SOUTH DAKOTA BOARD OF REGENTS

Academic and Student Affairs

REVISED
AGENDA ITEM: 8 – D
DATE: December 8-9, 2021

SUBJECT
Revisions to BOR Policies 1:11, 3:9 (new 1:34) and 3:18 (Second Reading) and Opportunity Center Plans

CONTROLLING STATUTE, RULE, OR POLICY
SDCL 13-57-4 – Sectarian religion and partisan politics prohibited by university
SDCL 12-27-20 – Expenditure of public funds to influence election prohibited
SD Constitution Art. VI § 3 – Freedom of religion – Support of religion prohibited
Title VII of the Civil Rights Act of 1964
U.S. Constitution Amendment I
SD Constitution Art. VI § 5 – Freedom of speech
SDCL 3-6C-19 – Freedom of Speech of Officers and Employees
BOR Policy 1:32 – Commitment to Freedom of Expression
BOR Policy 1:11 – Academic Freedom and Responsibility
BOR Policy 3:9 – Guest Speakers
BOR Policy 3:18 – Recognition and Funding of Student Organizations

BACKGROUND / DISCUSSION
The Board approved the first reading of the proposed revisions to Board of Regents Policies 1:11, 3:9 (new 1:34) and 3:18 at its October meeting. At that time, the Board also heard updates from each of the campuses as to the status of their Opportunity Center plans. Copies of the campus plans are included as Attachments IV – IX for the Board’s information, and any necessary discussion thereon, as the institutions are in their final stages of implementation to meet the January 1st deadline.

No substantive changes were made to the proposed revisions to BOR Policy 1:11 – Academic Freedom and Responsibility since the first reading. As a result of ongoing discussions with representatives from the Foundation for Individual Rights in Education (“FIRE”), the National Association of Scholars (“NAS”) and the American Council of Trustees and Alumni (“ACTA”), additional revisions were made to BOR Policy 1:34 – Guest Speakers (the old BOR Policy 3:9) to minimize verbiage that could lend itself to improper (i.e., unconstitutional) discretion in the application of an otherwise well intended

(Continued)

DRAFT MOTION 20211208_8-D:
I move to approve the second and final reading of the proposed revisions to BOR Policies 1:11, 1:34 and 3:18, as presented.
policy. The areas which were modified since the first reading are highlighted for ease of reference. Additionally, as a result of feedback from students, an additional sentence was added to the end of section 1.2 in BOR Policy 3:18 – Recognition and Funding of Student Organizations, which is highlighted, to provide clarity as to the intent and application of the new section. No other substantive changes were made since the first reading.

The information below reflects the rationale provided when the proposed revisions came before the Board for first reading at its October meeting, proving the full context for the entirety of the proposed revisions up for consideration.

At the system level, the proposed revisions to BOR Policy 1:11 (Attachment I) are intended to provide additional clarity around the appropriate use of controversial topics in the classroom, consistent with the Board’s August Statement. The current policy does not squarely address the use and discussion of controversial topics in the classroom, and with that void comes uncertainty. The proposed revisions provide clear guidance on the topic, with their basis in well-established and legally sound literature on the topic, consistent with the tenets of academic freedom published by the American Association of University Professors over the last century.

Board policy currently lacks any substantive guidance on institutional sponsored campus speakers, with the current BOR Policy 3:9 saying very little, and is located in an odd section of the manual given its stated application to not only student groups, but also colleges and departments. The proposed revisions set forth in Attachment II serve to delineate between the processes for student organizations and those of colleges or departments, while also establishing considerations for the latter to help promote and encourage robust discussion and differing viewpoints or perspectives on campus. The foregoing isn’t overly prescriptive, nor does it limit institutions from supplementing the list of considerations, but it does ensure some commonality across the institutions in how they approach and consider bringing institutionally sponsored guest speakers to campus. Additionally, this policy would be moved out of Section 3 of the Policy Manual and placed in Section 1 (Governance), which is more appropriate given its broad application.

Finally, the proposed changes to BOR Policy 3:18 (Attachment III) provide additional clarity around recognized student organizations. The policy is currently void of any reference to campus advisors, which are commonplace for recognized student organizations across the system. The proposed changes address institutional advisors for recognized student organizations, and include the appropriate role of such advisors, specifically noting that they are not to direct or control the expressive activity of recognized student organizations. Additionally, the proposed section 1.2 is intended to further clarify the separation between the recognized student organizations and the institution, making it clear that recognized student organizations are autonomous and that their actions/speech is not directed by, and should not be attributed to, the institution. Lastly, there are a few edits in section 3.3 to further clarify the viewpoint neutral and non-discriminatory nature of funding considerations and the need to establish and publish such standards or criteria at the campus level.
IMPACT AND RECOMMENDATION
The proposed revisions to BOR Policies 1:11, 1:34 (old 3:9) and 3:18 provide additional guidance and/or clarity in the areas identified above.

Staff recommends approval.

ATTACHMENTS
Attachment I – Proposed Revisions to BOR Policy 1:11
Attachment II – Proposed Revisions to BOR Policy 1:34 (old 3:9)
Attachment III – Proposed Revisions to BOR Policy 3:18
Attachment IV – Opportunity Center Plan – BHSU
Attachment V – Opportunity Center Plan - DSU
Attachment VI – Opportunity Center Plan - NSU
Attachment VII – Opportunity Center Plan - SDSMT
Attachment VIII – Opportunity Center Plan - SDSU
Attachment IX – Opportunity Center Plan - USD
SUBJECT: Academic Freedom and Responsibility

NUMBER: 1:11

1. The importance of academic freedom in teaching and learning and research and publication is well recognized and accepted. All employees whose duties include teaching, scholarly or creative work, or research are guaranteed the right of academic freedom in such pursuits. Academic freedom is guaranteed to faculty members subject only to accepted standards of professional responsibility, including, but not limited to, those herein set forth:

   A. Academic freedom is the freedom to inquire, discover, access, study, discuss, publish, investigate, research, disseminate, and teach, subject to the control and authority of the rational methods by which knowledge is established and accepted in the field. The importance of academic freedom to teaching and learning is recognized and accepted. Academic freedom includes the right to study, discuss, investigate, teach and publish. Academic freedom applies to both teaching and research. Freedom in teaching and learning and research and publication is fundamental to the advancement of truth and the creation of knowledge.

