

SOUTH DAKOTA BOARD OF REGENTS

Policy Manual

SUBJECT: Violence in the Workplace and Educational Settings

NUMBER: 1:25

1. Preamble

The South Dakota Board of Regents seeks to provide for the safety of employees, students, visitors, and property by eliminating or reducing threats of workplace violence.

2. Definitions and General Provisions

Administration – Is defined as any of the following offices: Business and Administration, Human Resources, Student Affairs, Academic Affairs, or President's Office.

Chief Administrative Officer – This is the respective Vice President, Principal, or other comparable institutional representative that has supervisory responsibilities over the respondent(s).

Dangerous weapons – For purposes of this policy, dangerous weapons is defined by SDCL 22-1-2(10), "Dangerous weapon" or "deadly weapon," any firearm, knife or device, instrument, material or substance, whether animate or inanimate, which is calculated or designed to inflict death or serious bodily harm, or by the manner in which it is used is likely to inflict death or serious bodily harm.

Firearm - For purposes of this policy, firearm is defined by SDCL 22-1-2(16), "Firearm," any weapon from which a projectile or projectiles may be discharged by gunpowder. As used in this subdivision, the word "gunpowder" includes any propellant that upon oxidization emits heat and light and is commonly used in firearms cartridges.

Institutional Chief Executive Officer – This is the respective President, Superintendent, or Executive Director of the institution.

Police Department – Is defined as a full service police or security department (City, County, or Institutional).

Threat – Is defined as a declaration of an intention or determination to inflict punishment, loss, or pain on the person or property of another or to injure another by some wrongful act.

Violence – The term “crime of violence” means an offense that has as an element, the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense (reference BOR Policy 3.4).

Witness – Is defined as one who has firsthand knowledge of an act, including a threat or act of violence.

Workplace – Is defined as the Regental system, including any agency (to include workplace or educational setting) under the control of the South Dakota Board of Regents, or the off-campus site of any Regental institutional-sponsored activity.

3. Policy and Procedures

SDBOR will not tolerate workplace violence of any type, from any source. This includes, but is not limited to, threatening, destructive or violent actions directed against employees, students, visitors, or university/special school buildings, equipment, or property. Possession of firearms or other dangerous weapons on the physical premises of the Regental institutions is prohibited unless authorized by the institutional chief executive officer or designee. SDBOR executives, administrators, managers, supervisors, and employees are responsible for observing and promoting measures to establish and maintain a non-violent workplace. Additional responsibility is vested in students and visitors to the university and special schools to observe institutional regulations designed to establish and maintain a non-violent workplace.

Incidents of workplace threats or acts of violence will be treated seriously by institutional personnel. Witnesses should report such acts or threats promptly to the Administration. Reported threats or acts of violence will be investigated promptly, and appropriate action will be taken to address each incident that is reported.

The institution will respond promptly, positively, and firmly to deal with threats or acts of violence. This response will include timely involvement of the Police Department. Violations of this policy will be dealt with in accordance with the policies and procedures, which govern the behavior of Regental employees and students.

Responses to threats or acts of violence may include dismissal from employment or from enrollment, arrest, prosecution, removal from institutional property, suspension, reassignment of duties or other sanctions as authorized by specific disciplinary policies. In addition, violations of this policy by any person, including non-Regental affiliated persons, may lead to action by the criminal justice system.

4. Responsibilities

Every witness to a threat of violence or a violent action is responsible for reporting the incident to the Administration.

The Chief Administrative Officer or designee is responsible for coordinating the institutional response to workplace-related threats and acts of violence. Department heads, managers and supervisors will continue to have primary responsibility for monitoring and resolution of conflicts or disputes, for taking appropriate corrective action when potentially violent situations develop, and for working with the Administration when threats or acts of violence occur.

Department heads, managers, and supervisors are specifically empowered to take immediate appropriate action to resolve or stabilize violent situations in the workplace. Supervisors will notify the Administration when a threat is made or a violent incident occurs. Supervisors and managers will take appropriate disciplinary responses to internal workplace violence and coordinate these efforts with the appropriate administrative office(s).

5. Resources

Students with questions regarding this policy should inquire to the Student Affairs Office. Employees with questions should inquire to the Human Resources Department.

SOURCE: BOR, March 2005