAL**

Courses withdrawn from after the official add/drop period but prior to completion of 75% of the course will carry a “W” indicating withdrawal on the transcript. Students who withdraw from some, but not all, courses after the official add/drop period will not be granted a refund and financial aid may be affected.

Students cannot withdraw from courses after completion of 75% of the course. The last day to withdraw from a course and receive a “W” is listed on the [Academic Calendar](#) for each term on the WDT website.

Students who leave courses after the last day to withdraw from the course will receive grades earned and no refunds will be granted.

### **CREDIT FOR PRIOR LEARNING**

Prior Learning Assessment (PLA) describes learning gained outside a traditional academic environment. Western Dakota Tech may grant prior learning credit to students who have certifications, licensures, or proof of military education or experience, or similar documentation that they meet required competencies for a particular course or program. The Student Success Director/Registrar, along with the appropriate program’s Program Director, will determine if prior learning credit will be granted based on information submitted by the student. The student must pay a \$10 transcription fee per credit hour granted. Prior learning credits may constitute no more than 75% of the credits required for a Western Dakota Tech certificate, diploma, or degree. Approved prior learning credits are designated on the transcript as “TF”.

### **DEAN’S LIST**

The Dean’s List is published at the end of the fall and spring semesters. The purpose of the Dean’s List is to promote academic excellence and give recognition to students who, through their initiative and ability, have earned a 3.5 or higher GPA for a minimum of 12 credit hours in a given semester.

### **DUAL ENROLLMENT**

Dual Enrollment allows high school students to enroll in courses at WDT and earn credit for high school graduation as well as postsecondary credit from WDT. By enrolling in course(s) with WDT, Dual Enrollment students are subject to all rules and regulations spelled out in the WDT Student Handbook. Contact the WDT Admissions Office for details.

### **DUAL ENROLLMENT BOOK LOAN PROGRAM**

Dual Enrollment students who have registered for classes 30 days prior to the start of the semester are eligible to receive their textbooks and some materials free of charge through library services. Students will be loaned their books and eligible course materials for the duration of the semester with materials being due back to the library on the last day of the semester for which the student is registered. Failure to return course materials may result in a student being charged the cost of the materials. If a student is enrolled in a course that requires an online code for access to the textbook and completion of homework, eligible students may have this material covered through the textbook loan program. If a student withdraws from their course, they will be required to pay WDT for the online course material provided. This cost will be placed on the students account and will be subject to the resulting Student Account Holds and consequences thereof in the event of non-payment.

### **ENROLLMENT STATUS**

Individuals are considered students upon enrollment at WDT. Enrollment ends upon graduation or withdrawal from WDT. For academic and financial aid purposes, in the fall and spring semesters (and summer for financial aid), students are considered full-time at 12 or more credits, three-quarter time at 9 to 11 credits, and half-time at 6 to 8 credits. For academic purposes, in the summer semester, students are considered full-time at 6 or more credits and half time at 3 to 5 credits. Third-party funding agencies may have different definitions for enrollment status.

### **FREEDOM IN LEARNING**

Student academic performance may be evaluated solely on an academic basis including the knowledge, skills, and behaviors for successful employment, not on opinions or conduct in matters unrelated to academic standards.

Students should 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. Students who believe that an academic evaluation reflects prejudice or capricious consideration of student opinions or conduct unrelated to academic standards should first contact the instructor of the course to initiate a review of the evaluation. If the student remains unsatisfied, the student may contact the VP for Teaching and Learning to initiate a review of the evaluation.

**GENERAL EDUCATION CLASSES**

General Education courses promote and advance essential knowledge, skills, and values students need to succeed in an interdependent, diverse, and changing world. Students are provided a foundation for lifelong learning by gaining a broad knowledge of science, math, communications, technology, human behavior, and society. Western Dakota Tech faculty designed the general education courses to emphasize a breadth of understanding to help learners succeed in college, on the job, and in daily life. Courses stress high-level intellectual and practical skills, critical thinking, analytical reasoning, and a sense of ethical and social responsibility. General Education at Western Dakota Tech stimulates a learner’s ability to integrate and apply knowledge, skills, and values acquired in its courses to new settings and complex challenges. All students are required to successfully complete the prescribed General Education courses to receive a diploma or Associate of Applied Science degree.

**GRADE APPEAL PROCESS**

Should a situation arise in which a student believes he/she has not been treated fairly in the calculation of a particular course grade or individual grade within a course, the appeal process is as follows:

1. The student must attempt to meet/communicate with the respective instructor to review the reason for the grade within ten (10) calendar days after the grade has been posted. All reasonable efforts by both parties will be made to resolve the problem at this level.
2. If the student is not satisfied with the disposition of the matter at Step 1, the student needs to meet with the Student Success Director/Registrar within fifteen (15) calendar days after the grade has been posted to resolve the issue. The Student Success Director/Registrar will meet with both parties to determine a resolution.
3. If the student is not satisfied with the decision made at Step 2, the student may file a written appeal to the VP for Teaching and Learning within five (5) calendar days of the receipt of the Student Success Director/Registrar’s decision.
4. Within five (5) working days, the VP for Teaching and Learning will issue a response. The decision will be communicated in writing to all parties and is final.

**GRADE LEVELS**

A student in an Associates of Applied Science degree who has earned at least 30 credits in that degree will be considered a 2<sup>nd</sup> year student. A student in a program leading to a certificate or diploma is considered 1<sup>st</sup> year student.

**GRADING SYSTEM**

Western Dakota Tech uses a letter grading scale for recording student achievement. A grade or transcript code will be issued for each course and placed on the student’s transcript denoting student achievement. The following grading system is used:

|    |   |  |            |
|----|---|--|------------|
| A  | - | Excellent .....                        | 4.0 points |
| B  | - | Above Average .....                    | 3.0 points |
| C  | - | Average .....                          | 2.0 points |
| D  | - | Below Average.....                     | 1.0 points |
| F  | - | Failing.....                           | 0.0 points |
| I  | - | Incomplete.....                        | No points  |
| IP | - | In Progress .....                      | No points  |
| W  | - | Withdrawal.....                        | No points  |
| WF | - | Administrative Withdrawal with Fs..... | 0.0 points |

AU - Audit..... No points

Other transcript codes include:

TC - Transfer Credit..... No points

CE - Credit by Exam ..... No points

TF - Transcript Fee..... No points

### Grade Point Average

A student's earned grade point average is determined each term by adding grade points and dividing by the sum of all the credits with the exception of "no point" grades/codes noted above. The cumulative grade point is the same calculation for all terms enrolled combined.

Grades of I, IP, W, AU, TC, CE, and TF are not used in the calculation of grade point average. The designation "R" is used when a course is retaken. The highest grade of a repeated course (R) will be used to calculate the cumulative GPA, and the other grade(s) received will not be recognized in the calculation but will remain on the transcript. Please note that grades of Failing (F), Incomplete (I), In Progress (IP), Withdrawal (W), Administrative Withdrawal with F's (WF), and Audit (AU) grades are not counted as hours successfully completed.

### Grading Scales

General Education courses as listed in the WDT Catalog except CJUS 201 utilize the following scale:

A – 90 to 100%

B – 80 to 89%

C – 70 to 79%

D – 60 to 69%

F – 0 to 59%

All other WDT courses, other than those stated above, utilize the following scale:

A – 94 to 100%

B – 87 to 93%

C – 79 to 86%

D – 73 to 78%

F – 0 to 72%

### GRADUATION

Students should keep their plan of study current. It is wise to review this plan with an academic advisor at midterm and at the end of each semester to ensure that all required courses are taken in order to graduate. Students must apply for graduation at the start of their final semester.

All requests for transfer of credit from a higher education institution must be received and evaluated before a student qualifies for graduation.

In order to be eligible to receive a certificate, diploma, or an AAS degree students must:

1. Provide evidence of high school completion through an official high school transcript or a GED certificate.
2. Complete all program and institutional curriculum requirements in accordance with Satisfactory Academic Progress Standards. (Some programs have additional requirements that must be achieved. Students should check with their academic advisor.)
3. Attain a cumulative grade point average of 2.0 or higher.
4. Fulfill all financial obligations to WDT.
5. Complete financial aid Exit Counseling, if applicable.

Students who have not met all certificate/diploma/degree requirements will not be allowed to participate in graduation ceremonies. Exception: Students in programs that complete certificate/diploma/degree requirements in the summer may walk at graduation if all course requirements other than the summer courses as listed in the academic catalog are met.

Degrees, diplomas, and certificates will be conferred once the Registrar's Office confirms all course requirements are met.

### **GRADUATION HONORS**

WDT awards honors to graduates of diplomas and Associate of Applied Science degrees who earn certain cumulative grade point averages. To earn an Honors Designation at graduation, students must earn the following cumulative grade point averages:

- Summa Cum Laude: equal to or greater than 3.9
- Magna Cum Laude: equal to or greater than 3.7 and less than 3.9
- Cum Laude: equal to or greater than 3.5 and less than 3.7

Students who achieve an Honor Designation will receive a gold (Summa Cum Laude), silver (Magna Cum Laude), or white (Cum Laude) cord to wear during commencement. WDT does not round cumulative grade point averages.

### **INCOMPLETE GRADES**

An incomplete grade is issued at the discretion of the respective instructor, with approval by the VP for Teaching and Learning, and is normally only granted based on individual student circumstances. Students on academic probation are not eligible to receive an incomplete in any course. Incomplete grades are not calculated in the grade point average until they are replaced with the grade earned. A student must complete an incomplete within two weeks following the grading period for which it was received. Incomplete grades are changed to an "F" if a student does not complete course requirements within two weeks.

Exceptions to this requirement may be granted with approval of the instructor and the VP for Teaching and Learning.

### **INDEPENDENT STUDY**

Normally, coursework is not taken as an independent study unless there are extenuating circumstances. In all cases, approval must be provided by the respective instructor, academic advisor, and the VP for Teaching and Learning. Students who have failed a course may not repeat it as an independent study.

### **MAXIMUM CREDIT LOAD**

Students will not register for more than 18 credits in the fall/spring semester or 9 credits in the summer semester without the permission of the academic advisor, the Student Success Director/Registrar, and the VP for Teaching and Learning unless they are following the course schematic listed in the catalog. Students requesting an overload must contact their advisor to start the overload request process.

### **MILITARY WITHDRAWAL DUE TO ACTIVATION AND READMISSION AFTER SERVICE**

Western Dakota Tech realizes students who are members of the U.S. armed forces may be called to active duty, specialized training, or as part of disaster relief efforts with little notice. Students who are activated and have attended classes for 75% of the semester (or 75% of module courses) during which they are called to active duty will be allowed to receive the grade they have earned and given full credit for the course, providing it is a C or higher. Students who are activated prior to 75% of the course or who have not earned a C or higher will receive a "W". This policy does not pertain to initial active duty training (i.e. basic training).

Students who withdraw completely from WDT will be eligible for refunds based on the criteria in the "Refund Policy and Procedure" section of the WDT Student Handbook. Students receiving scholarships or 3<sup>rd</sup> party funding must contact the respective funding agency to determine the impact of the withdrawal on future funding eligibility.

Service members called to military service for a period of more than 30 consecutive days under a call or order to active duty of more than 30 consecutive days shall be readmitted to WDT under the same academic status as the service member had when last attending or when was last accepted for admission to WDT. Military service is service in the armed forces, including service by a member of the National Guard or reserve on active duty, active duty for

training, or full-time National Guard duty under federal authority. It does not include military service under state authority.

The student must give oral or written notification of the student's intent to return to WDT to the Registrar's Office within three years after the completion of the military service. The Admissions Office will readmit the student to WDT into the next semester unless the service member requests a later date or unusual circumstances require WDT to admit the student at a later date. WDT will readmit the student with the same academic status, which means the same program to which the student was last admitted, at the same enrollment status, with the same number of credit hours previously completed, and with the same academic standing unless the student chooses a different program or enrollment status. If the student is readmitted to the same program, the student will be assessed the tuition and fee charges that the service member would have been assessed for the academic year the student left WDT.

The cumulative length of the absence for military service may not exceed five years.

### **ONLINE COURSE EXPECTATIONS**

Online courses require high-speed Internet connectivity and may require the student to secure an approved proctor for exams. Online courses require a high degree of self-direction and time management skills. Please consult with your academic advisor or a Student Success Coach when deciding whether to enroll in an online or on-campus course.

Students are expected to participate in course activities and communicate per the expectations and timelines provided by the instructor. Students' participation must be regular and substantive.

Students must engage in an academic activity before the official last day to drop a course as published on the academic calendar, or the student may be withdrawn from the course. Students who fail to have regular and substantive participation throughout the course per the expectations and timelines communicated by the instructor risk administrative withdrawal from the course, which may impact a student's financial aid. (See "Administrative Withdrawal Due to Non-Attendance")

### **PROGRAM OF STUDY DECLARATION**

A student must declare a program to be eligible to receive Title IV Federal Student Aid or VA benefits.

### **REGISTRATION**

Registration is the process of enrolling in courses each academic term. WDT will not automatically register a student in the next term without the student's affirmative consent or without allowing the student to cancel their registration before the student is assessed tuition and fees for that term. Students are encouraged to register for courses for the next semester during their midterm advising session with their academic advisor. Class sizes and sections are limited. Timely registration is essential for students to stay on schedule with their plan of study.

### **RELOCATION WHILE ENROLLED IN ONLINE PROGRAM**

Prospective or current students who plan to relocate while enrolled in an online program should discuss their plans with their advisor, program director, and VP for Teaching and Learning to assess any potential impact on their course of study. Students who relocate to a state or country in which their respective program is not currently authorized may experience a delay in their studies or may not be able to complete the program in which they initially enrolled. It is a student's responsibility to seek guidance from his/her advisor, program director, and VP for Teaching and Learning prior to relocation.

### **REPEATING COURSEWORK**

Any required course a student fails or withdraws from must be repeated. The student is required to pay full tuition and fees for a course being repeated. Any course may be repeated at the student's discretion; however, a student should contact the Financial Aid Office to determine eligibility for funding of repeat courses. Both the original and repeated grade will be reflected on the student's transcript. A repeated course will be designated with an R on the transcript.



## **SATISFACTORY ACADEMIC PROGRESS – ACADEMIC – WDT Policy 4010**

Western Dakota Tech (WDT) requires that all students maintain satisfactory academic progress toward the completion of a degree, diploma, or certificate.

Good Academic Standing – Students must maintain a cumulative grade point average of at least 2.0 on a 4.0 grading scale in order to remain in good academic standing and to graduate with a degree, diploma, or certificate. Students are responsible for their own academic standing and for seeking assistance when experiencing difficulty. The following are reviewed when determining that standards are met.

1. Courses for which a student receives a letter grade of A, B, C, D, F, and WF are considered to be credits attempted for scholastic index computation.
2. Courses for which a student receives a letter grade of A, B, C, and D are considered successful completion for scholastic index computation.
3. Remedial courses are included in scholastic index computation calculations.
4. Courses repeated are included in the scholastic index computation calculation. The highest grade is counted in the cumulative GPA.
5. Entire WDT academic records are reviewed when considering satisfactory academic progress for all continuing, re-enrolled, reinstated, and transfer students.

Academic Probation – Students who achieve a cumulative GPA below 2.0 at the end of a term will be placed on academic probation. While a student is on academic probation, the student is expected to work to bring their GPA to an acceptable level. Failure to achieve a 2.0 GPA during the probation semester will result in academic suspension and dismissal from WDT.

Students who achieve a 2.0 during the probation semester but fail to bring up their cumulative GPA to a 2.0 will remain on academic probation.

Students returning from academic suspension and those who ceased enrollment during a probationary semester will be placed on academic probation upon re-admittance to WDT.

Academic Suspension – Students will be placed on academic suspension for the following reasons:

1. Students on academic probation who fail to meet the requirements of academic probation will be placed on academic suspension.
2. Students who have a record of zero (0) attendance for twenty-one (21) consecutive calendar days will be administratively withdrawn from WDT and placed on academic suspension.

Academic suspension is a serious action that will cause interruption of a student's academic career. Students must wait one full semester (fall/spring) before applying for re-enrollment. Upon applying for re-enrollment, students must meet with a Student Success Coach to complete a success plan.