   A.B. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher-faculty members in teaching and of students to freedom in learning. It includes the freedom to perform one's professional duties and to present differing and sometimes controversial points of view, free from reprisal. Faculty members are entitled to freedom in the classroom in the discussion of their subject and in the presentation of various scholarly views, including controversial matter, which is relevant to a given course and course objectives. While controversy is at the heart of free academic inquiry, faculty members should avoid persistently including material that does not relate to a given course or course objectives, or that otherwise detracts from the underlying course objectives. In the many instances where there are differing and even controversial scholarly views, divergent viewpoints and materials should be presented, studied, analyzed and debated to challenge and support students in developing their ability to think critically, form opinions and draw conclusions. They have the freedom to include the presentation of various scholarly views.

   C. The concept of academic freedom should be accompanied by an equally demanding concept of responsibility. Faculty members are members of a learned profession. When they speak or write as private citizens on matters of public concern, they must be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As learned people and as educators, they should remember that the public may judge their profession.
and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to indicate that when they are not speaking for the institution.

2. To secure student freedom in learning, faculty members in the classroom and in seminar should encourage free and orderly discussion, inquiry and expression of the course subject matter. Student performance may shall be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

A. Students should must 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.

B. Each institution shall establish an academic appeals procedure to permit review of student appeals alleging an allegations that an academic evaluation was tainted by prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards shall be addressed under Board Policy 2:9. Additionally, each institution shall establish a method by which students can submit complaints regarding allegations of any instruction conducted in a manner which is inconsistent with this policy. These procedures shall prohibit retaliation against persons who initiate appeals or complaints, or who participate in the review of appeals or complaints.

C. Students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

SUBJECT: Guest Speakers

NUMBER: 3:9-1:34

A. PURPOSE
To establish policy regarding the sponsoring of guest speakers on campus.

B. DEFINITIONS
None

C. POLICY

1. Guest Speakers on Campus

1.1. Recognized student organizations and colleges or departments of the institution may invite and hear persons of their own choice or sponsor guest speakers on campus, in accordance with applicable Board and Institutional policies. Such policies shall only apply when the organizers of the event seek exclusive control of a campus location for the event, or when they reasonably expect the event to attract an audience of fifty (50) or more people. The policies shall set forth content- and viewpoint-neutral criteria under which the institution shall evaluate any conditions imposed on the event. Routine procedures required by the institution before a guest speaker is invited to appear or an event is scheduled on campus shall, without limitation, be designed to ensure that there is orderly scheduling of facilities, adequate preparation for the event, and assurance that the event shall not substantially disrupt the educational process.

1.2. Recognized student organization requests for funding for guest speakers from the general activity fee levied pursuant to Board Policy No. 5:5:4(1)(B) shall be addressed and considered by the institution pursuant to the institutional process established in accordance with BOR Policy 3:18.

1.3. Requests for institutional funds, including funds allocated to departments or colleges of the institution, to sponsor guest speakers should be evaluated based on content- and viewpoint neutral criteria. Such criteria may include, but is not limited to, the extent to which the proposed guest speaker:

1.3.1. Adds to the diversity of thought present on campus as a whole;
1.3.2. Allows for questions, discussion and interaction with attendees;
1.3.3. Adds to or otherwise complements inter-department study, collaboration and dialogue;
1.3.4. Enhances or complements the research, creative scholarship or curricular offerings of the institution; or
1.3.5. Is co-sponsored by another regental institution, state agency or local government.

SOURCE: (RR, 12:02:1, 1977); BOR, March, 1993
A. PURPOSE

To establish policy regarding the recognition of student organizations on campus and the provision of funding thereto.

B. DEFINITIONS

None

C. POLICY

1. Recognition of Student Organizations

1.1. Each institution will develop and publish criteria for recognition of student organizations. These recognition criteria will require student organizations to operate under a formal set of articles that define the powers of the organization and describe how those powers may be exercised, just as articles of incorporation or constitutions define the powers of commercial, nonprofit or governmental entities and describe how these powers may be exercised. Each institution will establish rules for budgeting, custody, expenditure and audit of organization funds, and the recognition criteria will require that recognized student organizations abide by such rules. No such rules or criteria may discriminate against any student or student organization based on the content or viewpoint of their expressive activity.

Such criteria will require student organizations to operate in a nondiscriminatory manner as provided in Board Policy No. 1:18. In compliance with Board Policy No. 1:18(5) institutions will recognize two limited exceptions to the general requirement that organizations not restrict membership or participation on the basis of race, color, creed, religion, national origin, ancestry, citizenship, gender, transgender, sexual orientation, age, disability, genetic information, military service membership or veteran’s status. Consistently with rights guaranteed under state and federal constitutions, Board Policy No. 1:18(5) accommodates the distinctive characteristics of intimate associations or expressive associations. In keeping with these guarantees, an institution may not prohibit an ideological, political or religious student organization from requiring its leaders or members of the organization affirm and adhere to the organization’s sincerely held beliefs, comply with the organization’s standards of conduct, or further the organization’s mission or purpose, as defined by the organization.
1.1.1. Intimate associations involve distinctively personal aspects of life. Factors that suggest that an organization should be treated as intimate association include: (a) the relative smallness of the organization; (b) a high degree of selectivity in choosing and maintaining members of the organization; (c) the personal nature of the organization's purpose; and (d) the exclusion of nonmembers from the central activities of the organization.

