

Approved on 7/12/21

## Administrative Council Meeting Minutes

Wednesday, June 30, 2021

President's Office 9:30 a.m.

(Highlight in blue assignments that need to be completed)

### PRESENT

*Dr. Doug Darling- President*  
*Lloyd Halvorson- Vice President for Academic/Student Affairs*  
*Corry Kenner- Vice President for Administrative Affairs*  
*Erin Wood, Public Relations Director*  
*Richard Drury-Faculty Senate Representative*  
*Bobbi Lunday- Recorder*

### Guests

*Sandi Lillehaugen, HR Manager*  
*Steve Shark, Student Services Director*  
*John Cowger, GFafb Campus Director*  
*Daniel Mertens, Athletic Director*

### 1) CALL TO ORDER/REVIEW MINUTES

#### a) Call to Order

i) The meeting was called to order at 9:31 a.m.

#### b) Review of June 9, 2021 Minutes

i) The minutes of the previous meeting were reviewed and approved.

### 2) OLD BUSINESS

#### a) Budget Discussion (Administrative Affairs)

i) June 15<sup>th</sup> is the deadline for submitting FY21 voucher requests for last year's business. Council discussed the remedial work that Gleason is to complete at the Ag Center.

#### b) Bus Purchase (Danny Mertens-Academic/Student Affairs)

i) Director Mertens joined the meeting via conference call to discuss purchasing a new bus prior to our contract ending with State Fleet on the bus we have. The asking price for the bus Western Finance and Lease has is \$215,000 with only 42,000 miles. Keeping our current State Fleet bus and paying depreciation would cost approximately \$7000 if we turned the bus back before the contract is up it would cost us \$75,000. Council discussed making an offer to Western Finance and Lease for \$150,000. Decided that designated reserves may be used for this purchase. Council decided it is more feasible to keep the current bus and use both while paying the depreciation. Council granted permission to Director Mertens to make the offer of \$150,000.

#### c) Policy change: 700.18, Academic Freedom Attached below (Academic/Student Affairs)

i) SBHE passed their policy change on the second read so Council approved policy changes to mirror NDUS.

#### d) Policy change: 800.23, Student Organizations Attached below (Academic/Student Affairs)

i) SBHE passed their policy change on the second read so Council approved policy changes to mirror NDUS.

#### e) Policy change: 1000.01, Use of College Facilities Attached below (Academic/Student Affairs)

i) SBHE passed their policy change on the second read so Council approved policy changes to mirror NDUS.

#### f) Policy change: 1500.08, Harassment Attached below (Academic/Student Affairs)

i) SBHE passed their policy change on the second read so Council approved policy changes to mirror NDUS.