Appeal – Students placed on academic suspension have the right to appeal. Appeal paperwork is located on the website at: <https://www.wdt.edu/current-students/student-forms>. The deadline to submit an appeal is five calendar days prior to the start of the semester in which the student wishes to attend. Although students have up until five calendar days before the start of the semester to submit appeal paperwork, students are encouraged to appeal before the stated deadline to ensure timely processing of the appeal.

The appeal is initiated with a written petition submitted to the Student Success Director/Registrar following notification of the academic suspension. All supporting documentation must be attached to the appeal. Failure to do so will halt the appeal process.

Upon receipt of the appeal request, the Satisfactory Progress (SAP) Committee will meet to review the appeal and issue a decision within five business days. The SAP Committee may request for the student to attend the meeting.

The Student Success Director/Registrar will, by phone or email, notify the student of the decision within one business day of the hearing. A formal letter will be sent to the student's address on file.

Students who have been granted an appeal of their suspension will be placed on academic probation for their next term of enrollment and must complete a success plan with a Student Success Coach.

The Registrar's Office reviews academic performance after the end of each fall, spring, and summer semester.

### **STUDENT ID CARDS AND ID NUMBERS**

WDT will issue every student a student ID card with their student ID number and their legal or preferred name. To ensure the safety of the WDT community, students are encouraged to carry their student ID card with them at all times. This ID card is the property of WDT. It can be used when printing from a network printer on campus or for requesting student information, such as passwords, email, or student records. Student ID cards are required to use the WDT library and to take advantage of the managed print solution provided by WDT. More information on printing services can be found here: <https://www.wdt.edu/student-life/printing>. Student ID cards are also required to be shown to take advantage of student discounts that are offered at various businesses through the community.

All students are assigned a student ID number and temporary password. Once the student has this information, they are required to change their password using WDT's password self-service site available through the "Change Password" link on MyWDT. All passwords are required to be a minimum of twelve characters in length, alpha/numeric, with at least one capital letter or symbol. Student ID numbers are assigned and may not be changed. Student ID numbers/passwords are used to access MyWDT and a student's email account.

### **STUDENT INFORMATION SYSTEM – MyWDT AND STUDENT EMAIL**

Students will have access to Western Dakota Tech's student information portal, MyWDT, through any device with Internet access. The MyWDT portal is available through a link on the WDT website, [www.wdt.edu](http://www.wdt.edu), or directly at <https://my.wdt.edu>. Through MyWDT, students will have access to class schedules, grades, billing information, unofficial transcripts, advising, registration, financial aid awards, et cetera.

All student email communications will be sent through the student's official WDT student email account. Student email accounts will remain active for six months after a student exits WDT.

For assistance, please contact the Help Desk at (605) 394-5355.

### **STUDENT RECORDS AND FERPA**

Student cumulative files are kept for the benefit of the student and are retained by WDT as required by law. WDT defines a student as an individual who is enrolled at WDT. Each student's cumulative record includes the initial application, copies of transcripts from other schools attended, placement test results, immunization records, original grades, grade changes, WDT transcript, copies of correspondence, and other records per the WDT Student Records Retention Policy.

When a student leaves WDT, the student file is kept for three years. The WDT transcript, original grades, and grade changes are kept on file indefinitely. If a student does not report for courses after having made application, the record is retained for three years and then destroyed.

### **Release of Records/Transcripts**

Other than Directory Information, no information in a student's record will be released without written permission of the student. WDT requires a student to complete a release of information form to authorize WDT officials to release academic records to the respective 3<sup>rd</sup> party agency.

To request the release of a student's record or transcript, the student must sign a release form or submit a request in writing that includes the student's signature to the Registrar's Office. Requests may be made to WDT in person, via fax, or through US mail. This procedure must be followed each time the student wishes a record or transcript to be released. The student must state the name and address of the person or agency to receive the record and sign the

form or request. No records will be released to or for any student who has not met all financial obligations to WDT. The Registrar's Office will not release official transcripts on behalf of a current student during a semester's open grading period. Western Dakota Tech does not have the authority to release transcripts provided to Western Dakota Tech from another higher education institution.

All students are mailed one (1) official copy of their completed transcript within 30 days of graduation. Additional copies are provided upon receipt of a signed written request and payment of a transcript fee. Students may also request a transcript through the National Student Clearinghouse online at <https://www.wdt.edu/foundation-alumni/request-transcripts>.

### **Access to Records in the Event of School Closure**

In the event of the closure of WDT, all permanent records of students and former students will be maintained by and available from Career and Technical Education, 700 Governors Drive, Pierre, South Dakota 57501.

### **FERPA – Family Educational Rights and Privacy Act – WDT Policy 4004**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Eligible students have the right to inspect and review the student's education records maintained by WDT. WDT is not required to provide copies of records unless, for reasons such as great distance, it is impossible for eligible students to review the records. WDT may charge a fee for copies.

Eligible students have the right to request through the Registrar that WDT correct records which they believe to be inaccurate or misleading. If the Registrar decides not to amend the record, the eligible student then has the right to appeal the decision to the VP for Institutional Effectiveness & Student Success. If the VP for Institutional Effectiveness & Student Success denies the appeal, the eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Generally, WDT must have written permission from the eligible student in order to release any information from a student's education record. However, FERPA allows WDT to disclose those records, without consent, to the following parties or under the following conditions:

- A person employed by or under contract to the school to perform official, educationally-related duties
- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with financial aid to a student
- Organizations conducting certain studies for or on behalf of the school
- Accrediting organizations
- To comply with a judicial order or lawfully issued subpoena (records released after a notification to student and a 14-day waiting period from date notification was sent)
- Appropriate officials in cases of health and safety emergencies
- State and local authorities, within a juvenile justice system, pursuant to specific state law

The following items are considered public data/information and may be disclosed by WDT in response to inquiries concerning individual students, whether the inquiries are in person, in writing, or over the telephone:

- Name
- Affirmation of enrollment status
- Campus location

Unless students have officially filed a written request with the Registrar's Office within seven calendar days after the first day of the semester stating that disclosures cannot be made without their written permission, the following items, in addition to those above, are considered public/Directory Information and may be included in appropriate college directories and publications and may be disclosed by designated staff members in response

to inquiries concerning individual students, whether the inquiries are in person, in writing, or over the telephone:

- School, college, department, program, or division
- Dates of enrollment
- Degrees received
- Honors received
- Photo
- Local address and phone number
- Home address (permanent)
- Student email address
- Participation in officially recognized activities and sports

WDT has the responsibility for effectively supervising any access to and/or release of official data/information about its students. Certain items of information about individual students are fundamental to the educational process and must be recorded. This recorded information concerning students must be used only for clearly-defined purposes, must be safeguarded and controlled to avoid violations of personal privacy, and must be appropriately disposed of when the justification for its collection and retention no longer exists.

For additional information or technical assistance, individuals may call 1-800-872-5327 or write Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901. Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

### **STUDENT RIGHTS AND RESPONSIBILITIES – WDT Policy 4007**

The submission of an application for admission to Western Dakota Tech (WDT) represents a voluntary decision of a prospective student to participate in the programs offered by WDT pursuant to its policies, rules, and regulations.

Enrollment in courses extends the privilege to join the WDT community and remain part of it as long as established standards for academics and conduct are met. The following rights for enrolled students are not intended to be complete or exclusive.

#### ***Student Rights***

- **Academic and Administrative Policies:** Students can expect an academic environment and administrative policies that support inquiry, learning, and growth.
- **Access:** Students with disabilities have the right to request reasonable accommodation ensuring access to courses, course content, programs, services, events, and facilities.
- **Association:** Students have the right to associate freely with other individuals, groups of individuals, and organizations for purposes that do not infringe on the rights of others.
- **Discipline:** In keeping with high expectations that WDT has established for students, students can expect discipline and sanctions for misconduct. Students accused of misconduct have the right to due process regarding the alleged misconduct, as described in the Student Handbook/Student Code of Conduct section.
- **Education:** WDT students have the right to a quality education that includes expert faculty, academic technology, library services, tutoring, and support resources necessary for learning.
- **Freedom from Discrimination and Harassment:** WDT will not tolerate racism, discrimination, harassment, exploitation or victimization of students, school employees, non-employees, or any person who is an invitee of WDT for any reason, including but not limited to race, color, ethnic background, national origin, pregnancy, marital status, religion, creed, age, sex, citizenship, political affiliation, mental and/or physical challenge, disability, sexual orientation, genetic information, gender identity, status as a veteran, or any other status protected under applicable federal, state or local law. WDT is committed to providing an environment free from harassment and other forms of discrimination for students, employees, non-employees and its invitees.

The following person has been designated to handle inquiries or complaints regarding the non-discrimination policies: Student Success Director/Registrar.

- Freedom of Expression: Students are able to freely examine and exchange diverse ideas in a manner that does not violate the rights of others.
- Grievance Process: WDT students have the right to respectfully present concerns or complaints about the College to College officials, and to have their concerns and complaints addressed. See the Student Handbook for approved processes.
- Institutional Shared Governance: Students have the right to participate in the governance of WDT by serving as an officer in a student organization, completing student surveys, and volunteering for focus groups.
- Learning Outside the Classroom: Students have access to activities beyond the classroom that support intellectual and professional development.
- Safe Environment: Students have the right to learn within a safe campus community.
- Service to the Community: Students have the right to participate in service opportunities to both the WDT community and the community beyond.
- Student Information: Students have the right to access their student records and the right to control disclosure of personally identifiable information in accordance with the Family Education Rights Privacy Act.
- Timely Response from WDT Faculty and Staff: Students have the right to timely and professional responses from college employees.

### ***Student Responsibilities***

- Academic Progress: Students are responsible for their academic progress and planning, including selecting class schedule, meeting course requirements, completing requirements for graduation, reviewing grades and graded material, and seeking assistance in a timely fashion.
- Attendance: WDT is an attendance-required college. Students are responsible for attending and engaging in classes according to the attendance policies contained in the instructor's course syllabus and the Student Handbook.
- Class Work: Students are responsible for knowing all information contained in the syllabus. Students are responsible for meeting all course requirements and observing all deadlines, examination times, and course expectations and procedures.
- Communication: Students are responsible for checking their WDT email daily (excluding holidays and weekends) for communications from college faculty and staff. Students also have the responsibility to accurately complete all institutional forms accurately and submit them on time to the appropriate office. This also includes documents the student is having sent to the school by other organizations.
- General Conduct: Students attending WDT have the responsibility to be aware of and comply with the policies, expectations, and procedures in the Student Handbook, Academic Catalog, and, if applicable, program handbook.
- Selection of Program: Students are responsible for reviewing and considering all information about a WDT program before enrolling. Ultimately, it is the student's responsibility to choose the program they will enroll in.

### **TRANSFER CREDIT – WDT Policy 3002**

Students requesting credit at WDT for post-secondary work completed at other schools must submit an official transcript from the school(s) previously attended. It is the responsibility of students to submit official transcripts and any required documentation before engaging in a course for which they think they may qualify for transfer credit.

All requests for transfer of credit from a higher education institution must be received and reviewed before a student qualifies for graduation. Transfer students must complete a minimum of 25% of the prescribed coursework through WDT to be eligible for a certificate, diploma, or AAS degree. Exceptions may apply for state or nationally recognized licensures.

Post-secondary level credits from an accredited school in which the student has earned a grade of “C” or higher, or its equivalent, will be considered for transfer. The applicability of credit is dependent upon previously established course equivalencies, statewide policies, and evaluations by academic advisors or faculty. The determination of acceptance is made by the Student Success Director/Registrar. Approved transfer credits are designated on the transcript as “TC”.

Students interested in transferring WDT credits to other institutions of higher learning should review WDT’s transfer agreements with those institutions. Articulation agreements can be found at <https://www.wdt.edu/future-students/transfer-of-credit>.

### **WITHDRAWAL FROM WDT**

If a student desires to withdraw from WDT, the student needs to contact the Registrar’s Office or a Student Success Coach as soon as the decision has been made. Upon contacting the Registrar’s Office or a Student Success Coach, the student will be counseled on the academic and financial consequences of withdrawing.

Students who withdraw from all courses after the official add/drop period but prior to completion of 75% of the course(s) may be due a partial refund depending on the last day of attendance and financial aid may require adjustment. Any outstanding balance due or refund owed will be communicated to you via U.S. mail to the address on file. The Student Accounts office strives to have this information to you in 7-10 days. Current refund schedules are available from the Student Accounts Office and are published on the WDT website. The refund policy is subject to change.

Students cannot withdraw from WDT after completion of 75% of the course. Students who leave WDT after the last day to withdraw from a course will receive grades earned as of the end of the semester and no refunds will be granted.

The last day to withdraw from a course is listed on the Academic Calendar on the WDT website.

## Section Three: Financial Aid, Third-Party Funding, and Student Accounts

### **CHECK POLICY**

WDT will not accept personal checks from any person who has made a previous non-sufficient funds payment. This includes all departments on campus that accept personal checks as a form of payment. If a personal check payment made to a student's account is returned by the bank for any reason, the student agrees to repay the original amount of the payment plus the returned payment fee to the returned check collections company. Returned payments and/or failure to comply with the terms of any payment plan or agreement will result in a hold placed on the student's account. A Student Account Hold will halt registration for courses, release of student records, and any of the services offered by Western Dakota Tech until such accounts are paid in full.

### **COLLECTIONS**

When a student registers for any class at Western Dakota Tech or receives any service from Western Dakota Tech, the student accepts full responsibility to pay all tuition, fees, and other associated costs assessed as a result of their registration and/or receipt of services. Students further understand and agree that their registration and acceptance of these terms constitutes a promissory note agreement (i.e., a financial obligation in the form of an educational loan as defined by the U.S. Bankruptcy Code at 11 U.S.C § 523(a)(8)) in which Western Dakota Tech is providing the student educational services, deterring some or all of their payment obligation for those services, and the student promises to pay for all assessed tuition, fees, and other associated costs by the published or assigned due date.

Balances on past due accounts may be turned over to an outside agency for collection. Students with delinquent accounts at collections will be responsible for all additional collection fees and will result in a hold placed on the student's account. A Student Account Hold will halt registration for courses, release of student records, and any of the services offered by Western Dakota Tech until such accounts are paid in full.

### **FINANCIAL AID**

The WDT Financial Aid Office is dedicated to administering the U.S. Department of Education's Title IV Financial Assistance Program in a fair, consistent, and efficient manner, and assisting students in seeking funding opportunities in order to fulfill their post-secondary educational goals by providing personalized assistance, accurate and meaningful interpretation of federal eligibility regulations, and guidance regarding long-term financial considerations and default management.

The Financial Aid Office at Western Dakota Tech provides financial assistance to students who, without such aid, would be unable to attend school. Financial Aid policies and procedures are found on the WDT website. If you have questions or would like a bulletin, please see the Financial Aid Office.

The following information is available regarding the rights and responsibilities of students who are applying for or receiving any financial assistance from Federal Pell Grant, FSEOG, FWS, and Direct Student Loan Programs. The Financial Aid Office may be contacted for the student consumer information listed below.

- Continued eligibility for financial aid
- Satisfactory academic progress
- Methods and means of financial aid payment
- Responsibility of student repayment of loans and grants
- Terms and conditions of work-study employment
- Return to Title IV policy

There are many financial aid sites available on the Internet providing student financial aid assistance and information for students and their families. The websites are maintained by a variety of institutions, professional organizations, and governmental agencies. Visit Western Dakota Tech's [Financial Aid website](#) for important links.

### **General Financial Aid Eligibility Requirements:**

All financial aid recipients must meet the following eligibility requirements:

- Be enrolled/accepted for enrollment in a degree, diploma or certificate program.
- Have a high school diploma or GED.
- Be a citizen
- Maintain [satisfactory academic progress](#).
- Cannot be in default on Perkins Loans or any Direct Loan at any institution.
- Cannot owe an overpayment of Pell or SEOG.
- If required, must register with the Selective Service.
- Cannot have borrowed in excess of loan limits.
- Have need, as defined by individual program requirements (except for unsubsidized Stafford Loans and PLUS Loans).
- Meet any other program-specific criteria.

### **Financial Aid Application Process:**

Before filling out your FAFSA, you will need to create your [FSA ID](#). Your FSA ID gives you access to the Federal Student Aid online system and can also act as your legal signature.