1.1.1.1. A student organization that operates a residential facility for its membership would illustrate the kind of organization that might be classified as an intimate association, at least insofar as relates to limiting membership on the basis of gender.

1.1.2. Expressive associations are created for specific expressive purposes, and they would be significantly inhibited in advocating their desired viewpoints if they could not restrict their membership based on race, color, creed, religion, national origin, ancestry, citizenship, gender, transgender, sexual orientation, age, disability, genetic information or military service membership or veteran’s status.

1.1.2.1. A student organization dedicated to the practice of a particular religious faith would illustrate the kind of organization that might be classified as an expressive association, at least insofar as relates to limiting membership on the basis of adherence to the tenants of that faith.

1.1.3. Exceptions from the nondiscrimination policy will be made only to the extent necessary to accommodate the particular circumstance that warrants an exception; the overarching purpose of supporting student organization activities is to prepare students to act as citizens and leaders of a republican form of government, which by its nature permits discrimination against none.

1.1.3.1. By way of illustration, but not limitation, a student organization operating a residential facility for its membership may be allowed to limit membership on the basis of gender, but not on the basis of religion; a student organization dedicated to the practice of a particular religious faith may be allowed to limit membership on the basis of religion, but, absent any contrary doctrine of faith, not on the basis of gender.

1.1.4. Each institution will establish a process that student groups may follow to secure recognition as student organizations. The chief executive officer of the institution will designate an administrator who will be responsible for determining whether a group of students satisfies the criteria for recognition as a student organization. Institutions with student government organizations may request that such organizations review applications for recognition as student organizations and make recommendations to the designated administrator whether a particular group of students satisfies the institutional criteria for recognition.

1.2. Recognized student organizations are to exist independent of, and outside of the direct control of the institution. Recognized student organizations are not agents of the institution and are not to be endorsed or directed by the institution. Recognition of, or the provision of funding to, student organization consistent with this policy should not be construed to conflict with or alter the foregoing. Recognized student
organizations are entirely responsible for the actions, activities and liabilities incurred in the name of the recognized student organization and its members acting in their capacity as members of the recognized student organization. The provisions of this section should not be construed or applied to adversely impact or diminish the role of recognized student organizations on campus, but rather to ensure recognized student organizations enjoy the necessary autonomy to protect their right to engage in expressive activity to fullest extent permitted by law, while also maintaining the applicable accountability and responsibility associated with their status.

2. Funding of Recognized Student Organizations

In order to reduce the economic barriers to forming and operating student organizations or to accessing means of communication, institutions may grant subsidies, pursuant to this section, from funds apportioned from the general activity fee.

Only recognized student organizations may receive disbursements from the fund to finance the organizations’ general operational expenses and to subsidize cultural, social, recreational and informational activities and events sponsored by the organizations.

Funding allocated to student organizations shall be distributed in a nondiscriminatory manner in accordance with applicable state and federal authority, and consistent with the institution’s interests as outlined herein; provided that

2.1. No student organization will be eligible for fee subsidies:

2.1.1. If the funding is prohibited by Article 6, § 3 of the SD Constitution because it will be used for sectarian ceremonies or exercises;

2.1.2. If the funding is prohibited by SDCL § 12-27-20 because it will be used for the promotion or opposition of particular candidates for public office or ballot issues in elections, or financing off-campus lobbying or political activities of non-students;

2.1.3. If the organization operates a residential facility for its membership or otherwise generates income from commercial activities for the personal use and benefit of members or on behalf of for-profit entities; or

2.1.4. If the organization generates income for the personal use and benefit of the sponsoring organization members or on behalf of for-profit entities.

This section does not prohibit a student governance body, recognized by the institution, whose leadership is popularly elected by the students, from using funding to communicate its position on behalf of all students, either through lobbying efforts before legislative bodies.

3. Procedures for Requesting Funding and Allocating Funds

3.1. Each institution will develop and publish instructions outlining the procedure that recognized student organizations may use to request funding from the general activity fee levied pursuant to Board Policy No. 5:5:4(1)(B).

3.2. The chief executive officer of the institution will designate an administrator who will be responsible for determining how funds will be allocated. Institutions with student
government organizations may request that such organizations review applications for funding and make recommendations to the designated administrator.

3.3. Each institution will develop and publish viewpoint-neutral standards and/or criteria used to guide the review of funding requests submitted by recognized student organizations. Subject to the limitations stated herein, these standards will require that decisions be made on grounds unrelated to the exercise by students through the organization of their rights to free expression, to the free exercise of religion, to the freedom of association or to the freedom to petition government. Such rights-neutral mechanisms shall be created and administered in a consistent and non-discriminatory fashion, and may include, without limitation, random selection from among student proposals or prioritization based upon frequency of funding or other objective factors unrelated to the exercise of protected rights.

4. Advisors for Recognized Student Organizations

4.1. Each recognized student organization shall have a faculty or staff advisor from the institution. The role of the advisor is to provide guidance to the recognized student organization on the applicable rules, policies and processes of the institution.

4.2. Each institution shall develop standards to guide advisors in the fulfillment of their duties, which shall include, without limitation, establishing and enforcing the necessary parameters to prohibit advisors from directing or controlling the expressive activity of recognized student organizations.

FORMS / APPENDICES:
None

SOURCE:
Black Hills State University Opportunity Center

Purpose: In accordance with SDBOR recommendations, the BHSU Opportunity Center offers programming and support for all students, to benefit from education and to prepare to live and work in South Dakota, or anywhere in the world. The BHSU Opportunity Center serves as an inclusive community where all are welcome, accepted and provided access to the services needed to assist, accommodate, retain and graduate, with equal regard given to the unique challenges and needs of every student.