#### ~~g) Introduce Policy Change: Vaccine Legislation ref HB 1465 (Academic/Student Affairs) See NEW BUSINESS c), d).~~

### 3) NEW BUSINESS

#### a) Safety Audit Recommendations (Sandi Lillehaugen- Administrative Affairs)

- i) Risk Management coordinator Lillehaugen gave Council a general overview of the Safety Audit recommendations and discussed the items that the Loss Control Committee considered to be the highest priorities. Council discussed at great length and a [special meeting will be scheduled to create a detailed plan.](#)
- b) **Student Services Phones** (Director Shark Academic/Student Affairs)
  - i) President Darling asked that the department make phone answering top priority. Director Shark explained options proposed by IT which come at an expense. Council discussed some of the issues, being unable to hear lines when they ring, not having enough space to receive all calls on current phones. Some suggestions were to do phone training on the “group pickup” option, how to program phone voice messages and transfer phones when out of the office. [Council will request phone training at in-service in August.](#)
- c) **Policy 800.02.5 Admission: Requirements and Process** (Academic/Student Affairs)
  - i) VP Halvorson explained the minor change, if LRSC is going to exempt someone from taking a test it will be in policy to be the Registrars decision and not the Director of Student Services. Strike #3. Policy change was discussed, approved, and [attached below.](#)
- d) **Policy 800.02.6 Admission: Immunizations** (Academic/Student Affairs)
  - i) VP Halvorson explained the change, law requires that we must specifically state how we document immunizations, added early entry student to list of that are exempt, we must specify who we share it with, i.e., other higher ed institutions, clinical partners, and health departments in case of emergency. Policy change was discussed, approved, and [attached below.](#)
- e) **Welding Program** (Academic/Student Affairs)
  - i) VP Halvorson stated welding is still listed as a program in our college catalog, but we haven’t had degree seekers for this program for almost 13 years. LRSC must decide to offer the degree or place the program on inactive status. If we do place the program on inactive status, we will have three years to decide to relaunch the program or terminate it. During this time, we can offer welding courses but not a degree. President Darling recommended putting the program on inactive status.
- f) **Athletic Locker Rooms** (Director Mertens/Director Estenson -Academic/Student Affairs)
  - i) Council toured the locker rooms and discussed options for cleaning up floors and painting and getting plastic mats. President would like to look for alternative locker rooms on the ground floor perhaps converting the IVN rooms. Director Mertens says if plumbing is impossible the shower is not necessary most of the athlete’s shower in their dorm rooms anyway. A place to change is really what they need. The locker rooms in the basement will be abandoned due to water/sewage damage.
- g) **Student Union Renovation Discussion** (Administrative Affairs)
  - i) VP Kenner wanted to discuss plans for the Bookstore and Colonial room but with limited time remaining, suggested [creating a separate meeting to discuss this agenda item.](#)
- h) **ALICE Training** (College Relations)
  - i) Director Maritato has been sending information on the DLPD sponsored ALICE training. LRSC is hosting the training in the POTP classroom and DLPD has offered a free spot in the class. Most have had the training, so they decided to send Robyn Mertens.
- i) **Veteran Rapid Retraining Assistance Program (VRRAP)** (Director Cowger-Academic/Student Affairs)
  - i) VP Halvorson discussed a student’s request to attend the Auto Tech program using the VRRAP. The program is unusual, we would get the first 50% payment when they enroll, 25% (or prorated share) upon successful completion, last 25% we only receive when they accept employment in the field. Director Cowger noted the program ends December 2022. Council discussed and decided to offer the program to eligible applicants.
- j) **COVID Classroom Capacities** (Academic/Student Affairs)
  - i) VP Halvorson attend a town hall meeting. Discussed the low vaccination rates among younger individuals and if masking and distancing are not promoted, we may have to be prepared for massive spreading of disease when schools open again. We need to discuss if we are going back to mitigation? [VP Halvorson will be scheduling a coalition meeting.](#)

k) **Update on Open Positions**

- i) Advancement Coordinator-Natalie Miller starts 7/1/21.
- ii) Custodian-North Hall – Kyle Strinden resigned on 6/29/21.
- iii) Custodian-BTC -still searching.
- iv) Head Cook- hired
- v) Health Careers Specialist/Nursing Instructor-Not interviewed
- vi) Librarian-3 applicants so far
- vii) Maintenance Technician-Scott Schwab starts7/1/21
- viii) Marketing Design Specialist-Alyson Beckman starts July 12<sup>th</sup>.
- ix) Midday Cook-may not hire this position.
- x) PT Custodian
- xi) Student Services Associate-Dylan Veer starts soon.

**4) ADJOURNMENT**

a) **Adjournment**

- i) The meeting was adjourned at 11:58 a.m.

b) **Upcoming Scheduled Council Meetings**

- i) The next meetings of the Administrative Council will be Tu-July 12@1:00p



**POLICY AND PROCEDURE MANUAL  
CHANGE REQUEST FORM**

NAME OF POLICY, PROCEDURE OR FORM	CHAPTER NUMBER	ARTICLE NUMBER
Academic Freedom	700	18

REQUESTED ACTION:  CHANGE  ADD  REMOVE

Text of Requested Change: (Continue on other side or attach a separate document.)
See attached. Change needed due to legislation passed and updates required to SBHE Policy and NDUS Procedure.