1. Complete the [Free Application for Federal Student Aid \(FAFSA\)](#). The FAFSA is the form you will use whether you are applying for federal loans, work study, grants, or a combination of these. The FAFSA will determine your eligibility for Federal Student Aid (FSA).
2. Western Dakota Tech's school code is **010170**
3. You will need your tax information, you will use your prior prior year tax information. For example, you will use your 2016 tax return when applying for aid for the 2018-2019 academic year
4. Be sure to use your name exactly as it appears on your Social Security Card

If you plan to accept all or a portion of the loans, and are a new student loan borrower, you must complete [Entrance Counseling](#) and your [Master Promissory Note](#) (MPN) You will do this through the Federal Student Loan system and use your FSA ID. Entrance Counseling ensures you understand your obligation to repay your loans and the MPN is how you agree to the terms of the loan.

You may be selected for [Verification](#). The Financial Aid Office will notify you if additional documentation is required. Some students' FAFSA information will be selected by the Department of Education for verification. As a result, Financial Aid will request additional documentation to verify the information provided on the FAFSA is accurate and to resolve discrepant information. By signing the FAFSA, students and parents give Western Dakota Tech permission to ask for all verification documentation.

If selected for verification, the Financial Aid Office will notify students by email. Students have 14 days from receipt of notification to submit documentation. Students who submit verification documentation after the time requested will be awarded aid on an availability basis. Aid is not awarded to students who fail to submit verification documentation.

The Western Dakota Tech Financial Aid Office cannot provide a Financial Aid Award until all required documentation has been received and reviewed.

Next, you will receive a Financial Aid Award letter from Western Dakota Tech. This will outline the types of funding you are eligible for and you will be able to accept some or all of the award. Our Financial Aid Department will help you through the process of accepting your aid.

Your Financial Aid Award Letter informs you of the financial aid you are eligible for based on the FAFSA completed.



You may be offered a loan even though you did not request one. The award letter lists the types of aid (grants, loans, work-study, and scholarships), as well as the amounts you can expect to receive each semester.

Read your award letter carefully and contact the Financial Aid Office at Western Dakota Tech if you wish to decline any or part of the aid listed. If the Western Dakota Tech Financial Aid Office does not receive a communication from the student, they assume you are accepting all the aid offered and that you understand and accept the rules and conditions affecting your financial aid. Check the number of credits you told us you would take each semester. Report any changes in enrollment, your name, and/or address.

If you have a source of educational funding that is not listed on the award letter, inform us either via email at [finaid@wdt.edu](mailto:finaid@wdt.edu) or in writing. Examples of additional funding that must be reported include Vocational Rehabilitation, Veteran's Benefits, WIAO, Tribal grants or loans, all scholarships, stipends, and grants. If you learn about additional funding after you have received your award letter, you are required to notify the Financial Aid Office in writing as soon as possible and a Revised Award Letter will be issued.

Be sure to contact the Western Dakota Tech Financial Aid Office if you wish to reject any of the financial aid offered. We will email you a revised award letter if you make corrections or if we determine that any information that was used in making this award is incorrect.

Note on Financial Aid Summer Session: Summer Financial Aid is based on the FAFSA information used to determine eligibility for the previous fall and spring semesters.

**Financial Aid Responsibility:**

The Financial Aid Office is responsible for processing your aid application and administering your award in a timely manner. You have the right to expect equitable treatment in the consideration of your application for financial aid assistance. Each student's file is evaluated on an individual basis and financial aid is awarded according to eligibility and packaging guidelines.

The staff reviews files in the order they are completed. Students who provide information to complete their files during peak business times (July, August & September) may experience a delay due to the high volume of files being processed. If you apply or complete your file late, please be prepared to pay with your own funds until your file is reviewed and awarded. Students who are in good standing and have submitted all requirements and are waiting for the financial aid office to review their file, may inquire with the Financial Aid Office staff to determine if they may be eligible to charge their textbooks to their Student Account.

**Confidentiality Statement:**

The Family Educational Rights and Privacy Act (FERPA), a federal law that protects the confidentiality of a student's education record, specify that the College may not release information from a student's record to anyone outside of the College without the express written consent of the student. This means that Western Dakota Tech must withhold information about a student's grades, financial obligations, or standing with the College from parents and others who believe their relationship with the student entitles them to have the information. Please understand that because of these laws, Western Dakota Tech cannot release this information without the express written consent of the student. If the student wishes to give consent to non-College employees, they must complete an Authorization to Release Financial Information form.

Please refer to the Western Dakota Tech [FERPA Policy](#) and related resources for details. Students may sign a release form, kept on file electronically, granting access to certain records by designated parties. The form needs to either be signed/witnessed by a College Employee or by a notary public.

**Financial Aid Disbursement:**

Financial aid (grants, fee waivers, scholarships, and Direct Student Loans) are credited to the student's account and

applied toward their institutional charges prior to fee payment, provided they are enrolled for the correct number of credits, their financial aid file is complete, and all admissions requirements are met. If a student has a credit balance after all of their institutional charges have been paid, a check for the remaining amount will be released to the student. Credit balances become available to returning students the third week of fall and spring semester, the second week during summer semester. If a student is a first-time Direct Loan borrower, credit balance checks will be available after the student has been enrolled for 30 days. Credit balance checks are available to be picked up at the Student Accounts Office located to the right when entering Enrollment Services. Checks that are not picked up from the Student Accounts Office for one week, will be sent U.S. Mail to the student's current address on file.

All fees and other institutional charges are due at the beginning of each semester. If not paid when due, a hold may be applied to the student's account restricting future registration for courses until the account is paid in full. The student is responsible for all fees and institutional charges when due, even if they expect to receive financial aid. When a student's Pell Grant is late due to corrections, the Financial Aid staff can allow students to make arrangements with the Student Accounts Office to temporarily waive all or part of the payment of their bill until financial aid can be disbursed.

Bookstore charges may be available one week prior to classes starting, if all Financial Aid paperwork is complete, or written authorization has been received from Third Party agencies. Vouchers will be provided through the Student Accounts Office.

#### **Student Responsibilities:**

If your enrollment plans change, you must notify the Financial Aid Office because your eligibility for financial aid may be affected.

If you receive any educational funding, such as Veteran's Benefits, Vocational Rehabilitation, and/or Employer Assistance, or if you are awarded a scholarship, grant, or stipend, you must report this information to the Financial Aid Office in writing as soon as possible. A Financial Aid Administrator will re-evaluate your eligibility. If you are no longer eligible for part of the aid you have been offered, we will work with you to resolve any over-award as painlessly as possible. If it is necessary that you repay a portion of your financial aid, you will have to repay it before you are eligible for further aid.

After you leave school, you must stay current with your loan payments to the college or lender. If the Financial Aid Office learns that you are delinquent or in default on a loan from another school, your current award could be canceled.

Western Dakota Tech students who utilized Direct Student Loans and cease enrollment or graduate are required to complete [Exit Counseling](#) on the Federal Student Aid website.

#### **Request Changes to your Award:**

If you have additional expenses, such as dependent care or costs related to a disability that are not paid by another source (AFDC, Vocational Rehabilitation), you may request an adjustment in your budget. You will be required to provide documentation regarding the expenses. Standardized amounts for dependent care will be used, if you qualify.

If your previous year's income or your parents' previous year's income will be considerably less than your current year's income due to loss of employment or benefits, death, divorce, or reduction in employment hours, you may request a "[Professional Judgment](#)" re-evaluation of your financial aid eligibility. You or your parents will be required to document the change of income. Professional judgments are reviewed on a case-by-case basis in the order they are received after the student's initial award letter has been processed. Changes due to income only will not be reviewed until after your current year's income taxes have been filed, unless this is the result of a death or divorce.

### **Financial Aid Programs and Award Guidelines:**

The following sections describe the various financial assistance programs available at Western Dakota Tech. These descriptions are summaries and do not contain all of the rules and regulations that apply. In addition, all of the aid described below is distributed based upon financial need. For more information, contact the [Financial Aid Team](#).

### **Federal Pell Grants**

Federal Pell Grants are free grants that do not have to be paid back. They are awarded to students who have a particular level of need determined by the federal government, have not received their first bachelor's degree and have not already reached their Pell Lifetime Eligibility Limit.

### **Federal Supplemental Educational Opportunity Grant (FSEOG)**

FSEOG is a free grant and does not have to be paid back. The federal government allocates monies to institutions to award FSEOG grants to exceptionally needy students. Priority must be given to Pell Grant recipients. Since the funds are limited, students may also be required to meet the preference deadline of April 1 to be considered for the FSEOG

### **Federal Direct Subsidized Loan**

The Federal Subsidized Loan is a need-based loan made to students by the U.S. Department of Education. Interest is covered while the student is enrolled in school with at least half-time enrollment status. Repayment begins six months after the borrower completes his/her education or ceases to be at least a half-time student. Contact the financial aid office for current year information about the Federal Direct Subsidized Loan's annual award amounts and current interest rates.

### **Federal Direct Unsubsidized Loan**

The Federal Direct Unsubsidized Loan is a non-need-based loan made to students by the U.S. Department of Education. Interest accrues immediately, which the student can choose to pay quarterly or let capitalize. Principal payments do not begin until six months after the borrower completes his/her education or ceases to be at least a half-time student. If a parent is denied a Federal PLUS, a dependent student may be awarded additional funds under the Federal Direct Unsubsidized Loan Program. Contact the financial aid office for current year information about the Federal Direct Unsubsidized Loan's annual award amounts and current interest rates.

### **Federal Direct Parent Loan to Undergraduate Students (PLUS)**

The Federal Direct PLUS enables parents with a good credit history to borrow money from the U.S. Department of Education to pay the education expenses of their dependent undergraduate student(s). If a parent is denied the Federal Direct PLUS, a dependent student may be awarded additional funds under the Federal Direct Unsubsidized Loan program. Federal Direct PLUS eligibility is not based on need. Repayment begins 60 days after the full disbursement of the loan; however, the parent may contact the servicer of this loan and ask about in-school deferments. The yearly limit on a Federal Direct PLUS is equal to the cost of attendance minus all other financial aid received by students. Contact the financial aid office for current year information and about the application procedures.

### **Federal Work-Study Program (FWS)**

Federal Work Study provides jobs for undergraduate students with financial need, allowing them to earn money to help pay educational expenses. Limited funding for FWS is provided through the federal government with additional contributions from Western Dakota Tech.

### **Defaulted Student Loans and/or Repayments:**

Any student who is in default on a Student Loan will not receive payment for Federal Pell Grant, FSEOG, FWS, and Federal Student Loans. If a student owes a repayment on a grant, no further payments of financial aid funds can be made to that student until the repayment has been made.

### **Post-Withdrawal Disbursements:**

An eligible student who withdraws before receiving a Title IV disbursement may be eligible to receive a post-withdrawal disbursement. However, any post-withdrawal disbursement due to the student will be applied to the student's account (when applicable and permissible) before the student receives any funds. A student must make satisfactory arrangements to pay their student account, if a balance is outstanding. Failure to make satisfactory arrangements may result in turning the account over to a collection agency for processing, which may result in additional fees to the student.

### **Student Consumer Information:**

Prospective students, current students and community members are encouraged to review [Consumer Information](#), which provides a comprehensive overview of Western Dakota Tech and its practices, including crime statistics, privacy, financial aid, and other important policies.

### **Financial Aid Satisfactory Academic Progress – WDT Policy 4011**

Whether or not a student has or will receive financial aid, federal regulations require Western Dakota Tech to establish and implement a policy to measure if a student is making satisfactory academic progress toward a degree. Federal student aid funds include but are not limited to: Unsubsidized Direct Loan, Subsidized Direct Loan, Parent PLUS Loan, Federal Pell grant, Federal Supplemental Educational Opportunity Grant (FSEOG) and work-study.

Other federal, state, and private agencies may require students to maintain satisfactory academic progress for their aid programs as well. The academic record of all students will be monitored to ensure compliance with the requirements specified below. Therefore, even the academic record of those who have not received federal student aid in the past may impact future eligibility. Satisfactory Academic Progress is measured at the end of each term (fall, spring and summer).

Failure to meet any of the three following standards will result in a warning or termination of eligibility for federal student aid.

#### **1. Minimum Cumulative Grade Point Average (Qualitative measure)**

Federal regulations require a cumulative GPA of 2.0 or higher for undergraduate students. The cumulative GPA is calculated on all Western Dakota Tech courses excluding credit by exam, transfer credit and audited coursework.

#### **2. Pace of progression for cumulative credits attempted and completed (Quantitative measure)**

All students must successfully complete 67% of cumulative attempted credit hours. Attempted credit hours include all hours that would appear on a student's academic transcript at the end of any given term, including withdrawals, incompletes, repeated courses, remedial coursework, credit by exam and transfer credit. Audited coursework is not included. Credit hours that may have been part of a successful academic amnesty appeal will be included. WDT uses normal rounding rules for calculation of Pace.

Successfully completed hours include grades of A, B, C, D, CE (Credit by Exam), TC (Transfer Credit), TF (Transcript Fee), and S (Satisfactory). All other grades would not be considered successful completion such as F (failure), I (incomplete), IP (in progress), WF (withdraw failing) and W (withdraw).

#### **3. Maximum Attempted Credit Hours**

There is a limit on the number of credit hours a student can attempt and remain eligible for federal student aid. All credits attempted (except audited coursework) are included. This limit is based on 150% of the credit hours needed to complete the degree that the student is pursuing.

Example:

Associate of Applied Science in Surgical Technology = 90 maximum credit hours attempted (based on a 60-credit hour program).

**Incompletes:**

If a student is unable to complete all requirements, due to special circumstances approved by the instructor, an incomplete may be issued. The incomplete will not be calculated into the grade point average. If the student does not complete the work within the specified time frame, a grade of an F will be assigned. The student will receive the letter grade when all work has been successfully completed. Incomplete grades will be monitored by the Registrar's Office and documentation of the grade change will be provided to the Financial Aid Office. The final grade can affect both GPA and completion requirements. Incompletes are calculated as attempted credits but not successfully earned credits.

**Repeated Courses:**

In certain circumstances, students may receive financial aid for repeated courses. Repeated courses will be used in the calculation of a student's Satisfactory Academic Progress status. Each repetition will count towards the attempted credit hours (quantitative) and the highest grade will be counted in the cumulative GPA calculation (qualitative) for SAP. Federal aid regulations may limit the number of times a course can be repeated and eligible for aid.

**Progression/Repeating a Course:**

Students may choose to repeat courses for which credit has been granted only once to improve a grade. When students repeat such courses, the highest grade received is calculated in the grade point average; the earlier grade(s) received are indicated on the official transcript, but a notation is made that the course has been repeated. For Satisfactory Academic Progress calculations, both grades are included. All repeated courses are calculated towards cumulative GPA, pace, and maximum timeframe.

**Remedial Courses:**

Remedial courses are considered in the credit hours attempted and credit hours completed for the quantitative calculation of Satisfactory Academic Progress even though the hours do not count towards graduation requirements. Remedial courses are considered eligible courses for financial aid purposes and enrollment status.

**Withdraw from a Course:**

Courses that a student withdraws from are included in credit hours attempted but not credit hours completed when calculating pace and maximum time frame. Withdrawn courses are given the grade of a 'W' or 'WF'. Students will receive a 'W' anytime they withdraw after the drop period as outlined on the academic calendar. Students will receive a 'WF' if they are administratively withdrawn from the College.

**Transfer Credits:**

Transfer credits that have been accepted by Western Dakota Tech toward a current degree are subject to the Satisfactory Academic Progress maximum attempted credit hour calculation. Transfer credits are included in the 150% calculation at which a student is progressing.

**Change of Program:**

The student is eligible to receive aid for no more than 150% of all the credit hours required to complete the new program of study. The 150% limit is applied to all credit hours earned by the student while enrolled at Western Dakota Tech and includes all transferred credits accepted from previously attended institutions that apply to the current degree. A degree audit completed by the Registrar's office and provided to the Financial Aid office.

**Pursuit of 2<sup>nd</sup> Degree:**

The Registrar's Office will provide a degree audit to the Financial Aid Office for students pursuing a 2<sup>nd</sup> degree from Western Dakota Tech. The student is eligible to receive financial aid for no more than 150% of the credit hours required to complete the 2<sup>nd</sup> program of study. The 150% limit is applied to all hours earned by the student while enrolled at Western Dakota Tech and includes transferred credits accepted from previously attended institutions for current degree. Credits earned for a degree already awarded by Western Dakota Tech are not included in the 150% of the new degree program, unless it applies to the 2<sup>nd</sup> degree.