Opportunity Center Coordinator: Assistant Provost
The coordinator will be the main point of contact on campus for all questions related to the Opportunity Center. This office will develop and maintain the Virtual Opportunity Center.

Current Office Location: The Center will be temporarily located in the Office of Academic Affairs, WB 218. Upon completion of the renovations to the E.Y. Berry Learning Center (BHSU Library), we will relocate the center to the library where it will be easily accessible and co-located with many of the services affiliated with the center.

Steering Committee:
The Steering Committee will meet monthly to coordinate services and activities that work to support student opportunities in order to better deploy campus resources.

- Assistant Provost
- Director, Center for American Indian Studies
- Coordinator, Disability Services
- Coordinator, International Relations
- Director, Veterans Affairs
- Coordinator, Student Engagement
- Director, Student Success Center
- Director, Honors Program
- Career Counselor
- Athletics Representative
- Student Senate Representative
- Faculty Representatives (3)

Programs, Offices, Committees, and Services that fall within the Opportunity Center:
The programs/services listed below will be affiliated with the Opportunity Center without changing their direct reporting lines.

- Chiesman Committee for Civic Engagement
- Disability Services/Testing
- Office of International Relations and Global Engagement
- Student Support Services/TRIO
- Military and Veterans Affairs
- Honors Program
- Math Assistance Center
• Writing Assistance Center
• Athletic Equity and Inclusion Initiatives*
• Office of Student Engagement*
• Student Success Center/Tutoring*
• Career Counseling*
• Native American Center*

*These programs are still under consideration for inclusion in the Opportunity Center.

**Campus Roll Out**

To inform campus we will:

a. sit down with the individual offices included in the center, describe the collaboration goals, and solicit ideas and recommendations for campus implementation. October 2021
b. hold a town hall for faculty and staff to introduce the concept of the center and invite questions and recommendations. November 2021
c. develop news releases and online eUpdates to inform community members of the reorganization and our intended direction. November 2021
d. hold a town hall for students to introduce the concept of the center and invite questions and recommendations. January 2022
e. install campus signage and wayfinding. December 2021
f. debut our Virtual Opportunity Center. January 2022
g. begin to hold monthly steering committee meetings. December 2021 or January 2022
h. update our marketing materials to include an explanation of the center. November 2021
Steering Committee

Assistant Provost, Chair
Director, Center for American Indian Studies
Coordinator, Disability Services
Coordinator, International Relations
Director, Veterans Affairs
Coordinator, Student Engagement
Director, Student Success Center
Director, Honors Program
Career Counselor
Athletics Representative
Student Senate Representative
Faculty Representatives (3), TBD

Programs, Offices, Committees, and Services*

- Chiesman Committee for Civic Engagement
- Disability Services/Testing
- Office of International Relations and Global Engagement
- Student Support Services/TRIO
- Honors Program
- Athletic Equity and Inclusion Initiatives
- Office of Student Engagement
- Student Success Center/Tutoring
- Writing Assistance Center
- Math Assistance Center
- Career Counseling
- Veterans Affairs

*The Opportunity Center serves a coordinating function. Many of these programs directly report to a different supervisor.
Organizational Structure  
Dakota State University

Our goal: to focus our energy on the guidance and encouragement of students as they work to attain their academic, personal, and career goals. We do not discriminate on the basis of race, sex, ethnicity, religion, disability, veteran status, economic status, or sexual preference. We understand the uniqueness of each student as an individual and offer the services and supports necessary for them to succeed. In other words, DSU provides Opportunity for All.

Space Needs:
1. Trojan Zone Welcome Center – Reimagine the space to include a prominent welcome space and information desk. The space is designed to welcome and assist current students as well as prospective students and their families, the community, and other constituents. Other considerations have included a receiving area for shipments which could also impact how we provide package and mail service to students.
2. Opportunity Zone – Rearrange the space to provide space for clubs/orgs/student-centered committees to work and collaborate
   a. Student Media space in lower level of the Union as an extension of space dedicated to student engagement – more details soon
   b. Residence life staff will need to be relocated. Current top-considered proposal is to bring the entire staff together near the lobby area of the student union
   c. Phase two may include the removal and relocation of the student mailboxes to open up that space to students
3. Learning Engagement Center – No major needs here but would like to have a welcome/info desk on a smaller scale but similar to our vision for the Welcome Center.
4. Virtual Student Union – A virtual space that is more than a website. Think of virtual conference software or gaming/simulation tools to enhance the virtual experience.
Supporting Components

1. LEARN (Academic Excellence)
   - Academic Advising
   - Academic Support - Tutoring, Supplemental Instruction, Writing Center, Help Nights
   - Peer Advising
   - Academic Integrity/Academic Success and Recovery
   - Karl Mundt Library
   - Testing Services
   - Course Materials
   - Center of Excellence/General Beadle Honors Program
   - Career and Professional Development

2. ENGAGE (Foster Relationships)
   - Student Senate
   - Clubs and Organizations
   - Student Activities
   - Strengths Programming
   - STRONG Program
   - Intramurals/Recreation
   - Community Outreach/Service
   - Alumni

3. BELONG (Inclusive Excellence)
   - EDI/Inclusive Excellence Committee
   - Veterans Affairs
   - Disability Services
   - Clubs and Organizations
   - International Programs
   - Study Away
   - Communication – Trojan Connect (Primary) as well as Activities Post/Discord/Portal/ETC

4. LIVE (Cultivate Community)
   - Residence Life/Campus Housing - Traditional and non-traditional, Living Learning Communities
   - Residential Programming
   - First Year Residence Experience (FYRE)
   - Dining Services
   - Safety Resource Officer
   - Trojans Helping Trojans/Food Pantry
   - Financial Aid and Scholarships

5. GROW (Personal Development)
   - New Student Registration
   - New Student Orientation – GO!
   - Mental Health Counseling
   - Alcohol and Other Drug Counseling
   - Wellness Programming

6. WORK (Professional Development)
   - Career and Professional Development
   - Student Employment
   - Internships
   - Career Preparation Workshops and Events
   - Career Placement
   - Professional Student Organizations
Opportunity for All Implementation

**Charge 1:** Implement “Opportunity Centers” to provide increased opportunity for all students to succeed is central to NSU’s mission and recently updated strategic priorities.