HAS THIS CHANGE BEEN REVIEWED FOR CONSISTENCY WITH NDUS POLICY?	Reviewer Initials
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	BN/LH

NAME OF LRSC GROUP SUBMITTING CHANGE REQUEST	DATE
Academic Affairs	05/10/2021
SIGNATURE & TITLE OF SUBMITTER	DATE
Lloyd Halvorson Digitally signed by Lloyd Halvorson Date: 2021.05.10 15:26:46 -05'00'	

**ADMINISTRATIVE COUNCIL ACTION:**

- REQUEST APPROVED
  REQUEST TABLED FOR FURTHER REVIEW  
 Date: 5/11/21
- REQUEST NOT APPROVED
  REQUEST APPROVED WITH REVISIONS  
 Date: \_\_\_\_\_

LRSC PRESIDENT'S SIGNATURE	DATE
	6/30/21

*The official original copy of the Change Request will be filed in the President's Office and copies distributed to the:*

- Faculty Senate President
- Staff Senate President

*Final printed versions of the change will be distributed to the following for placement in paper manuals:*

- Library Director
- Administrative Affairs
- Academic and Student Affairs
- CCF / Advancement

SECTION 700.18  
ACADEMIC FREEDOM

1. Lake Region State College shall foster a free and open academic community for faculty members, students, and all other employees who engage in scholarly work.
2. Academic freedom is the freedom, without institutional, political, or other outside pressure or restraint, to explore any avenues of scholarship, research, and creative expression, and to speak or write on matters of public concern, as well as on matters related to professional duties and the functioning of the NDUS and the institution. Faculty are entitled the freedom in designing and teaching their assigned courses. Faculty members shall be free to involve interested students or other professionals in their scholarship or research and pursue funding from internal or external sources to support it. Essential to this principle is the toleration of the conflict of ideas and the opportunity for the expression of diverse points of view. Faculty members and other NDUS employees who engage in scholarly work shall be subject to the full protections of **speech and expression** accorded to students under SBHE Policy 503.1 and 503.3.
3. Academic Responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make clear that when one is speaking on matters of public interest, one is not speaking for the NDUS or any of its institutions. In pursuing scholarly work, faculty and NDUS employees acknowledge the importance of intellectual integrity, accuracy in research and publication, and upholding the principles governing the free and open exchange of ideas, even where those ideas conflict.
4. Faculty at institutions under the control of the SBHE shall generally adhere to the 1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments adopted by the American Association of University Professors, which provides that *"Teachers are entitled freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject."* ~~Notwithstanding, faculty shall not face discipline or adverse employment action based on classroom speech unless such speech violates other institutional policies or procedures.~~ As a result, no faculty member may face adverse employment action for classroom speech unless the speech is not reasonably germane to the subject matter of the class as broadly construed and comprises a substantial portion of classroom instruction. As a general rule, faculty shall not face discipline or adverse employment action based on classroom speech unless such speech violates other institutional policies or procedures. Institutions may provide additional protections for classroom speech and the speech of faculty in instruction-related activities, such as office hours, mentoring, advising, and other similar situations.

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**History**  
Adopted 08/16/19