## **Financial Aid SAP Terminology:**

### Financial Aid Warning

Students who achieve a cumulative GPA below 2.0 or who have not successfully completed at least 67% of credits attempted at Western Dakota Tech at the end of a semester will be placed on financial aid warning. Students are eligible to receive aid during the financial aid warning semester. Students are expected to achieve a 2.0 cumulative GPA and have a completion rate of at least 67% at the end of the financial aid warning semester to return to good standing. Students are notified at the end of the term via email and U.S. mail if they are on Financial Aid Warning. A student can have more than one warning period, but it cannot be consecutive semesters.

### Financial Aid Termination of Eligibility

Failure to achieve a 2.0 cumulative GPA or completion of at least 67% of credits attempted at the completion of the warning semester will result in financial aid termination of eligibility. Financial aid termination of eligibility may also be assigned to students who are unable to demonstrate that they can complete their program within the 150% maximum timeframe. Students on financial aid termination are not eligible to receive federal or state financial aid. Students are notified at the end of the term via email and U.S. mail if they are on Financial Aid Termination.

### Financial Aid Probation

Students on financial aid termination who successfully appeal the financial aid termination will be reinstated for financial aid on a probationary status. During probation, which lasts one term, students are expected to successfully meet the terms of probation as outlined in their Academic Plan. Academic Plans are completed and monitored by a Student Success Coach. Students may continue to receive aid for subsequent semesters if they continue to meet their Academic Plan. Students will return to good standing upon achieving a 2.0 cumulative GPA and successfully completing at least 67% of credits attempted.

## **Appealing Financial Aid Termination of Eligibility:**

Students who are placed on financial aid termination may complete a Satisfactory Academic Progress Appeal form to explain circumstances that adversely affected their ability to be academically successful at Western Dakota Tech. Students are advised to carefully read the procedures for submitting an appeal listed on the appeal form and submit the requested documentation with their appeal. Each appeal will be dealt with on a case-by-case basis; therefore, each appeal is evaluated on its own merits or lack thereof. As a result, no appeal is guaranteed to be approved by the SAP Committee.

Reason for appeal may include: personal illness or illness of immediate family member, death of an immediate family member, change of program, or other special circumstances that prevented the student from being successful. Appeals cannot be approved for unresolved situations without solid evidence that the situation will not affect your academic performance.

To ensure a timely review, appeals must be received 5 calendar days prior to the start of the semester for which the student is appealing. All appeal are reviewed by the SAP Committee. You will be notified of the result of your appeal by letter and email.

If your appeal is approved, financial aid will be reinstated for one term and you will be notified via letter and email. Based upon the circumstances of an approved appeal, the Appeals Committee reserves the right to stipulate conditions the student must meet to be considered for financial aid on a probationary basis for subsequent semesters. Conditions of your specific appeal will be outlined in your academic plan. **A student may go beyond 150% max timeframe if it is approved with a successful appeal and an implemented Academic Plan.** Examples of conditions may include a requirement to complete 100% of all courses attempted with no withdrawals or failures with a 2.0 term GPA.

## **Reinstatement of Financial Aid Eligibility:**

If the committee does not approve your appeal, you will be notified via letter and email. The student must then come into compliance on their own without use of the federal aid programs. Students who have lost their Financial

Aid eligibility but have subsequently met the qualitative and/or quantitative standards as stated above, will have their aid eligibility reinstated will be considered effective the next academic semester.

#### **Return to Title IV:**

The U.S. Department of Education requires institutions to apply the Return to Title IV Funds policy for students withdrawing from a College who receive Title IV financial aid. The Title IV programs at Western Dakota Tech include: Federal Pell Grants, Direct Loans, Direct PLUS Loans, Federal Supplemental Educational Opportunity Grants (FSEOG) and Iraq and Afghanistan Service Grant.

The requirements for return to Title IV program funds when you withdraw are separate from the WDT refund policy – [Policy 6007](#) and [Procedure 6007.001](#). Therefore, you may still owe funds to the school to cover unpaid institutional charges. Western Dakota Tech will charge the student for any Title IV program funds that Western Dakota Tech is required to return.

A student who withdraws after the 60% point of a semester is entitled to retain all Title IV aid for that semester. However, if the student withdraws prior to the 60% point of the term, unearned Title IV funds as determined by the federal policy must be returned to the various programs. These funds must be returned even if the College provides no refund to the student. This means the student could owe Western Dakota Tech and/or the U.S. Department of Education a significant amount of money.

#### **Withdrawal Process:**

The Return of Title IV funds policy is applied to any student who cancels enrollment, withdraws, drops to zero hours, takes a leave of absence, or is dismissed. This policy is applied to students who discontinue enrollment in all classes on or after the first day of the term. When you withdraw, two separate calculations must take place:

1. A refund of tuition and fees from WDT must be calculated by the Bursar's Office (Student Accounts)
2. A return to Title IV must be calculated by the Financial Aid Office

If you cancel your registration prior to the first date of classes, this policy will not apply to you. Also, if you drop some but not all of your classes, these policies will not apply; however, you should notify the Financial Aid Office as your continued financial aid eligibility may be affected. Contact the Registrar's Office for information on withdrawing.

Attendance is taken in all courses at Western Dakota Tech. The student's withdrawal date is the last date of attendance or engagement, which is referred to as LDA, in a course based on attendance records and verified by the Registrar's Office. The Financial Aid Office will use the LDA to calculate the return of funds.

#### **Unofficial Withdraw:**

If a student has not attended all enrolled courses for 8 consecutive days, the Student Success Coach attempts to contact the student. If the student has 14 days of non-attendance and has not begun the official withdrawal process, an official letter and email is sent to the student notifying the student of the attendance policy and the options to withdraw or risk of administrative withdrawal. Western Dakota Tech is an attendance taking school, and must be able to make this determination within 14 days if not sooner.

The Financial Aid Office will receive administrative withdrawal paperwork from the Registrar's Office and will complete the Return of Title IV calculation. The deadline to refund Title IV to the Department of Education is 45 days from the date the school determined the student withdrew.

#### **Refund of Tuition and Fees:**

Based upon the date you discontinue enrollment, you may receive a refund of your tuition and fees. See WDT [Policy 6007](#) and [Procedure 6007.001](#) for details.

### **Determining Earned Aid:**

Though your aid is posted to your account at the start of each semester, you earn the funds as you complete the semester. Title IV financial aid is earned by the calendar day, not class day. This includes weekends, holidays, and breaks of less than five consecutive days. Western Dakota Tech is required to determine the amount of Title IV aid the withdrawing student has earned and then either disburse any additional funds the student may be entitled to up to the amount earned, or return funds in excess of the amount earned which the student has already received. If you withdraw during your enrollment period, the amount of Title IV program assistance that you have earned up to that point is determined by a specific formula. If you received (or your school or parent received on your behalf) less assistance than the amount that you earned, you may be able to receive those funds. If you received more assistance than you earned, the excess funds must be returned by Western Dakota Tech to Title IV.

When a student receiving Federal Title IV financial aid withdraws from Western Dakota Tech during the enrollment period, the amount of the Title IV funds (not including Federal Work Study) that the student earned during the enrollment period is calculated as of the student's withdrawal date.

Title IV funds are earned at a fixed rate on a per day basis up to the 60% point in the enrollment period. Title IV funds are 100% earned if the withdrawal date is after the 60% point in that period.

If the date a student withdraws from Western Dakota Tech is prior to or on the 60% point of the semester, Western Dakota Tech is required to determine the portion of the aid disbursed that was "earned" by the student before the withdrawal date. The "unearned" Title IV funds must be returned to the respective federal aid programs within 45 days after Western Dakota Tech determines student withdrew. Unearned aid is the amount of disbursed Title IV aid that exceeds the amount of Title IV aid earned based on attendance in the enrollment period.

For example: If \$1000 in federal aid is disbursed, and the student withdraws at the 30% point of the term, \$700 of the aid is unearned and needs to be returned to the identified aid program.

The following formula is used to determine the percentage of unearned aid that has to be returned to the federal government:

- The percent earned is equal to the number of calendar days completed up to the withdrawal date, divided by the total calendar days in the payment period (less any scheduled breaks that are at least 5 days long)
- The payment period is the entire semester. For students enrolled in modules (courses which are not scheduled for the entire semester or term), the payment period only includes those days for the module(s) in which the student is registered.
- The percent unearned is equal to 100% minus the percent earned.

### **Calculating Return of Title IV Aid Amount**

Once the earned and unearned aid percentages are determined, the next step is to calculate the dollar amount of unearned aid that must be returned to the financial aid programs. The return amount is determined by multiplying the unearned aid percentages by the total of all Title IV aid received.

### **School Portion of the Return**

The amount of unearned aid that must be returned by Western Dakota Tech is a percentage of the institutional charges (tuition and fees) for the term. Once the dollar amount of the school portion of the return is determined, it is compared to the total amount of all unearned aid. If a school's portion is less than the total unearned aid, then Western Dakota Tech must return the amount of the school portion. If the calculated school portion exceeds the total unearned aid, then Western Dakota Tech must return the amount of the total unearned aid.

After the school returns the correct amount of financial aid, any amount of the total unearned aid that remains becomes the student portion of the return. The student portion of the return is calculated by subtracting the amount of the school return from the total unearned aid.



**Order of Aid to be Returned:**

Financial Aid will be returned to the aid program from which it came. If returned to a loan program, your outstanding balance will be reduced by the amount of the return. Financial Aid will be returned in the following order:

1. Unsubsidized Direct Loan
2. Subsidized Direct Loan
3. Direct PLUS Loan
4. Federal Pell Grant
5. Federal Supplemental Educational Opportunity Grant (FSEOG)
6. Iraq and Afghanistan Service Grant

The school must return the amount of Title IV funds for which it is responsible no later than 45 days after the date of determination.

**Grant Overpayment:**

Any amount of unearned grant funds that the student must return is called an overpayment. The maximum amount of a grant overpayment the student must repay is half the grant funds that were received or scheduled to receive. The student does not have to repay a grant overpayment if the original amount of the overpayment is \$50 or less. Arrangements must be made with Western Dakota Tech or the Department of Education to return the unearned grant funds. The student will be notified of any grant overpayment within 30 days of the date the school determined the student withdrew.

**Late or Post-Withdraw Disbursement:**

If the student did not receive all of the funds that were earned prior to withdrawing, a post-withdrawal disbursement may be due. If the post-withdrawal disbursement includes loan funds, the student must give permission before the funds can be disbursed. Western Dakota Tech may automatically use all or a portion of the post-withdrawal disbursement of grant funds for tuition and fees. Permission is required to use the post-withdrawal grant disbursement for all other school charges. Students will be notified in writing of post-withdrawal disbursement eligibility for Federal Direct Loans within 30 days of the date of withdrawal determination to offer them the opportunity to accept all or part of their disbursement for Title IV loans.

**Notification to Student:**

Once the Return to Title IV Funds calculation has occurred, the Financial Aid Office will notify the student of the results of the calculation and the aid that was returned. The Business Office will notify the student of any outstanding balance now due to the institution as a result.

**Sample of Return to Title IV Calculations:**

1. A student withdraws from Western Dakota Tech after completing 34.9% of the total semester.
  - The semester began on January 8<sup>th</sup> and ended on May 11<sup>th</sup>
  - The student completely withdraws on February 14<sup>th</sup>
  - This is the 38<sup>th</sup> day of the semester that is 109 days long (or 34.9%)

| Type of Aid              | Financial Aid Disbursed | Total Aid Earned (student keeps) | Total Aid Unearned (returned to program) |
|--------------------------|-------------------------|----------------------------------|--|
| Unsubsidized Direct Loan | \$2,969                 | \$776                            | \$2,193                                  |
| Subsidized Direct Loan   | \$1,732                 | \$1,732                          | \$0                                      |
| Direct Plus Loan         | \$0                     | \$0                              | \$0                                      |
| Federal Pell Grant       | \$2,960                 | \$2,960                          | \$0                                      |
| FSEOG                    | \$250                   | \$250                            | \$0                                      |

2. Federal law states that the student has earned 34.9% of federal aid disbursed
3. 65.1% has been determined to be unearned aid. The unearned aid are returned as follows:
  - Unsubsidized Direct Loan – \$2,193 (returned by Western Dakota Tech)
  - Subsidized Direct Loan – \$2,508 (student's responsibility to repay in accordance with the terms of the borrower's promissory note)

### **REFUND POLICY AND PROCEDURE – WDT Policy 6007**

The procedures for a refund are as follows:

Students who withdraw completely from WDT will be eligible for refunds (excluding non-refundable fees) according to the following based on the last date of attendance (LDA) at WDT:

- Full (100%) refund of tuition and refundable fees for courses that are not past the Add Period for said course.
- Half (50%) refund of tuition and refundable fees for courses that are past the Add Period and up to 20% of the term for said course.
- No refund of tuition and refundable fees for courses that are past 20% of the term for said course.

Students who do not withdraw completely from WDT will be eligible for a 100% refund of tuition and refundable fees for a course dropped before the end of the scheduled Drop Period. Students must complete and submit proper paperwork with authorized signatures to the Registrar's Office no later than the close of business on the last day of the Drop Period to be eligible for a refund. Class schedule changes made after the Drop Period are not eligible for a refund.

Students who withdraw completely from WDT are responsible for any outstanding charges on their account not paid by Title IV or other funding sources.

Western Dakota Tech (WDT) will follow the U.S. Department of Education's Return to Title IV Funds requirements as described in Section 668.22 and Section 668.164 of the Code of Federal Regulations and in applicable guidance such as DCL GEN-11-14 provided by the U.S. Department of Education.

The professional judgment of the Vice President for Finance and Operations may be applied to a refund based on special circumstances.

### **SCHOLARSHIPS**

Western Dakota Tech's scholarships program and the generosity of donors make scholarships available for new and current students. Western Dakota Tech uses the [AwardSpring Scholarship Online Program](#) to make it easier for students to view and apply for scholarships. On AwardSpring, students can view all scholarships without creating an account.

To apply for a scholarship, students must create an account and complete the requested information. AwardSpring will automatically apply students for scholarships they qualify for based on the answers provided on the application. Students can access AwardSpring at <https://wdt.awardspring.com/>.

Western Dakota Tech also posts scholarships offered by other organizations. Students can see those opportunities at <https://www.wdt.edu/paying-for-school/scholarships>.

### **TUITION AND FEES**

All tuition and fees billed to the student's account are due by or before the start of the semester that the student is enrolled. Student schedules will be removed for all students who have not paid their bill in full, completed a payment plan, submitted third party authorization, or completed financial aid requirements. Students will be withdrawn from all courses when payment agreements are not met.

## Section Four: General Campus Policies

### **ABANDONED PERSONAL PROPERTY**

Students must refrain from leaving personal property at Western Dakota Tech. WDT is not responsible for any lost or stolen property.

Personal property found on campus should be turned into the Lost and Found in the designated program area or to Enrollment Services. Any personal property left on campus or in the Lost and Found without indication of ownership will be considered abandoned property after thirty (30) days. In the event WDT has information indicating the ownership of the personal property, WDT will send notice to the student at his/her last known email or physical address, advising the student to collect and remove the personal property left at WDT within thirty (30) days or the property will be considered legally abandoned and will become property of WDT. In its' discretion, WDT may dispose of the abandoned property as it sees fit. In the event WDT sells the abandoned property, the sale proceeds will not be credited to the student's account.

### **AFFIRMATIVE ACTION/EQUAL OPPORTUNITY**

Western Dakota Tech does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs, activities, services, enrollment practices, or in any aspect of their operation.

This notice meets the requirements of the Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

The following person has been designated to handle inquiries regarding the non-discrimination policies and/or laws: Debbie Toms, Title IX Coordinator; 800 Mickelson Drive, Rapid City, SD, 57703; 605-718-2958; [Deborah.Toms@wdt.edu](mailto:Deborah.Toms@wdt.edu)

Western Dakota Tech is an open-admissions institution offering career-focused diploma, certificate, and associate of applied science programs in a variety of fields. Please view our programs for more information.

### **ALCOHOL AND OTHER DRUGS (WDT Policy 2012 Pending RCAS School Board Approval)**

Western Dakota Tech (WDT) believes that the illegal use of drugs and alcohol presents a serious health and safety hazard to the College community and interferes with educational and occupational success.

The College fully complies with the Drug Free School and Communities Act of 1989 to prohibit the illegal possession, consumption, and distribution of drugs and alcohol on College property, during classes and at activities officially sponsored by the College. Students and employees 21 years of age or older may not consume alcoholic beverages on College property, during classes, or in connection with activities officially sponsored by the College except by permission of the Rapid City School Board or designee.