**STRATEGIC PRIORITY - 2a**

2. Build an increasingly diverse, engaged, inclusive, welcoming and supportive culture that nurtures achievement and success for all students, faculty and staff.
   - Implement BOR *Opportunity for All* and individualize support for students’ diverse needs—academic, first generation, financial, cultural, social, emotional, physical, etc.

**REPORTING STRUCTURE, OFFICES, and LOCATION**

- All program elements report to either Provost Mike Wanous or Dean of Students Sean Blackburn, who report directly to President Schnoor.
- Program elements will be housed in two immediately adjacent buildings in a prime location at the head of the Campus Quadrangle.
- Academic Affairs Offices reporting to Provost Wanous are relocating to the new Student Success Center including: Academic Advising, American Indian Circle Program, Career Services, Supplemental Instruction, TRIO Student Support Services and Upward Bound, the Tutoring/Math/Writing Center, while Veterans Services will remain in the Avera Student Center.
- Student Affairs Offices reporting to Dean Blackburn remain housed in the Avera Student Center including: Avera Student Health, the Counseling Center, Disability Services, Multicultural Student Affairs, New Student Programs, Prevention Services, Residence Life, Student Organizations, and Title IX.
- A virtual “Opportunity Center” webpage unites all these offices in one website location for students.

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**Charge 2:** Safeguard the fundamental principles of free speech, scientific discovery and academic freedom and protect the rights of students and faculty alike while balancing the Constitutional rights of our students and employees.

NSU publishes the Academic Freedom and Responsibility Statement, derived from BOR Policy 1.11, and Freedom of Learning Statement in the University Catalog and includes both in all course syllabi.

**Freedom in Learning**
Under Board of Regents and University policy, student academic performance must be evaluated solely on an academic basis, 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.

Page 23 of the NSU Student Handbook includes:

**STUDENT FREEDOM IN LEARNING**
To secure student freedom in learning, faculty members in the classroom and in seminar should encourage free and orderly discussion, inquiry and expression of the course subject matter. Student performance may be evaluated solely on an academic basis, not on opinions or conduct in matters unrelated to academic standards.

A. 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.

B. Each institution shall establish an academic appeals procedure (see Student Academic Grievance Procedure*) to permit review of student allegations that an academic evaluation was tainted by prejudiced or capricious consideration of student opinions or conduct unrelated to academic standards. These procedures shall prohibit retaliation against persons who initiate appeals or who participate in the review of appeals.

C. Students are responsible for maintaining standards of academic performance established for each course in which they are enrolled.

*Page 26 of the Student Handbook outlines the “Student Academic Grievance Procedure.” While students have appealed grades for other reasons and the academic deans and Provost have evidence of students following the “Student Academic Grievance Procedure” and the institution enforcing policies and procedures, the institution has encountered no instances in which student appeals alleged an “academic evaluation was tainted by prejudiced or capricious consideration of student opinions.”

**Academic Freedom**
The freedom of faculty to teach the knowledge encompassed by their academic disciplines is vital to successful education and thus must be defended. Under Board of Regents Policy 1:11, “Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of students to freedom in learning. It includes the freedom to perform one’s professional duties and to present differing and sometimes controversial points of view, free from reprisal.”

Guarantees of academic freedom for faculty are included in the BOR Policy 1.11 and the NSU Faculty Handbook. The NSU Academic Affairs office has no record of any complaint for academic freedom violations.
**Charge 3**
To supplement/enhance knowledge of American government and the principles upon which our country was founded; increase civic engagement; and communication, critical thinking, civility and dispute resolution among individuals with diverse backgrounds, beliefs and perspectives, NSU has completed the following.

The Center for Public History and Civic Engagement has been under development at Northern for two years. The Center was launched in Fall 2021. The Center will provide guest speakers to address topics in American Government, American History, Civic Engagement, and the U.S. Constitution. The Center provides additional programming for Constitution Day, National History Day, and civic engagement for students, faculty and staff, and community members. The Center also recruits students for the South Dakota State Legislative Internship. Center Director Dr. Jon Schaff is professor of history and studies American political thought and American political development. He is the author of many book chapters, articles, and essays as well as two books: *Abraham Lincoln and the Limits of Liberal Democracy* and *Age of Anxiety: Meaning, Identity, and Politics in 21st Century Literature and Film* (co-authored).

NSU provides many opportunities through curricular or cocurricular activities that help prepare students to be informed citizens and career ready. Several faculty members embed experiential learning opportunities and engagement with community organizations in their courses with funding support from Center for Excellence in Teaching and Learning (CETL) Pedagogy grants. During faculty fall in-service in August 2020, four faculty presented on their community engagement projects in their classes and advised other faculty on how to integrate community engagement into their own courses. Faculty have also created curriculum, including a public history certificate and service-learning projects in courses that foster students’ civic mindsets. In 2020, many activities were coordinated throughout the university to encourage participation in the election process, including coordinating with the League of Women Voters and the SD Secretary of State to register people to vote in the Student Center.