Furthermore, students are prohibited from being on campus property while in an intoxicated state. Additionally, possession of empty alcohol beverage containers and drug paraphernalia is also prohibited. No student organization may sponsor any student-related activity at which alcoholic beverages are to be consumed.

WDT supports all federal, state, and local ordinances pertaining to alcohol and drugs and will fully cooperate with law enforcement authorities to protect the students and employees of the College from the illegal possession, purchase, sale, and manufacture of controlled substances and alcohol.

A person needs to feel secure to perform at a maximum level. Therefore, campus safety and security must be a concern of every student and employee at WDT. Furthermore, drug use and alcohol abuse affect the entire campus community in increased drop-out rates, academic failure, disciplinary problems, and progression into addiction.

For the purpose of this policy, drug includes all controlled substances, illegal or controlled mood-altering chemicals, all look-alike drugs, all chemicals that release toxic vapors, and any prescription or patent drugs except those medications prescribed by and under the supervision of a licensed physician in a manner consistent with WDT policy.

As part of the effort to create a drug-free campus, WDT believes the college community should be educated about the physical and emotional health hazards the misuse of drugs and alcohol presents. WDT provides information and educational programs on substance abuse throughout the year to students and employees. Listed below are some of the health risks associated with using/abusing alcohol and various drugs. (Please note that the dangers associated with substance abuse are not limited to only the conditions listed below.)

- Alcohol - Heart and liver damage; brain damage; death from overdose and accidents
- Marijuana/Hashish - Impaired memory perception, interference with psychological maturation, possible damage to lungs and heart, psychological dependence
- Cocaine - Intense psychological dependence, sleeplessness and anxiety, nasal passage damage, lung damage, hearth damage/heart attack, and death from overdose
- Stimulants - Loss of appetite, hallucinations, paranoia, convulsions, brain damage, cancers of the lung, throat, mouth, death from overdose
- Depressants - Infection, addiction, loss of appetite, death from overdose, nausea, and has severe interaction with alcohol
- Narcotics - Addiction with severe withdrawal symptoms, loss of appetite, death from overdose
- Hallucinogens - Anxiety, depression, impaired memory, emotional breakdown, death from overdose
- Inhalants - Drastic weight loss, brain damage, liver and bone marrow damage, high risk of sudden death

Students are encouraged to contact the Student Success Coaches for assistance with drug and alcohol concerns. Community resources and confidential third-party counseling services are available.

Violations of this policy will be responded to in accordance with the seriousness and frequency of the offense. Any student displaying intoxicated behavior will immediately be referred to the Student Success Director/Registrar or VP for Institutional Effectiveness and Student Success. Students found in violation of any of these policies will be subject to the following consequences:

1. The first offense will result in:
  - The student being removed from class and given options for transportation.
  - The student meeting with their Student Success Coach to discuss available campus and community resources.
  - If under 21, the student being required to attend at least one session, but up to three sessions, at Behavior Management Systems at WDT's expense.
2. The second offense will result in:
  - The student being required to attend at least one session, but up to three sessions, at Behavior Management Systems at WDT's expense.
  - The student being placed on conduct probation for the earlier of two full semesters or until graduation.
3. The third offense will result in:
  - The student being suspended (conduct suspension) from WDT for one full semester (fall/spring).
4. The fourth offense will result in:
  - The student being expelled (conduct expulsion) from WDT.

Additionally, drug-related convictions may disqualify a student from receiving Federal Student Aid. United States Department of Education Federal Student Aid Regulations indicate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds (i.e., grants, loans, federal work-study, federal campus-based aid). Students who are convicted of such drug offenses after submitting the Free Application for Federal Student Aid (FAFSA) must notify the financial aid office immediately.

For more information on Western Dakota Tech's Drug Free Workplace Policy 2012 (Pending RCAS School Board Approval), which includes information relevant to both employees and students who are not employed by WDT, please visit <https://www.wdt.edu/about/policies-and-procedures/policy-2012-drug-free-workplace/>.

### **CHILDREN OF STUDENTS**

Children of students may not accompany their parent(s) to class or wait without parental supervision in other areas of the campus, including the library and common areas.

### **COMPUTER/INTERNET/NETWORK POLICY**

All students are required to have a PC-compatible (not Chromebook or Apple product) laptop computer with wireless connectivity. Laptop requirements vary by program and can be found at <http://www.wdt.edu/student-life/tech-support/>.

Technical support for laptops/tablets will be limited to WDT software and network connectivity issues. Students may seek additional support through their vendor or a commercial computer support service.

Western Dakota Tech has the responsibility to secure the network system against unauthorized access and/or abuse while making it accessible for faculty, staff, and students. This includes informing users of standards of conduct and corrective actions that will be taken for violation of established policy regarding the use of email, Internet, or network use. Violation of this policy can result in disciplinary action taken by the Institute that could include permanent revocation of computer privileges.

All users of the network must adhere to local, state, federal, and international laws governing use of the Internet. Any attempt to break those laws may result in litigation against the offender by proper authorities. WDT may provide information necessary to the proper authorities for the litigation process.

Violations of any defined standard may be grounds for conduct probation or suspension.

### **Section 1: General Policy**

Users of the WDT network and computers on that network are solely responsible for all actions taken while using institutional equipment. Therefore:

- 1.1 Deletion, examination, copying, or modification of files and/or data belonging to other users without their prior consent is prohibited.
- 1.2 Deletion, copying, or modification of software or operating systems is prohibited.
- 1.3 Use of facilities and/or services for commercial purposes is prohibited.
- 1.4 Any unauthorized, deliberate action, which damages or disrupts a computing system, alters its normal performance, or causes it to malfunction, is a violation, regardless of the system location or time duration.
- 1.5 The copying of system files is prohibited.
- 1.6 The copying of copyrighted materials, such as third-party software, without the express written permission of the owner or the proper licensee, is prohibited. File-sharing software that downloads and distributes songs, videos, games and software without permission of the owner is illegal. Illegal downloading or distribution of copyrighted materials can result in criminal or civil prosecution. Content owners, such as the Recording Industry Association of America (RIAA), the Motion Picture Association of America (MPAA), and Home Box Office (HBO), use technological means to track file sharing of their intellectual property on the Internet. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to
- 1.7 \$250,000 per offense. For more information, please see the Web site of the U.S. Copyright Office, especially their FAQ's.
- 1.8 Intentional attempts to "crash" the network system or programs are prohibited.

- 1.9 Any attempts to secure a higher level of privilege on the network are prohibited.
- 1.10 The willful introduction of a computer "virus" or other disruptive/destructive programs into the organization network or computers is prohibited.

### **Section 2: Electronic Mail Policy**

All users of electronic mail at WDT are required to obtain a WDT email address. When an electronic mail is sent, the user name and user ID are included in each message. Students are responsible for all electronic mail originating from their user ID. WDT reserves the right to monitor and track all electronic communication, on-campus Internet activity, and all interaction with WDT software programs, which include, but are not limited to, Blackboard, Jenzabar, email, and related servers. WDT network administrators and their authorized employees monitor the use of information technology resources to help ensure network and computer security as well as conformity with WDT policy and state and federal laws.

Administrators reserve the right to examine, use, and disclose any data found on WDT's information networks in order to further the health, safety, discipline, or security of any individual or property. WDT may also use this information in academic disciplinary actions and will furnish evidence of any crime to law enforcement.

Therefore:

- 2.1 Forgery or attempted forgery of electronic mail messages is prohibited.
- 2.2 Attempts to read, delete, copy, or modify the electronic mail of other users are prohibited.
- 2.3 Attempts at sending harassing, obscene, and/or other threatening email are prohibited.
- 2.4 All WDT and school district policies concerning harassment and discrimination apply to email.
- 2.5 Attempts at sending unsolicited junk mail or chain letters is prohibited.

### **Section 3: Internet Policy**

Wireless network and Internet access are available throughout the buildings on the WDT campus. The use of any network on the WDT campus is restricted to educational use. Use of the Internet is available to all faculty, staff, and students at WDT. Violation of Internet policy can result in permanent revocation of Internet privileges at WDT.

Therefore:

- 3.1 Internet access at WDT is a privilege, not a right.
- 3.2 The use of the Internet is intended for educational purposes.
- 3.3 Any attempt to knowingly enter sites that contain gambling or pornographic material is strictly prohibited.
- 3.4 Entering or using chat rooms is prohibited.
- 3.5 Unethical or illegal solicitation is prohibited.
- 3.6 Any attempt to knowingly enter sites that promote racism or sexism is prohibited.

### **DRESS CODE**

All students are required to dress in a manner consistent with their instructional area. Uniforms or garments needed for occupational areas are to be worn by all students when appropriate or as required by instructors. Apparel that displays foul or vulgar language, inappropriate images, or is significantly revealing will not be tolerated. Reasonable personal cleanliness and frequent laundering of uniforms is expected and is the responsibility of the student. WDT staff reserve the right to determine what is considered appropriate attire.

### **GUN- AND WEAPON-FREE CAMPUS – WDT Policy 6011**

WDT believes students, faculty, staff, visitors, and contractors must be able to learn and work in a safe environment. WDT is committed to creating and maintaining an environment that is free from threatening and violent behavior. To accomplish this, WDT prohibits the carry, exhibit, or display of weapons, including guns, explosives, knives, or any other weapon capable of producing bodily harm. Such activity is prohibited on any property owned or operated by WDT or at any College-sponsored activity at any location.

This policy applies to any person on College premises or at College-sponsored activities with two exceptions. This policy does not apply to law enforcement personnel required by their office to carry such weapons or devices used as part of the WDT curriculum. This policy also does not apply to tools used by faculty, staff, students, and contractors as part of their official WDT duties or curriculum requirements.

## **PARKING AND TRANSPORTATION**

Students must furnish their own transportation to and from school, including transportation to and from field trips, internships, clinicals, or any other locations of course instruction. WDT students may park in areas designated as student parking. Improperly parked vehicles will be towed at the owner's expense.

The following areas are designated and labeled as student parking:

- Parking areas on the north and west side of the Mickelson building.
- Parking area on the south side of Badlands Hall.
- Handicapped parking designated near each entrance.

Students are not allowed to park in the following areas:

- fire lanes
- south parking lot designated for WDT staff and visitors;
- along the shop entrances on the north side of the Mickelson building;
- under the library drive-up canopy;
- under the Medical Simulation Center canopy;
- driving lanes within parking lots;
- sidewalks or areas blocking sidewalks, driveways, ramps, or loading zones;
- handicapped spaces without a state-issued handicapped placard or license plate;
- spaces marked as "reserved";
- spaces reserved or blocked with a cone, sign, or other indicator signifying the space is not available for use; or other designated areas.

## **STUDENT RIGHT TO KNOW**

Western Dakota Tech will make available upon request the completion/graduation rates and transfer-out rates of certificate, diploma, or degree seeking students.

## **TITLE IX RIGHTS OF PREGNANT AND PARENTING STUDENTS – WDT Policy 4003**

Western Dakota Tech is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972 (Title IX). Sex discrimination, which can include discrimination based on pregnancy, marital status, or parental status, is prohibited and illegal in admissions, educational programs and activities, hiring, leave policies, employment policies, and health insurance coverage. Western Dakota Tech hereby establishes a policy and associated procedures for ensuring the protection and equal treatment of pregnant individuals, persons with pregnancy-related conditions, and new parents.

Students requesting pregnancy-related accommodations are encouraged to contact the Student Success Center.

## **TOBACCO AND SMOKE-FREE CAMPUS – WDT Policy 4002**

Western Dakota Tech is committed to providing a healthy and comfortable learning environment that is conducive to the physical and mental well-being of the campus community. To enrich and support this atmosphere, WDT is a tobacco and smoke free campus. This policy applies to all employees, students, visitors, and contractors. Smoking and the use of smokeless tobacco or vapor products are prohibited anywhere in WDT buildings or on any college-owned property with the exception of within the confines of personal vehicles. Violation of this policy will result in disciplinary action.

Information regarding a tobacco cessation program or other options is available through the South Dakota QuitLine website: <https://www.sdquitline.com>.

## **WDT Policies**

Students are responsible to abide by all WDT policies and procedures that are posted on the Western Dakota website at <https://www.wdt.edu/about/policies-and-procedures>.

## Section Five: Campus Safety

### **CAMPUS ALERT SYSTEM**

The Western Dakota Tech Alert System is a mass notification system used to effectively communicate physical, environmental, and weather-related threats to students and employees of Western Dakota Tech. An alert will be sent to inform students and employees of an imminent emergency, such as a fire, tornado, threat of violence, or chemical hazard, and of other significant events such as a school closing, snow emergency, or power emergency. Some alerts will be issued via the campus intercom system. When activated, the WDT CampusCast Alert System will send a text message (if available) and email (to WDT accounts) to all employees and students. Messages will also be sent v posted on the Western Dakota Tech website as well as on the WDT Facebook and Twitter pages.

### **CAMPUS SAFETY AND SECURITY HANDBOOK AND EMERGENCY PLAN**

Students are responsible for reading and understanding the Campus Safety and Security Handbook and Emergency Plan. The Campus Safety and Security Handbook contains important information on alcohol and other drugs, crime, safety and security, and sexual assault prevention and response. The Campus Safety and Security Handbook is located on the WDT website at <https://www.wdt.edu/about/student-consumer-information>. The Emergency Plan contains information on timely warnings, responses to emergency situations, and evacuation procedures. Students can access the Emergency Plan from the Students tab on the MyWDT portal in the Student Information Sheets section.

### **CRIME AWARENESS AND CAMPUS SECURITY – ACCURATE AND PROMPT REPORTING OF CRIMES**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents in a timely manner. Western Dakota Tech does not have campus police or security personnel. To report a crime or an emergency, dial 911. Crimes also should be reported in a timely manner to the Student Success Director/Registrar to ensure, if required, inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, where appropriate.

### **Reporting Clery Crimes and Voluntary, Confidential Crime Reporting**

Western Dakota Tech encourages the campus community to immediately report Clery crimes or suspicious activity to Campus Security Authorities to help maintain the safest possible environment for students, faculty, staff, and visitors. A report from a victim who does not want to pursue action through Western Dakota Tech or the criminal justice system can be filed that maintains the confidentiality of the reporting individual. The college can document the report without revealing the victim's identity. This allows Western Dakota Tech to track the incident, compare it to other incidents, and take actions to keep further incidents from occurring.

“Campus Security Authority” is a Clery specific term that encompasses certain Western Dakota Tech employees who have a duty to report crimes they become aware of, as defined by the Clery Act. The law defines a Campus Security Authority as “An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.”

Western Dakota Tech identifies employees in the following roles as Campus Security Authorities:

- Student Success Director/Registrar/Title IX Coordinator
- Vice President for Institutional Effectiveness and Student Success
- Student Success Center Staff
- Club Advisor
- Ombudsperson
- Vice President for Teaching and Learning
- Vice President for Finance and Operation
- Facilities Director or Maintenance Staff

Clery-reportable crimes and a description of each Clery crime is located in the Annual Security Report which is



located at <https://www.wdt.edu/assets/docs/uploads/consumer-information/securityreport.pdf>. Individuals unable to obtain a hard copy from the college's website of the college's Annual Security Report that includes crime statistics may request one from Western Dakota Tech at: Vice President for Institutional Effectiveness and Student Success, Western Dakota Technical Institute, 800 Mickelson Drive, Rapid City SD 57703.

### **FIRE DRILLS AND EMERGENCY EVACUATION OF BUILDING**

Fire drills will be held periodically during the academic year. WDT employees will inform the students of the exit or exits to be used in emergency evacuations. Whenever the alarm is sounded, everyone is to leave the building immediately in an orderly manner. Students are to move away from the building so that others may also get out. A signal will be given to return to the building.

### **ILLNESS, ACCIDENT, OR INJURY**

In the event a student incurs an injury or becomes ill while on campus, the following procedure will be implemented: If the student is conscious and able to respond, and the injury or illness is not perceived to be life threatening or potentially life threatening, the student will be asked regarding desired medical treatment and/or an individual to transport him/her home or to medical assistance. If the student is unconscious, unable to respond, or the injury or illness is perceived to be of a life threatening or potentially life-threatening nature, Emergency Response Services (911) will be called. Students are responsible for the cost of transport and treatment for any incidence of accident or illness. In all cases, an injury or accident must be reported to the instructor or, in the instructor's absence, to the Student Success Director/Registrar or Human Resources Director immediately.

A student who receives a work-related injury while on clinical or internship is required to contact the Western Dakota Tech Human Resources Office at 605-718-2407 within 24 hours.

WDT neither accepts nor recognizes any liability for injury to students on WDT property while participating in WDT activities, for travel to and from job sites or other areas required as part of the program of study, or for travel to and from campus. Students are encouraged to have appropriate insurance.

WDT recommends that students carry health insurance. Some programs require students to have a health insurance policy prior to starting certain portions of their coursework. Please check with program instructors for more information.

### **INCLEMENT WEATHER CAMPUS CLOSINGS**

In the event of weather-related closures, the following procedures will be followed:

1. In cases of class postponement or cancellation, a message will be sent via the Western Dakota Tech Text Alert System and Western Dakota Tech email. In addition, a message will be posted on the Western Dakota Tech Facebook page and website, and local media outlets will be notified.
2. The decision to close campus will be made as early as possible. An announcement will normally be made by 6 a.m. for daytime classes and by 3 p.m. for evening classes.
3. Students not in attendance because of bad weather, in instances where classes have not been cancelled or campus has not been closed, will be counted absent. Exceptions will be made for individuals who live in and commute from another town to Western Dakota Tech, where roads required to travel on are under a no-travel advisory issued by local law enforcement agencies.

NOTE: Traveling conditions can vary considerably from one location to the next. This places considerable responsibility on the individual for making an independent decision and arrangements with instructors. No student is encouraged to travel when conditions make traveling dangerous.

### **PERSONAL PROTECTION ORDER, NO CONTACT ORDER, OR RESTRAINING ORDER**

WDT is committed to ensuring that orders of protection issued by courts are fully enforced on College property. Therefore, if a student or employee obtains a Personal Protection Order, No Contact Order or Restraining Order, he or she should promptly inform the Student Success Director/Registrar and provide the Student Success Director/Registrar with a copy of that order, so that the College can enforce it.

### **SAFETY**

All students will adhere to all safety regulations pertaining to their instructional program area as well as those throughout the campus. Students in violation of safety regulations may be subject to conduct suspension. Unsafe conditions in the building should be reported to the appropriate faculty, staff, or the VP for Finance and Operations.

Safety methods and procedures are taught in all programs where special emphasis on safety is a necessity. Much of the school's equipment, if improperly handled, could result in serious or fatal injury to students. Safety glasses must be worn in all shop areas. The school assumes no liability for any injury.

Speed limits of 15 miles per hour must be observed at all campus locations. Students are reminded to enter the highway near campus entrances with caution.

### **THEFT/VANDALISM**

Vandalism or theft of tools, supplies, or other property belonging to WDT or to other students may result in immediate dismissal from school. In addition, students will be required to pay for any WDT property they may damage or lose. Matters of this nature will be reported to the Student Success Director/Registrar. WDT assumes no liability for theft of personal property. Many insurance companies offer low-rate coverage for theft. Check with your agent for further details.

### **VISITORS**

Visitors to WDT must check in with a WDT employee upon arrival. Under no circumstances are visitors allowed to enter classroom areas without prior approval from the instructor and/or WDT administration. Any person not registered as a student may be subject to removal from campus.

## **Section Six: Student Code of Conduct, Complaint, Grievance, Discrimination, Harassment, and Sexual Violence Response Policies and Procedures**

### **COMPLAINT/GRIEVANCE PROCEDURE**

WDT is committed to providing a safe environment that promotes intellectual growth and personal development. Students should be afforded the right to an environment free of unfair or improper action by any other member of the WDT academic community as described in the Student Rights and Responsibilities section. To that end, WDT provides the following process for resolving any alleged violation of a student's rights.

WDT works to protect the rights of all students. It should be noted that students hold a responsibility for complying with all WDT policies and procedures and the requirements of individual courses as outlined on the course syllabus provided by each instructor.

#### **Informal Resolution**

WDT faculty and staff strive to resolve complaints and grievances at the lowest possible level. Any WDT student who feels their rights have been violated should first attempt to resolve the matter with the individual involved. The student may contact a Student Success Coach or their academic advisor for assistance with informal resolution and meeting facilitation.

If the student feels that the grievance/complaint has not been resolved at the informal level, the student may file for a formal resolution.

#### **Formal Resolution**

1. Within five working days of the completion of the informal resolution process, the student must submit a formal grievance to the Student Success Director/Registrar or designated representative.
2. The Student Success Director/Registrar or designated representative will work with the appropriate Vice President, within five working days of receiving the formal grievance, to request a response from the person with whom the grievance is made. That person should respond within five working days. Failure to respond will not stop the resolution process.
3. The appropriate Vice President will review all submitted material and, within five working days, communicate a decision for resolution to the parties involved via the student's WDT email account with a follow-up letter sent to the permanent address on file.

#### **Appeal**

Should the student feel the resolution reached by the Vice President to be unsatisfactory, the student must submit a written appeal within five working days of the formal resolution to the Student Success Director/Registrar to deliver to a VP who was not involved in the formal resolution process. That VP will conduct an investigation and, if necessary, appoint a committee to review the appeal. The VP will issue a decision within 10 working days of the appeal. All appeal decisions are final.

### **DISCRIMINATION AND HARASSMENT – WDT Policy 2005**

Western Dakota Tech ("WDT") will not tolerate racism, discrimination, harassment, exploitation or victimization of students, school employees, non-employees or any person who is an invitee of WDT for any reason, including but not limited to race, color, ethnic background, national origin, pregnancy, marital status, religion, creed, age, sex, citizenship, political affiliation, mental and/or physical challenge, disability, sexual orientation, genetic information, gender identity, status as a veteran, or any other status protected under applicable federal, state or local law.

All students, employees, non-employees, and invitees have a responsibility to maintain a positive learning, work and school environment by reporting all incidents or suspected incidents of discrimination and/or harassment involving themselves or others.

A non-employee or invitee, who believes they have been harassed or discriminated against (as defined in this policy), or who have witnessed harassment or discrimination, should follow the procedures in the Public Complaint Policy and Procedure (WDT Policy 5005).

Employees who believe they have been harassed or discriminated against (as defined in this policy), or who have witnessed harassment or discrimination, should, within thirty (30) working days of the alleged violation, notify the WDT Human Resources Manager, their supervisor, an administrator or an ombudsperson.

If a student believes they have been harassed or discriminated against or have witnessed discrimination/harassment (as defined in this policy), the student should immediately report the incident(s) to a student success coach, instructor, or an administrator (Refer to Student Handbook)

### **SECTION 504/ADA GRIEVANCE PROCEDURE**

Western Dakota Tech does not discriminate on the basis of disability in its education-related programs and activities, providing equal educational opportunities to persons with disabilities. The College has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the American with Disabilities Act and/or Section 504 of the Rehabilitation Act of 1973. These Laws and Regulations may be examined in the office of the College's Disability Coordinator ("the Coordinator/Student Success Director-Registrar"), 1-605-718-2958, who has been designated to coordinate efforts of the Institute to comply with the ADA and Section 504 of the Rehabilitation Act of 1973.

The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U.S. Department of Education, Office for Civil Rights, and Department of Justice, Civil Rights Division.

The College will make appropriate arrangements to ensure that persons with disabilities are provided other accommodations, as needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for hearing impaired, providing recordings of material for visually impaired, or assuring a barrier-free location for the proceedings. The Student Success Director/Registrar is responsible for such arrangements.

Any person who believes he or she has been subject to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the College to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

**Level 1 (Grievance):** Grievances should be submitted as soon as possible, but no later than twenty-five (25) calendar days after the alleged act of discrimination. A grievance must be submitted to the Student Success Director/Registrar (or his/her designee), Western Dakota Tech, 800 Mickelson Drive, Rapid City, South Dakota 57703. In the event the grievance is against an action taken by the Student Success Director/Registrar, the complainant may file his/her grievance with the Human Resources Director, Western Dakota Tech, 800 Mickelson Drive, Rapid City, South Dakota 57703; 1-605-718-2402.

A grievance must be in writing and contain the following:

- The name, mailing address, e-mail address, and phone number of the individual filing the grievance;
- A full description of the problem; and
- A statement of the remedy or relief requested.

Alternative options for filing complaints, such as personal interviews or audio/visual recording of the complaint, will be made available for persons with disabilities upon request.

The Student Success Director-Registrar/Human Resources Director (or his/her designee) shall conduct a prompt investigation of the complaint. An investigation may be informal, but must be thorough, affording all interested

persons an opportunity to submit evidence relevant to the complaint. The Student Success Director-Registrar/Human Resources Director, at his or her sole discretion, may gather additional information necessary to consideration of the grievance, including, but not limited to, interviewing individuals who may possess relevant information. The Student Success Director-Registrar/Human Resources Director will maintain the files and records relating to such grievances. Complaints will remain confidential, except to the extent necessary to conduct a review of facts and as authorized by law.

Within thirty (30) calendar days after receipt of the grievance, the Student Success Director-Registrar/Human Resources Director will respond in writing, and where appropriate, in a format accessible to the person filing the complaint, such as large print, Braille, or audio tape. This deadline may be extended for good cause, as determined by the Student Success Director-Registrar/Human Resources Director or by written agreement of the parties. The Student Success Director-Registrar's/Human Resources Director's written decision shall also include notice of complainant's right to appeal the decision.

If the Student Success Director-Registrar/Human Resources Director finds that the requested accommodation is reasonable and does not create an undue burden, then the Student Success Director-Registrar/Human Resources Director shall orally, or in writing, communicate with the student's instructors regarding the accommodation to be implemented. Instructors shall respond promptly, orally or in writing, to the Student Success Director-Registrar's/Human Resources Director's notification and work with the Student Success Director-Registrar/Human Resource Manager to ensure that the accommodation is implemented.

**Level 2 (Appeal):** If the complainant disputes the Student Success Director-Registrar's/Human Resources Director's verification of a disability, determination regarding the need for an accommodation, and/or denial of an accommodation, then the complainant may appeal the Level 1 decision to the VP for Institutional Effectiveness and Student Success within fifteen (15) calendar days after receipt of the Level 1 decision. The appeal must be submitted to the Student Success Director-Registrar/Human Resources Director.

The appeal must be in writing and contain the following:

- The name, mailing address, e-mail address, and phone number of the individual filing the grievance;
- The specific factual and/or procedural basis for the appeal or disagreement with the Level 1 decision.

An appeal must be directed only to issues raised in the original grievance and cannot raise new issues. Upon receipt of an appeal, the Student Success Director-Registrar/Human Resources Director shall submit the appeal and the materials prepared at the Level 1 grievance (including the results of the Level 1 investigation) to the VP for Institutional Effectiveness and Student Success.

The VP for Institutional Effectiveness and Student Success shall review the written appeal and investigative materials. The VP for Institutional Effectiveness and Student Success, at his or her sole discretion, may request additional information necessary for consideration of the appeal. Within thirty (30) calendar days of the appeal filing date, the VP for Institutional Effectiveness and Student Success shall issue a written decision. This deadline may be extended by the VP for Institutional Effectiveness and Student Success for good cause.

## **SEXUAL VIOLENCE RESPONSE POLICY AND PROCEDURE - TITLE IX - WDT Policy 4001**

### **Purpose**

Western Dakota Tech (WDT) is committed to providing a safe educational and working environment for its students, faculty, staff, and other members of the WDT community. WDT prohibits sexual violence and sexual assault (which are forms of "sexual misconduct"), dating violence and domestic violence (collectively, "relationship violence"), and stalking. This conduct is disruptive to the educational and working environment and will not be tolerated by WDT.

## General Statement of Policy

The policy of WDT is to comply with federal requirements for responding to acts of sexual violence. WDT is committed to preventing sexual misconduct, relationship violence, and stalking, as well as addressing its effects on the WDT community. WDT has adopted this policy in order to inform students, faculty, and staff and other members of the WDT community of their rights and responsibilities in the event they are or have knowledge of someone involved in an incident of sexual misconduct, relationship violence, or stalking and of the services available to both Reporters and Respondents.

This policy applies to all members of the WDT community, including, but not limited to, students, faculty, and staff, and it covers prohibited conduct that: occurs on campus; occurs in connection with WDT programs or activities, including academic, educational, extracurricular, or other programs and activities; or otherwise affects the WDT community. In certain instances, this policy applies to third parties (e.g., visitors, volunteers, vendors, and contractors while on WDT property, participating in a WDT-sponsored activity, or providing services to the College, or applicants for admission to or employment with the College). This policy applies equally to all regardless of an individual's sex, gender, sexual orientation, gender identity, or gender expression.

It shall be a violation of this policy to not protect the WDT community from or adequately respond to reports of sexual violence. Further, it will be a violation of this policy to not offer sexual violence awareness and bystander awareness training.

## Definitions

- A. "Affirmative consent" is defined as a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity.
- B. "Sexual violence" encompasses sexual assault and is a form of sexual harassment. Sexual harassment, which is a form of discrimination, violates federal and state law and WDT Policy 2005. Sexual violence includes physical sexual acts that are performed against a person's will or where a person cannot give consent. Physical resistance need not occur to fulfill the definition of sexual violence. Examples of sexual violence include, but are not limited to:
- Sexual intercourse or other sexual acts in the absence of consent;
  - Rape (including "date rape") or attempted rape;
  - Any unwanted sexual contact with another person's body;
  - Nonconsensual oral sex; and
  - Sexual assault (defined below), sexual battery, or sexual coercion.
- C. "Sexual assault" includes non-consensual sexual intercourse and non-consensual sexual contact.
- Non-consensual sexual intercourse is any act of sexual intercourse with another individual without affirmative consent.
  - Sexual intercourse includes vaginal or anal penetration, however slight, with any body part or object, or oral penetration involving mouth to genital contact.
  - Non-consensual sexual contact is any intentional touching of the intimate parts of another person, causing another to touch one's intimate parts, or disrobing or exposure of another without consent.
  - Intimate parts may include genitalia, groin, breast, or buttocks, or clothing covering them, or any other body part that is touched in a sexual manner.
  - Sexual contact also includes attempted sexual intercourse.
- D. "Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined

based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

E. “Domestic violence” means “abuse” occurring between:

- current or former spouses or cohabitants;
- persons who have a child in common; or
- persons currently or formerly involved in a dating relationship,

where “abuse” means any of the following acts:

- an act that causes serious bodily harm;
- an act that places a person eligible for relief in fear of imminent serious bodily harm;
- assault in any degree;
- rape or sexual offense or attempted rape or sexual offense in any degree;
- false imprisonment; or
- stalking.

F. “Stalking” means a malicious course of conduct that includes approaching or pursuing another where the person intends to place, knows, or reasonably should have known the conduct would place, another in reasonable fear:

- of serious bodily injury; of an assault in any degree;
- of rape or sexual offense or attempted rape or sexual offense in any degree;
- of false imprisonment;
- of death; or
- that a third person likely will suffer any of the acts listed above.

G. “Reporter” is the person who alleges another person(s) committed acts of sexual misconduct, relationship violence, or stalking against him or her.

H. “Respondent” is the person who allegedly committed acts of sexual misconduct, relationship violence, or stalking.

I. “Third-party Reporter” is a person who reports an alleged act of sexual misconduct, relationship violence, or stalking for another person (i.e. friend, parent, or bystander) to the Title IX Coordinator.

## **Responsibilities, Resources, and Reporting Procedures**

### **A. MONITORING RESPONSIBILITY**

WDT administrators and other administrators as designated by the WDT President will be responsible for implementing the provisions of this policy and procedures.

### **B. AFFIRMATIVE CONSENT**

Sexual activity of any kind requires affirmative consent. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and having consent accepted is the responsibility of the person(s) initiating each specific sexual act regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual sexual activity between or with any party does not constitute consent to any other sexual act. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity or gender expression. Consent may be initially given but withdrawn at any time. When consent is withdrawn or

cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Incapacitation occurs when an individual lacks the ability to fully, knowingly choose to participate in sexual activity. Examples include incapacitation due to drugs or alcohol (whether such use is voluntary or involuntary), the lack of consciousness or being asleep, being involuntarily restrained or if an individual otherwise cannot consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

C. **RESOURCES**

WDT is committed to treating all members of the community with dignity, care and respect. The College recognizes that deciding whether or not to make a report, either to WDT or law enforcement, and choosing how to proceed can be difficult decisions. Making a report means telling someone in authority what happened, in person, by telephone, in writing, or by email. All individuals are encouraged to seek the support of campus and community resources. These trained professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued. Individuals are encouraged to use all available resources on- and off-campus, regardless of when or where the incident occurred.