The central core of NSU’s mission rests on service to the community, specifically stating NSU will enrich the local and regional community. NSU prides itself on actively developing and nurturing links with the community through academic programs, cultural events, athletics, community service, entrepreneurial partnerships, and through the use of its facilities.

**Charge 4**
To promote equal opportunity and non-discrimination for all through merit-based assessment and decision making and ensure preferential treatment on the basis of one’s identity or belief system is not occurring, NSU recognizes the following.

NSU follows all BOR Policies related to employee hiring. Northern’s Human Resources and Provost Offices have reviewed hiring and tenure and promotion policies and procedures to ensure that they uphold equal opportunity and non-discrimination. The NSU Employee Handbook, which includes all employee hiring practices, and the NSU Faculty Handbook, which includes faculty hiring and tenure and promotion processes, are available on the NSU portal.

NSU actively promotes a climate of respect and inclusivity across campus. SDBOR Policy 3:4 Student Code of Conduct illustrates our commitment for self-discipline and respect for the rights of others. The NSU Employee Handbook Policy 2.3 outlines our commitment to treat one another civilly and constructively.
Opportunity for All
South Dakota School of Mines and Technology
October 12, 2021

Historical Context
Last year, South Dakota Mines underwent a divisional realignment with the goal of placing all student success and student support initiatives under the Office of the Provost. The Student Success Center, which at the time included tutoring, mentoring, professional advising, and testing services was already under the Office of the Provost. To that end, this realignment moved the Student Development division under the provost and created some new reporting structures for several of the offices within that division. The Office of Career and Professional Services, along with ADA services and the Title IX Office, both moved from Student Development to the Student Success Center.

The basic idea of the re-alignment was to provide a more uniform approach to the student support services available on campus. In essence, we wanted to create a “one-stop-shop” whereby students could find any support services they may need during their time at South Dakota Mines. The general focus of these services was to increase student retention and persistence and therefore, if the various offices across campus were working together and sharing resources, we could achieve the retention goals as specified in our strategic plan.

The goal was not to necessarily have all the student support services located in one building on campus. In fact, a current renovation project to the Deveraux Library building will create a student success hub whereby all the Student Success offices will be located, along with a math help center, student design center and makerspace, and library operations. Thus, the library building will house those student support services that are predominately academic focused. The student development offices, which include the Ivanhoe International Office, Veterans Resource Office, Student Life and Engagement Office, and the Office for Inclusion are currently located in the lower level of the student union, i.e., the Surbeck Center. Eventually, the Office for Women in Science and Engineering (WiSE) and possibly Tiospaye will also be relocated to the Surbeck Center. Therefore, the student union will house those student support services that may have an academic component, but also provide peer mentoring, mental support, and a general connection to campus through activities and student organizations.

Moving Ahead
With this recent realignment, the Opportunity for All center on the campus of South Dakota Mines will essentially be comprised of all the student support services under the Office of the Provost. A virtual presence, in the form of a single webpage on the South Dakota Mines website, will list all the student support services available. The services provided through these offices will be available to all students, both undergraduates and graduates. Over the course of the 2021-2022 academic year, personnel in student success and student development will continue to work together to develop shared strategies for student support. Some areas identified include a common peer mentoring program, use of EAB Navigate to share information, student activities, leadership development, and tutoring.
There is currently an existing Inclusion Committee on the campus of South Dakota Mines. The committee is comprised of faculty, staff, and students from numerous areas of campus. During the 2021-2022 academic year, the committee will be re-working its charter to focus on supporting and building the Opportunity for All center. In addition, the committee will look to include people from local industry that hire graduates from South Dakota Mines and therefore enhance the mission of the committee and that of the Opportunity for All center.

With respect to the South Dakota Mines’ strategic plan, there are a few goals under the “Academic & Co-curricular Excellence” and “Campus Culture” initiatives that fit well with the Opportunity for All center. The Opportunity for All center will help Mines “advise and mentor students to maximize their opportunities for academic, professional, and personal success” and “build a sense of community that cultivates collaboration, inclusion, and innovation.” The center will help “foster a safe and healthy environment” for students. Lastly, the center will “promote a balanced system that encompasses a universal commitment to academic success, individual well-being, service, and philanthropy.”

Additional Information

The point of contact for the Opportunity for All center will be the provost. The provost reports directly to the President of the university. Other personnel who will be involved in the day-to-day operation of the various student services include the Associate Vice President for Student Development and Dean of Students, Associate Vice President for Student Success, and numerous directors of individual support offices.

Student organizations that include professional groups, religious groups, and groups focused on activities and hobbies will not fall under the Opportunity for All center and will operate based on national (if applicable), state, or local charters. These groups are all student-led and funded using student fees through the Student Senate. All student organizations have an equal opportunity to apply and request funding through the Student Senate on an annual basis.

We are still developing a name for the Opportunity for All Center. Some suggestions have been “Rocker Opportunity” or “Rocker Opportunity Student Success”.

Opportunity For All

President

Provost/Opportunity For All

Student Engagement
Student Support
Student Success

CURIOUS  SMART  TENACIOUS
Opportunity For All

AVP Student Development
- Student Engagement
- Counseling
- Res Life
- Student Support

AVP Student Success
- Career Services
- Advising
- Testing & Tutoring & Mentoring
- Title IX/ADA

- Veterans Resources
- International/Study Abroad
- WISE (Women)
- Inclusion
- Tiospaye (Native American)

CURIOS  SMART  TENACIOUS
Opportunity For All

Student Engagement

Student Support

Student Success

CURIOUS  SMART  TENACIOUS
Opportunity Center Plan

President Dunn has charged Provost and Vice President for Academic Affairs, Dr. Dennis Hedge, and Vice President for Student Affairs and Enrollment Management, Dr. Michaela Willis, with leading South Dakota State University’s implementation of an Opportunity Center to promote student success for all students consistent with the South Dakota Board of Regents charge at their August 2021 meeting. Provost Hedge and Vice President Willis have met weekly since late August to begin discussions and planning for an Opportunity Center at SDSU. To date, the following have been accomplished:

- Determine the overall focus for the opportunity center is centered around our mission of access and student success;
- Review of existing student success offices, efforts, and programs at SDSU;
- Review of current student success model in place at SDSU;
- Evaluation of potential locations for the Opportunity Center office space that is accessible to all students;
- Discussion regarding development of a virtual presence of the Opportunity Center;
- Evaluation of potential organizational structures for an effective Opportunity Center structure;
- Review of leadership options for the Opportunity Center as a direct report to President Dunn;
- Consideration of potential names for the Opportunity Center to tie into our historic land-grant mission;
- Develop a graphic to describe the Opportunity Center at SDSU;
- Finalize draft proposal to include proposed name, organizational structure, referral network, and leadership of the Opportunity Center;
- Seek input from SDBOR regarding draft proposal;
- Present the model to various groups across the University for input through open forums and the shared governance process;
- Evaluate feedback regarding the model and adopt changes as needed;
- Seek SDBOR approval of plans for Opportunity Center at SDSU in December.

Processes currently underway include development of virtual presence for Opportunity Center; finalization location and signage for Opportunity Center; hiring position to coordinate Opportunity Center work; and develop communication plan for the Opportunity Center to University community.

South Dakota State University is committed to the South Dakota Board of Regents (SDBOR) statement released in August 2021 titled Opportunity for All. Within this statement was the
direction to launch an Opportunity Center at each institution and SDSU has been working toward this directive. The following plan will be implemented at SDSU by the beginning of the spring 2022 semester on January 10, 2022.

SDSU’s central focus on the opportunity center is aligned with our student success efforts and tied to our mission of access as South Dakota’s land grant institution. As such, the SDSU Opportunity Center be situated within our student success efforts and will become integrated into the Wintrode Student Success and Opportunity Center (renamed from Wintrode Student Success Center). Communication with the Wintrode family has occurred and they have expressed their support for the name change. This structure will make the Opportunity Center prominent in our organizational structure and strengthen our student success efforts for all students at SDSU, aligned with the direction provided by the SDBOR in the Opportunity for All statement.

The SDSU Wintrode Student Success and Opportunity Center (the Center) positively impacts student success, retention, and graduation by promoting engaged learning and providing innovative approaches to foster academic and personal development. The center is an inclusive community where all are welcome, accepted, and provided access to the services needed to be successful based upon their unique individual needs. The center fosters responsive referrals to services that will enhance individual student’s success in achieving their academic and personal goals. Currently, the Wintrode Student Success Center is the hub of student success efforts at SDSU including tutoring, mentoring, supplemental instruction, first year advising, and academic recovery efforts. The federally funded TRiO grants, Student Support Services and Upward Bound, also operate under this structure. We will expand efforts by adding opportunity center operations within this center.

As a component of this change, we will reclassify the position of director of student success center to senior director of student success and opportunity, continuing to report to the provost’s office. In addition, we will create a new position to coordinate opportunity center work under the senior director and redirect existing university resources for salary, benefits, and operations serving students for the opportunity center through effective intake and referrals to services and supports to promote their individual needs. The opportunity center contact for the Board of Regents will be the provost and vice president for academic affairs who reports directly to the SDSU president.

The center will be central to the opportunity center work, with a new Student Success NETWork developed with student success professionals across the university coming together regularly through monthly meetings and training programs to enhance collaborations and referral networks to serve the individual needs of all students. This will be the “glue” or “net” that binds the center to the many resources available across the university. Students will continue to be able to access services through any of the offices and positions within the NETWork, with the opportunity center providing the “go to” place for students not certain where to begin. The NETWork professionals will be from various areas to include, but not limited to: online and
adult student services, new student programs, first year advisors, TRiO advisors, American Indian student services, international student services, multicultural student advisors, disability services, veterans affairs, graduate student services, residence hall directors, honors student services, academic success and recovery network, professional academic advisors, and athletic student services. This NETWork will meet regularly, engage in training focused on student success advising, and share information regarding services offered to enhance referrals and resources available to promote student success. The NETWork is surrounded by additional student success resources such as academic support services (supplemental instruction, tutoring, mentoring, help centers), career development, the Briggs library, financial aid and scholarships, academic colleges and programs, student engagement, the Fishback honors college, living learning communities, study abroad, testing center, exploratory studies, student legal aid, jacks cupboard, and the student health and counseling clinic to support students with specific needs.

To achieve the goals of the center, the following visual graphic has been developed to articulate the interconnected network of services and supports for every student at SDSU. This graphic has been developed to clarify the network of supports for students at SDSU and how they work together to enhance the student experience and meet individual student needs.
A Wintrode Student Success and Opportunity Advisory Council will be developed to allow broad input and advice regarding the operation of the Wintrode Student Success and Opportunity Center. The council will be led by the senior director of student success and opportunity and include members from the SDSU faculty, professional staff, civil services staff, students, and members of the community. Ex-officio liaisons of this council will include the provost and vice president for academic affairs and the vice president for student affairs and enrollment management. This council will meet quarterly.

Currently, SDSU is developing a position description for the reclassified senior director position and the new position to coordinate the work of the opportunity center. We anticipate beginning the search for the new position in December with a February timeline for anticipated onboarding of the new employee. The senior director will begin identifying members for the Student Success Advising NETWork in December, beginning meetings in January 2022. The virtual presence will be developed during December for a January launch with an associated communications plan for students and employees. The advisory council will also be established in December with the first meeting held in January. While we will officially launch the Wintrode Student Success and Opportunity Center in January 2022, SDSU will continue to work on enhancements to the services and resources available to all students throughout the spring semester and beyond, focusing on being responsive to student needs as they change over time.
Opportunity for All at the University of South Dakota

Since the university first began welcoming students to campus in 1882, one of the hallmarks of the University of South Dakota experience has been a focus on student growth and student success. That commitment continues with USD’s implementation of the South Dakota Board of Regents’ Opportunity for All action plan.