There are many resources available on campus and in the surrounding community. As detailed below, there are confidential resources that by law cannot share information without the consent of the individual seeking assistance, except for extreme circumstances, such as a health and/or safety emergency.

**On-campus Resources**

On-campus options to obtain assistance and guidance include:

- Title IX Coordinator (Student Success Director/Registrar) – (605)718-2958
- WDT Student Success Center – (605)718-2955
- Human Resources Director – (605)718-2402

WDT is bound by mandatory reporting laws in certain situations, including the sexual abuse of a minor. Any WDT employee who suspects that a child under 18 years of age has been neglected or physically abused (including sexual abuse and emotional abuse) by a parent or other person, will report this information orally or in writing to the Title IX Coordinator. The Title IX Coordinator will immediately report this information to the state's attorney; or the department of social services; or the county sheriff; or the city police.

In all cases, WDT staff will maintain the privacy of an individual's information within the limited circle of those involved in the resolution of a complaint under this policy.

**Off-campus Resources**

An off-campus option to obtain assistance and guidance confidentially (This outside option does not provide any information to the campus.):

- Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency.
  - Working Against Violence – [www.wavi.org](http://www.wavi.org) – (605)341-4808
- Off-campus healthcare providers (Medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or



administered. Even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to him or herself or others and the mandatory reporting of child abuse.)

- Regional Health – [www.regionalhealth.com](http://www.regionalhealth.com) – (605)755-1000
- Assistance can also be obtained through:
  - Legal Momentum: <https://www.legalmomentum.org/>
  - Pandora’s Project: <http://www.pandys.org/lgbtsurvivors.html>
  - GLBTQ Domestic Violence Project: <http://www.glbtqdv.org/>
  - RAINN: <https://www.rainn.org/get-help>
  - Safe Horizons: <http://www.safehorizon.org/>

Note that these hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Reporters and Respondents are encouraged to contact the Title IX Coordinator so that the campus can take appropriate action in these cases.

#### D. **REPORTING**

WDT encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence to assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order and to begin a timely investigative and remedial response.

The College encourages all individuals to make a report to the College and to local law enforcement. Reporting options are not mutually exclusive. Both internal and criminal reports may be pursued simultaneously.

WDT has a strong interest in supporting Reporters of sexual violence or other forms of prohibited conduct and encourages all individuals or third-party witnesses to report any incident to the College.

Making a report means telling someone in authority what happened – in person, by telephone, in writing, or by email. At the time a report is made, a Reporter does not have to decide whether or not to request any particular course of action, nor does a Reporter need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time.

WDT provides support that can assist each individual in making these important decisions, and to the extent legally possible, will respect an individual’s autonomy in deciding how to proceed. In this process, WDT officials will balance the individual’s interest with its obligation to provide a safe and nondiscriminatory environment for all members of the WDT community.

Any individual who reports sexual violence or other forms of prohibited conduct can be assured that all reports will be investigated and resolved in a fair and impartial manner. A Reporter, a Respondent, and all individuals involved can expect to be treated with dignity and respect. In every report under this policy, the College will make an immediate assessment of any risk of harm to the Reporter, the Respondent, or to the broader campus community and will take reasonable steps necessary to address those risks. These steps will include interim measures to all parties to provide for the safety of the individual and the campus community.

#### Emergency and External Reporting Options

The College will help any WDT community member get to a safe place and will facilitate transportation to the hospital, coordinate with law enforcement, and provide information about on- and off-campus resources and options for resolution.

- To file a criminal complaint with local law enforcement:
  - Rapid City Police Department, (605)394-4131 at 300 Kansas City Street
  - Pennington County Sheriff, (605)394-6113 at 300 Kansas City Street
  
- To disclose confidentially the incident and obtain services from the State of South Dakota, City of Rapid City, and Pennington County:
  - HOTLINE (605) 996-4440
  - Additional disclosure and assistance options are catalogued by the South Dakota Network Against Family Violence and Sexual Assault: <http://www.sdnafvsa.org/> or by calling (800)430-SAFE (7233)

### **Campus Reporting Options**

WDT encourages all individuals to report misconduct to any College employee that they trust and with whom they feel comfortable. Under Title IX, WDT is required to take immediate and corrective action if a “responsible employee” knew or, in the exercise of reasonable care, should have known about sexual or gender-based harassment or violence that creates a hostile environment on the campus. WDT requires that all “responsible employees” share a report of misconduct with the Title IX Coordinator. The Title IX Coordinator will conduct an initial assessment of the conduct, the Reporter’s expressed preferences, if any, as to course of action, and the necessity for any interim remedies or accommodations to protect the safety of the Reporter, the Respondent, or the community.

All WDT community members, even those who are not obligated to do so by this policy, are strongly encouraged to report information regarding any incident of sexual harassment or other forms of prohibited conduct directly to the Title IX Coordinator. The College cannot take appropriate action unless an incident is reported to the College.

To report an incident:

- Title IX Coordinator (Student Success Director/Registrar) – (605)718-2958

To report an incident where the Respondent is an employee of WDT:

- Human Resources Manager – (605)718-2402

Reports will be investigated in accordance with WDT policy.

### **E. OPTIONS FOR PROTECTION AND ACCOMMODATION**

Some options that may be offered to the Reporter or the Respondent who is a student include:

- When the Respondent is a student and presents a continuing threat to the health and safety of the community, to have the Respondent subject to interim suspension pending the outcome of a conduct process.
- When the Respondent is not a member of the WDT community, to have assistance from WDT administrators and local law enforcement in obtaining a persona non grata letter, subject to legal requirements and WDT policy.
- To obtain reasonable and available interim measures that cause a change in academic, employment, or other applicable arrangements in order to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. While Reporters and Respondents may request accommodations through any of

the offices referenced in this policy, the following office can serve as a point to assist with these measures: Student Success Coordinator located in the Student Success Center, (605) 718-2961.

**F. INSTITUTIONAL CRIME REPORTING**

Reports of certain crimes occurring in certain geographic locations will be included in the WDT Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime nor the identity of the Reporter. WDT is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the Reporter). A Reporter will never be identified in a Clery Act timely warning. WDT reserves the right to notify parents when there exists a substantial concern for the student's safety and well-being, pursuant to the provisions of the Federal Education Right to Privacy Act.

**G. CAMPUS CLIMATE ASSESSMENT**

Climate assessments afford institutions the opportunity to better understand their campus and to make informed decisions when it comes to providing a safe educational environment. WDT will periodically conduct a uniform climate survey that analyzes prevalence and attitudes regarding sexual harassment, including sexual violence, and other related crimes. The survey will address student and employee knowledge about:

- The Title IX Coordinator's role;
  - Campus policies and procedures addressing sexual assault;
  - How and where to report sexual violence as a Reporter or witness;
  - The availability of resources on- and off-campus, such as counseling and academic assistance;
  - The prevalence of victimization and perpetration of sexual assault, domestic violence, dating violence, and stalking on- and off-campus during the last year;
  - Bystander attitudes and behavior; and
  - Whether Reporters reported to the College and/or police, and reasons why they did or did not report.
- This policy shall be changed should Federal and/or State legislation require a different process or duplicate efforts to assess campus climate via survey.

**H. STUDENT ORIENTATION AND ONGOING ASSESSMENT**

WDT believes that sexual violence prevention training and education cannot be accomplished via a single day or a single method of training. To that end, WDT will continue to educate all new and current students using a variety of best practices aimed at educating the entire WDT community in a way that decreases violence and maintaining a culture where sexual assault and acts of violence are not tolerated. All new first-year students will, during the course of their first semester at WDT, receive training on the following topics, using a method and manner appropriate to the institutional culture of the WDT campus:

- The institution prohibits sexual harassment, including sexual violence, other violence or threats of violence, and will offer resources to any Reporters or Respondents of such violence while taking administrative action regarding any accused individual within the jurisdiction of the institution;
- Relevant definitions including, but not limited to, the definitions of sexual violence and consent;
- Policies apply equally to all students regardless of sex, sexual orientation, gender identity, or gender expression;
- The role of the Title IX Coordinator and other relevant offices that address sexual violence prevention and response;
- Awareness of violence, its impact on victims/survivors and their friends and family, and its long-term impact;
- The Sexual Assault Awareness, Prevention, and Reporting document and Sexual Violence Response Policy;

- How to report sexual violence and other crimes to WDT officials and/or local law enforcement;
- How to obtain services and support;
- Bystander intervention and the importance of taking action, when one can safely do so, to prevent violence;
- Risk assessment and reduction including, but not limited to, steps that potential victims/survivors and potential assailants and bystanders to violence can take to lower the incidence of sexual violence; and
- Consequences and sanctions for individuals who commit these crimes.

The process is not limited to a single day of orientation but recognizes that students enroll at different times and gives WDT the flexibility to best educate students at a time and manner that can most effectively bring these points to light. Students at WDT shall receive general and specialized training in sexual violence prevention. WDT will conduct a campaign, compliant with federal and state requirements, to educate the student population.

Further, the College will, as appropriate, provide or expand specific training to include groups such as leaders and officers of registered/recognized student organizations and online and distance education students.

Methods of training and educating students may include, but are not limited to:

- Online training;
- Posters, bulletin boards, and other targeted print and email materials;
- Educational programs;
- Programming surrounding large recurring campus events;
- Partnering with state and local community organizations that provide outreach, support, crisis intervention, counseling and other resources to Reporters of crimes to offer training and education. Partnerships can also be used to educate community organizations about the resources and remedies available on-campus for students and employees seeking services.

## I. **REPORTING PROCESS**

### Filing a Report

Any report of alleged sexual misconduct, relationship violence, or stalking by a student, WDT employee, or a person who is not a member of the WDT community can be filed with the Title IX Coordinator. All members of the community are encouraged to consult with the Title IX Coordinator if they are unsure about how or what information to report. The Title IX Coordinator is obligated to act on any report to ensure measures are taken to stop adverse behavior and prevent its recurrence, as appropriate. Each report is reviewed individually.

In cases where an observer/concerned individual, called a Third-party Reporter, reports sexual misconduct, relationship violence, or stalking to the Title IX Coordinator, the Reporter will be notified by the Title IX Coordinator that a report has been received. The Title IX Coordinator will meet with the Reporter and, if the Respondent is a student at the College, the Respondent, to discuss her/his options and provide written notification of available resources at the College and in the community. These resources include counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services. The Reporter has a right to withdraw involvement or withdraw the complaint. In some circumstances, the College still may investigate, such as when it is necessary to ensure the safety of the Western Dakota Tech community. In such instances where the Reporter withdraws the complaint or from involvement in the process, the College may proceed and serve as a Reporter in the matter.

### Administrative Contacts for Making a Report

Anyone wishing to file a report of sexual misconduct, relationship violence, or stalking or is seeking information, accommodation and/or resource information should contact the Title IX Coordinator (Student Success Director/Registrar).

The Title IX Coordinator is responsible for coordinating Western Dakota Tech's response, disciplinary process, and for working with all involved parties. The Title IX Coordinator will assist in identifying options for Reporters in situations when discipline of the Respondent is outside of the College's jurisdiction.

### Reporting a Student's Use of Alcohol or Drugs

The health and safety of every student at WDT is of utmost importance. WDT recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including, but not limited to sexual misconduct, relationship violence, or stalking occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. WDT strongly encourages students to report sexual misconduct, relationship violence, or stalking to College officials. A bystander acting in good faith or a third-party reporter acting in good faith who discloses any incident of sexual misconduct, relationship violence, or stalking to College officials or law enforcement will not be subject to the WDT's Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the alleged commission of the sexual misconduct, relationship violence, or stalking.

### Rights of Reporting Individual/Reporter

Upon receipt of a report of an incident of sexual misconduct, relationship violence, or stalking, the Title IX Coordinator will ensure the Reporter has been advised of their rights (1) to make a report to local law enforcement and /or state police or choose not to report; (2) to be protected from retaliation by the College for reporting an incident; and (3) to receive assistance and resources from the College. The Reporter, whether a student or an employee, will receive a written explanation of their rights and options including pursuing a complaint under the College's policy, pursuing a criminal complaint, and seeking a restraining order under civil, criminal, or tribal law to prevent any further abuse. The reporting individual can choose to meet with the Title IX Coordinator to discuss these rights.

Individuals reporting acts of sexual misconduct, relationship violence, or stalking may also choose to file a report with the Rapid City Police Department (or appropriate agency with jurisdiction). WDT's system and the police/legal system work independently from one another. Individuals can file reports with the College, with Rapid City Police Department, or with both systems simultaneously. Individuals also have the right to decline reporting. Because the standards for finding a violation of criminal law are different from the standards in this policy, criminal investigations or reports are not determinative of whether or not sexual misconduct, relationship violence, or stalking, under this policy, has occurred.

### Advisor of Choice

Reporter and Respondent each have the right to be accompanied to any related meeting or proceeding by an advisor of their choice. An advisor may be an individual who attends as a supportive presence. An advisor may take notes and quietly confer with the party being advised, but may not speak on behalf of the party or in any way disrupt any meeting or proceeding. Witnesses or others involved in this process are not permitted to bring another person to any meeting or hearing.

Although the parties are not required to bring their advisor to all meetings, utilizing the same advisor throughout the process, unless there are extenuating circumstances, allows the process to move forward in an efficient fashion. In the event that a party wants to make a change to their advisor, they must provide notice to the Title IX Coordinator.

If a WDT student Reporter or Respondent desires to have an attorney serve as advisor, the student may retain counsel independently.

### Timeframe

The College encourages prompt reporting but does not limit the timeframe for filing a report of sexual misconduct, relationship violence, or stalking. Reports can be submitted at any time following an incident, although the College's ability to take any action may be adversely affected/limited by the length of time between the alleged incident and the report. The current relationship to the alleged perpetrator may also limit the available range of disciplinary action (e.g., if an individual is no longer employed by the College or enrolled as a student). Once a report is received, the College will conduct an impartial, timely investigation.

### Jurisdiction

The College is able to respond formally to alleged incidents of sexual misconduct, relationship violence, and stalking:

- that occurred or may have a continuing effect on campus,
- that occurred in the context of official College programs or activities (regardless of location), or
- where the Reporter and Respondent are students, or members of the faculty, staff or administration of WDT.

If the offender is unknown or is not a member of the WDT community, the Title IX Coordinator will assist individuals in identifying appropriate on- and off-campus resources and/or provide access to local law enforcement authorities if the individual would like to file a report. In addition, the College may take other actions such as providing interim measures or accommodations to protect the individual and the campus community, regardless of whether there is a disciplinary process to proceed.

### Retaliation

Any action by a member of the WDT community to penalize, intimidate, harass, take adverse action against a person who makes a report of discrimination or harassment, participates in an investigation, or otherwise asserts rights protected by non-discrimination laws is prohibited. Retaliation may be found even when the underlying report does not constitute discrimination or harassment in violation of policy.

Any person who believes that he or she has experienced retaliation for reporting discrimination or harassment, participating in an investigation, or for acting as an advocate should immediately contact the Title IX Coordinator (Student Success Director/Registrar) or Assistant Title IX Coordinator (Human Resources Director). The College takes such reports seriously, investigates reports of retaliation, and takes strong disciplinary action against individuals found to have engaged in retaliation, as appropriate. All members of the WDT community are expected to cooperate with investigations of policy violations.

Based upon the nature of a report, and particularly where the presence of the Respondent may be a continuing threat to the health or safety of the community, the College may impose restrictions, or interim measures, during the investigative process, up to or including suspension or other access restrictions. Requests for specific measures to be considered can be discussed with the Student Success Coordinator.

When the Respondent is a student, the College may issue a "no contact directive" to either or both the Reporter and the Respondent consistent with WDT policies and procedures, whereby continued intentional contact with the other party would be a violation of the WDT policy subject to additional conduct charges. If the Respondent and the Reporter observe each other in a given campus space, it shall be the responsibility of both parties to leave the area immediately and without directly contacting the other party. The College may work with both parties to establish an appropriate schedule for each individual to access applicable buildings and property at a time when such buildings and property are not being accessed by the other party. "No contact directives" may also be imposed when the Reporter or

Respondent is a staff or faculty member of the College.