USD will provide increased opportunity for all students to succeed with the USD Opportunity Center, which will create a central connecting point for student success resources, centralize student leadership development opportunities and ensure campus discussion and dialogue is intentional, robust and varied. The Opportunity Center will be a physical office that supplements the virtual connecting point that already exists for USD faculty, staff and students in the form of the Coyote One Stop knowledge base. It will be housed in the Muenster University Center in proximity to where the old Center for Diversity & Community existed.

The Opportunity Center will serve as an umbrella organization for the array of student support services, offices, and efforts already underway on campus, coordinating resources to ensure each student has access to what they need to succeed at USD. Similar to other student-centric offices like Student Veterans’ Services and Disability Services, Multicultural Affairs will be housed within the Student Services arm of the Opportunity Center, providing many of the core student success services and resources previously provided through the CDC. This venue will be reconfigured to provide collaborative spaces for all student organizations at USD to work both individually and collectively, with the goal of learning from each other in meaningful ways. Multicultural Affairs will also have one office set aside to bring student services from across campus directly to students on a rotating basis. A regular rotation will include staff from Disability Services, the Student Veterans’ Services, Academic & Career Planning, Financial Aid, Registrar, University Housing, the Student Counseling, and other offices as deemed necessary.

The Director of the Opportunity Center is a direct report to President Sheila Gestring, with ongoing responsibilities in student leadership development, campus speakers, career services, and free speech training. The director will oversee and implement an expanded President’s Leadership Institute, including a Learning to Lead program aimed at first-year students, an Emerging Leaders program designed for second- and third-year students, and a President’s Senior Leadership Institute that targets fourth-year students. This will not only significantly increase the number of students who receive leadership training but will also provide a greater degree of training to those who seek it. The Opportunity Center will also expand USD’s current career services efforts to include a deliberate partnership with the USD Alumni Association to match students with alumni mentors and oversight of the new Coyote Careers Kickstart Program.

USD will also use the Opportunity Center to coordinate institutional efforts to advance the rich
tradition of American public universities, built upon free speech, scientific discovery and academic freedom. The director will become a focal point for USD’s ongoing efforts to present a wide variety of campus speakers offering multiple perspectives on topics of interest. Under the director’s guidance, the Opportunity Center will develop its own speaker series that includes topics with diverging views while also maintaining a master schedule of all campus discussions. It will also serve as a resource for the rest of campus to assist in arranging and identifying speakers who can provide perspectives on current or emerging hot topics and oversee a registry of all campus speakers to keep an inventory of who is speaking on campus in real time. Finally, the Opportunity Center will also serve as a campus resource on USD and BOR free speech policies and facility use procedures. It will play a direct role in making annual presentations on free speech content at freshman orientation and to student organizations.

As the state’s comprehensive public liberal arts institution, USD is well-positioned to enhance the preparation of students for informed and responsible citizenry in our democratic republic. The university has a long history of offering civic-minded programming, including Constitution Day events, moderated political forums, campus speakers representing the entire political spectrum, and opportunities for civic and political engagement. The university also has a commendable record of offering academic majors and minors in history, political science, classical humanities and civic leadership, all of which include relevant course content and student experiences. As part of the Opportunity for All framework, USD will better coordinate its existing efforts through a new USD History, Civics & the Law Lecture Series housed in the Office of Academic Affairs. Incentives will be created to encourage academic departments to add additional events to the lecture series. The Office of Academic Affairs and the Opportunity Center will also work with the W.O. Farber Center for Civic Leadership and the Chiesman Center for Democracy to identify additional civic-minded programming to enhance the campus experience.

USD will also use the Opportunity for All framework to promote equal opportunity and non-discrimination for all through merit-based assessment and decision making to ensure that, whether directly or indirectly, preferential or adverse treatment on the basis of one’s identity or belief system is not occurring. One effort already underway is a review of the campus-level Expectations of the Faculty document that applies to faculty in the College of Arts & Sciences, Beacom School of Business, School of Education, College of Fine Arts, and University Libraries. The review will be conducted by the Office of Academic Affairs and the relevant deans this fall, and an updated campus-level document will be distributed later this fall or early spring to academic departments who will in turn revise their corresponding unit-level documents. Per Board of Regents policy, documents that are revised during this process will go into effect during the 2022-2023 academic year. A review of faculty expectations for Health Affairs and the School of Law will also take place this academic year.
The Opportunity Center will also play a role in enhancing merit-based assessment and decision making in two specific ways. First, the Opportunity Center will work with Human Resources to develop and conduct search committee trainings for all campus offices. This will ensure that administrators, faculty and staff are following uniform procedures for creating the most broadly representative hiring pools possible and then identifying the most qualified candidates from within those hiring pools. Second, the Opportunity Center director will be involved in a review of current diversity committees to ensure a focus on success for all students, faculty and staff. The director will serve on a campus advisory group that will review the existing charges for the university diversity committees and will then work with the president’s leadership team to identify and implement amended charges to those committees so they support all students.

This draft framework is intended to guide USD’s forward progress in making an Opportunity Center a reality on campus. Developing a successful Opportunity center will require ongoing engagement, review and refinement after implementation in January 2022; USD will work with the BOR and its peer institutions to help develop standard metrics of success and will continue to have ongoing dialogue with the board and its campus community to assess the Center’s ongoing effectiveness.