During an investigation and until resolution of the matter, other reasonable and available interim measures and accommodations may be provided, including bans from campus, and/or appropriate changes in academic schedules, campus work schedules, or other applicable arrangements in order to help ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Failure to adhere to the parameters of any interim measures is a violation of policy and may lead to disciplinary action.

#### Accommodations

All students affected by an experience of sexual misconduct, relationship violence, or stalking, whether or not the matter is to be adjudicated by the College, may request accommodations to support their safety, well-being, and access to education. WDT will maintain the confidentiality of any accommodations or protective measures provided to the Reporter or Respondent to the extent that doing so would not impair the ability of the College to provide the accommodations or protective measures. The Title IX Coordinator will work with the student, in light of available information at the time of the request, to identify reasonable accommodations.

Accommodations may include, but are not limited to, adjustments to academic or campus work schedules, providing access to tutoring or academic support, or allowing a student to withdraw from or retake a course without penalty.

Informal resolution options are not available in cases involving allegations of sexual misconduct (e.g. sexual assault, sexual violence), even on a voluntary basis.

#### J. MANNER OF PROCEEDINGS

The College will follow the same inquiry, investigation, adjudication, and sanctioning proceedings, as listed below, for all cases involving an allegation of dating violence, domestic violence, sexual assault, or stalking. During the inquiry and investigation processes, WDT may make an auditory record of meetings involving the Reporter, Respondent, and witnesses. Those recordings, if taken, will be the only recordings considered to be official recordings for the purposes of verifying information.

#### Inquiry and Investigation

- Inquiry

Promptly following the receipt of a report, information will be reviewed by the Title IX Coordinator to determine if there may be reason to believe that a policy may have been violated. An initial inquiry will be undertaken by the Title IX Coordinator, if necessary, to determine whether a formal investigation will commence. If further information is necessary, it may involve prompt discussions with the Reporter and others, as appropriate. The Reporter may be accompanied by an advisor of choice to all meetings. An advisor may attend, but not participate in, all meetings and interviews. The Reporter may be offered reasonable accommodations and will be offered resources, as appropriate, regardless of whether or not there is reason to proceed with an investigation. If the findings of the initial inquiry indicate there is not sufficient reason to believe a violation may have occurred, the Reporter will receive prompt notice of this outcome and rationale. If a formal investigation is to commence, the Respondent will be notified that a report has been filed. In cases of investigation of an employee as Respondent, the employee's supervisor may be notified of the investigation at the same time the Respondent receives notification.

Vendors or other agencies in contract with the College will be promptly notified if any of their employees are alleged to have violated policy, and such employees may be banned from any or all College properties and may also be subject to action deemed appropriate by their respective employer. Restrictions regarding access to College property or events may also be imposed.

The Respondent and Reporter, with their respective advisor of choice, will be given the opportunity to meet separately with the Title IX Coordinator (or designee) to review the policy and procedure, as well as related rights. The college will ensure that any time during the process from informal investigation through adjudication and issuance of sanctions, if applicable, the Respondent and Reporter will be given timely simultaneous written notice of meetings at which one, or the other, or both may be present.

- Formal Investigation

Reports of alleged sexual misconduct, relationship violence, or stalking will be equitably investigated in a fair, impartial, thorough and prompt fashion, providing a meaningful opportunity for participants to be heard. Investigation will be conducted by individuals without a conflict of interest or bias for or against either party. The formal investigation process may vary depending upon the nature and complexity of the case and the time of year (and thus availability of parties), but the College will make every attempt to conduct a prompt and equitable investigation.

A trained Title IX Investigator (who may be a Western Dakota Tech employee or external investigator), will interview the Reporter, Respondent, and available witnesses, as appropriate. The Reporter and Respondent may each have an advisor of choice present at all meetings and interviews. The Investigator will also gather any pertinent evidentiary materials (this may include, but is not limited to, emails, written documents, or photographs).

During the investigation process, both the Reporter and the Respondent will have an equal opportunity to provide the Investigator with relevant evidence and/or specific witness information. It is possible that more than one meeting may be necessary for Reporter and Respondent to have opportunity to respond to information obtained.

The Investigator will prepare an investigative report that will include a summary of relevant information of each interview, provide a summary of factual information, and include any relevant documentation collected to ensure a prompt and equitable resolution. It should be noted, some information disclosed during investigation may not be relevant or appropriate to include in the investigative report. Specifically, the parties' sexual history with anyone other than each other (to the extent relevant to the complaint) or disclosure of medical or mental health conditions, diagnoses, and/or treatment generally will not be included. The Investigator will make the final determination of information to be included in the investigative report.

The Reporter and Respondent will each have opportunity to review the investigative report, in the presence of a College official, and deliver a response to the investigative report. An impact statement may be provided, in writing, for review by the Adjudicator. The investigative report is then delivered to the Adjudicator for review and adjudication.

At any point the College may institute community-based efforts such as educational initiatives and/or trainings, as appropriate for prevention.

- Investigators

If the Respondent is an employee of Western Dakota Tech, the Human Resources Manager, or designee, serves as Investigator. In all other cases, the Student Success Director/Registrar, or designee, serves as the Investigator.



## Adjudication Process

- Administrative Resolution

Upon review of the investigative report, the Respondent will be given the opportunity to respond to the alleged violation of policy in the following ways: 1) No response; 2) Not Responsible; or 3) Responsible.

If the Respondent accepts responsibility, both parties will receive simultaneous written notification and that the matter has been forwarded for sanctioning. See Determination of Sanctions below.

If the Respondent declines responsibility, or chooses not to respond, the Reporter and Respondent will receive simultaneous written notification that the case will be forwarded to the appropriate Adjudicator for review and adjudication.

- Review of Investigative Report

The trained Adjudicator is charged with fairly, promptly and impartially determining, based on a preponderance of the evidence, whether it is more likely than not that policy has been violated upon a review of the investigative materials. Adjudication will be conducted by officials of the College without a conflict of interest or bias for or against either party. A party with concern about a conflict of interest or bias should contact the Title IX Coordinator.

The trained Adjudicator will review the investigative report and materials in a prompt, timely manner. If the Adjudicator requires clarification on any of the materials, the Investigator and/or Title IX Coordinator will assist the Adjudicator in obtaining such clarification. Though it is typically not necessary, the Adjudicator may consult, as needed, with the Title IX Coordinator to request further information from the Respondent, Reporter and/or any of the witnesses to clarify information in the investigative materials. If such follow up is necessary, the Reporter and the Respondent will again be given simultaneous written notification, and will each have the opportunity to review and respond to the updated investigative report.

- Adjudicator Determinations

The trained Adjudicator will decide, upon a complete review of the investigative report and materials and based on a preponderance of the evidence, whether there has been a violation of any sexual violence policies. Preponderance of evidence means that the Adjudicator is convinced based on the information provided that a violation of policy was more likely than not to have occurred.

If the Adjudicator determines that a violation has occurred, the Respondent is “Responsible” and the Adjudicator will then determine the appropriate sanctions. This determination will be made within a timely manner. If found “Not Responsible”, both Respondent and Reporter will be notified in writing of the outcome, rationale for the not responsible determination, and any related action (including communication of continued measure such as a no contact directive).

- Determination of Sanctions

If the Respondent has accepted responsibility or the Adjudicator has made a determination of responsibility, based on review of the investigative report and related materials, the Adjudicator will determine the appropriate sanctions.

Consideration may be given to the nature of and the circumstances surrounding the violation, prior disciplinary violations, precedent cases, College safety concerns and any other information deemed relevant by the Adjudicator. Past determinations of sexual misconduct, relationship violence, or stalking may be admissible for consideration during sanctioning. The Adjudicator will render a written decision detailing the factual findings supporting the determination and the rationale for the

sanction(s) imposed, if applicable.

The sanctioning determination is to be made by the Adjudicator in a timely manner upon receiving the investigative report with indication the Respondent accepted responsibility or Adjudicator determination of responsibility. Both Respondent and Reporter will receive simultaneous, written notification of the outcome, rationale for the determination of responsibility and sanctions, and/or remedies. Sanctions are final.

- Range of Sanctions

Faculty, staff, or administrators who are found in violation of this policy are subject to disciplinary action, up to and including discharge. Students are subject to disciplinary action, up to and including suspension or expulsion. In any case, educational programming or alcohol/substance assessment may be required. Sanctions may include reassignment of work duties or location; reassignment of class meetings; restrictions on contact with Reporter; access restrictions to College property and/or events; or disciplinary probation, suspension or expulsion. More than one sanction may be imposed.

Guests and other persons who are alleged to have engaged in sexual misconduct, relationship violence, or stalking are subject to corrective action, which may include removal from campus, ban from campus, and/or termination of contractual arrangements. Vendors or other agencies in contract with the College will be promptly notified if any of their employees are alleged to have violated policy, and such employees may be banned from any or all College properties and may also be subject to action deemed appropriate by their respective employer. Restrictions regarding access to College property or events may also be imposed.

Regardless of how a matter proceeds in this process, remedies may be made by the College, such as reviewing protocol or providing or enhancing training to staff and/or students. Protective measures may also be taken, such as issuing no-contact directives or access restrictions or implementing reasonable accommodations. Accommodation requests are reviewed on a case by case basis, and may include, but are not limited to, measures such as adjusting a campus work schedule, assisting with academic support, seeking extensions for assignments, or allowing a student to withdraw and/or retake a course without penalty.

- Adjudicators

The Vice President for Institutional Effectiveness and Student Success, or designee, serves as the Adjudicator. If the VP for Institutional Effectiveness and Student Success is the Respondent, the Human Resources Director, or designee, will serve as the Adjudicator.

### **STUDENT CODE OF CONDUCT – WDT Policy 4005 (pending Policy Committee, Cabinet, and RCAS School Board approval)**

Western Dakota Tech has a responsibility to protect its mission and the members of the College community. The College has established reasonable standards for academic and personal conduct that allows others to learn, study, work, and relax in a safe and orderly environment. The following Code of Conduct, while not all inclusive, identifies conduct that infringes upon those expectations, disrupts the learning environment, and possibly exposes students and staff to injury. Such conduct will result in disciplinary action.

Any student, group of students, or student organizations found in violation of the WDT Student Code of Conduct is subject to the disciplinary sanctions.

Violations of the Code of Conduct include, but are not limited to:

1. Inappropriate behavior defined as conduct that disrupts the educational process and impedes the learning environment.
2. Physical or verbal abuse or detention of any person or persons on school property or at WDT activities.
3. Endangerment of the health and safety of oneself or others, or infringement upon the rights of others.

4. Theft or damage to WDT property or property of any member of the WDT community or campus.
5. Unauthorized entry to or use of WDT facilities or property.
6. Use, possession, manufacture, or distribution of alcohol, narcotics, illegal drugs, or other controlled substances, firearms, items commonly considered weapons, explosives, or dangerous chemicals on school-controlled property or during WDT sponsored activities.
7. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the school.
8. Reckless use of a vehicle on WDT property.
9. Failure, after due notice, to pay fees or other school financial obligations, i.e. Bookstore, Parts Store, damage, non-sufficient funds or no-account personal checks, department supply charges, et cetera.
10. Harassment or hazing of fellow students or staff members.
11. Smoking and the use of smokeless tobacco or vapor products on WDT property other than within the confines of personal vehicles.
12. Failure to report to the WDT Administration Office or local sheriff and/or police agencies any knowledge of criminal activity on campus: i.e., murder, rape, robbery, aggravated assault, burglary, arson, vandalism, consumption of alcohol, or use of controlled or illegal substances or motor vehicle theft. Such a report must be provided in a manner that is timely and that will aid in the prevention of similar occurrences.
13. Illegal, improper, or unethical use of computer systems.
14. Copyright infringement.
15. Disruptive behavior that detracts from maintaining classroom discipline, unnecessarily draws attention to the students involved and away from classroom activity and prevents those students and/or other students from their pursuit of learning.
16. Failure to comply with the directives of a WDT employee.

#### **Allegations and Notice**

1. Student Code of Conduct allegations may be filed against any student by any member of the WDT community.
  - a. Allegations of academic misconduct shall be directed to the VP for Teaching and Learning or designated representative.
  - b. Allegations other than academic misconduct shall be directed to the VP for Institutional Effectiveness & Student Success or designated representative.
  - c. The complaint shall state the specific facts that form the basis for the allegation, as well as the identities of any other witnesses and the location of any physical evidence of the misconduct. Allegations must be signed by the Reporter. Any allegation should be submitted as soon as possible after the event takes place or after the Reporter discovers the identity of the alleged Respondent.
2. The VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success shall make an initial determination as to whether the allegations were timely, taking into account the seriousness of the incident and the degree to which delay may have impaired access to evidence. The VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success shall determine if the allegations have merit and whether the incident sufficiently affects WDT interest to warrant further proceedings.
3. Once the VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success determines that a violation may have occurred and that an investigation shall commence, the VP for Teaching and Learning, VP for Institutional Effectiveness & Student Success or designee shall provide the charged student with a written notice of the alleged violation. This notice shall be presented in person whenever possible. In lieu of in-person delivery notice of an alleged violation may be sent through campus email or, in matters of serious allegations, shall be sent to the student via registered mail. The notice shall include:
  - a. statement of the charge(s), including the nature and circumstances of the alleged offense;
  - b. the date, time, and place of the informal resolution hearing;
  - c. the name of the person to contact to read the report(s) pertaining to said allegations of violations;
  - d. and a copy of, or link to, the due process and disciplinary procedures in effect at that time.

## **Disciplinary Hearings**

### **Informal Resolution**

1. If the VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success determines that the allegations have merit, the VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success shall next determine whether the allegations can be resolved by mutual consent of the parties involved on a basis acceptable to the VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success or by waiver of formal hearing where the charged student admits to the misconduct and accepts the proposed sanction.
2. Informal Resolution shall be final and there shall be no subsequent proceedings. If the allegations cannot be resolved informally, the formal resolution procedure will be implemented.

### **Formal Resolution**

Within fifteen working days of the final informal resolution attempt, the VP for Teaching and Learning or VP for Institutional Effectiveness & Student Success shall present all allegations and recommended sanctions to the student charged in written form and shall identify with specificity each section of the conduct code under which allegations are brought. A time shall be set for a hearing between the student and the Hearing Officer (the VP not involved in the informal resolution), not less than five nor more than fifteen calendar days after the student has been officially notified by school email or written letter in U.S. mail. The minimum time limits may be waived by the party charged. Maximum time limits for scheduling of hearings may be extended at the discretion of the Hearing Officer. Hearings shall be conducted by the Hearing Officer according to the following guidelines:

- a. The Hearing Officer shall have the power to exclude from the hearing any person whose conduct interferes with the hearing.
- b. In hearings involving more than one accused student, the Hearing Officer may permit the hearings concerning each student to be conducted separately.
- c. Pertinent records, exhibits, and written statements may be accepted as evidence for consideration by the Hearing Officer.
- d. At the hearing, the Hearing Officer shall determine whether the student has violated each section of the Code of Conduct which the student is charged with violating.
- e. The fact that a student acted while under the influence of alcohol, drugs, or an illegal controlled substance shall not be considered a mitigating factor.
- f. There shall be a single written record of all formal evidentiary hearings before the Hearing Officer. The record shall be the property of WDT.
- g. The record and its contents shall be held in confidence. Any person who unnecessarily discloses the contents of the record to parties not involved in the appeal shall be subject to discipline.
- h. Except as required by the Americans with Disabilities Act, WDT shall not be required to change the form in which the record is maintained.
- i. Except in the case of a student charged with failing to obey the summons of the Hearing Officer or WDT official, no student may be found to have violated the Code of Conduct solely because the student failed to appear before the Hearing Officer. In all cases, the evidence in support of the allegations shall be presented and considered.

### **Sanctions**

In each case in which the Hearing Officer determines that there is a preponderance of evidence that a student has violated the WDT Code of Conduct, the Hearing Officer shall uphold or modify the recommended sanction(s) based on the principle of "like sanctions for like violations" and the principle of a sanction being commensurate with the violation.

In the case of a drug or alcohol violation, the sanction imposed will reflect what is stated in the Alcohol and Other Drugs section of the Student Handbook.

Following the hearing, the Student Success Director/Registrar or designated representative shall provide a written summary of the findings of fact, conclusions, and recommendations, if any, reached by the Hearing Officer and of the sanction(s) imposed, if any, to the parties involved.