SECTION 800.23  
STUDENT ORGANIZATIONS

1. All organizations on campus must have an advisor from the College staff.
2. All organizations on campus must have the approval of the Student Senate and the appropriate administrator before campus facilities can be used for meeting purposes.
3. If an organization is sending a faculty member on a trip, it is expected to pay regular reimbursement rates for expenses as would be paid on an official trip.
4. Faculty members should not be expected to subsidize organizations by providing free transportation, etc.
5. The advisor to the group should direct it to request funds from the Student Senate in a sufficient amount to cover costs or should conduct fund-raising projects to raise needed funds. Fund-raising projects require approval of the President.
6. Student organizations may not be denied funding, or have their funding limited, based on the organization's political viewpoints, membership, or based on a requirement in the organization's constitution or bylaws that leaders or voting members of the organization shall (1) adhere to the organization's viewpoints or sincerely held beliefs; or (2) be committed to furthering the organization's viewpoints or mission.
7. LRSC may not deny student organizations funding from the student activity fee based on the viewpoints of the student organization; however, LRSC may create content-neutral criteria which permit the distribution of limited funds to student organizations. Student activity fee funding may not be reduced based on outside funding received by a student organization.
8. LRSC may not treat a student organization differently (i.e. more favorably or more negatively) than other student organizations with respect to the provision of any right, benefit, or privilege based on a requirement in the organization's constitution or bylaws that leaders or voting members of the organization shall (1) adhere to the organization's viewpoints or sincerely held beliefs; or (2) be committed to furthering the organization's viewpoint or mission.

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**History**



**Lake Region State College  
Policy and Procedure Manual**

SECTION 1000.01

USE OF COLLEGE FACILITIES: SPEECH, EXPRESSION, AND ASSEMBLY

**I. General Definitions**

1. "Academic or administrative unit" means any office or department of Lake Region State College.
2. "Amplified sound" means sound whose volume is increased by any electric, electronic, mechanical, or motor-powered means. Shouting, group chanting, and acoustic musical instruments are exempt from this definition and are not subject to the special rules on amplified sound, but are subject to general rules on disruption.
3. "College/University person or organization" includes academic and administrative units, student, faculty, and staff organizations, and individual students, faculty members, and staff members; this phrase describes the most inclusive category of potential speakers on campus; every person and organization of any kind is either an "off-campus person or organization" or a "College/University person or organization".
4. "Day" means 7:45 a.m. to 4:45 p.m. daily and excludes weekends, College/University holidays, and days on which regularly scheduled classes are suspended due to emergency situations. If a deadline defined in this chapter falls on a Saturday, Sunday, or College/University holiday that deadline will be moved to the next day.
5. "Event" means something that occurs in a certain place during a particular interval of time; events include but are not limited to guest speakers, exhibits, tables, distribution of literature, signs, and public assemblies.
6. "Faculty member" includes any person teaching credit-bearing courses employed by Lake Region State College.
7. "Guest speaker" means a speaker or performer who is not a student, faculty member, or staff member, but who is invited to speak by a Lake Region State College person or organization.
8. "Off-campus person or organization" means any person, organization, or business that is not an academic or administrative unit, a student, faculty, or staff organization, or a student, faculty member, or staff member.
9. "Publicly assemble" and "public assembly" include any gathering of persons, including discussions, rallies, and demonstrations.
10. "Room or space" includes any room or space, indoors or outdoors, owned or controlled by Lake Region State College.
11. "Staff member" includes any person who is employed by Lake Region State College and does not qualify as a faculty member.
12. "Student" means an individual enrolled in one or more courses at an institution. For the purposes of this Policy, a student who is acting in a paid role, such as a graduate student instructor or teaching assistant, is not a student for the purpose of this policy while they are engaged in that paid work. ~~a person who is currently enrolled at Lake Region State College or has been enrolled in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows. A student may also be a faculty or staff member. Circumstances will dictate whether an individual is considered a student or faculty or staff member for the purposes of application of this policy.~~

**II. General Provisions**

1. Lake Region State College (LRSC) recognizes that students and faculty have a fundamental right to free speech and expression under the First Amendment to the United States Constitution and Article I, Section 4 of the North Dakota Constitution, and as a result the SBHE and institutions under its control shall ensure that students have the freedom to speak, write, listen, challenge, learn, and discuss any issue, subject to reasonable and constitutionally-recognized limitations.
  - a. Staff members of LRSC are also free to exercise their right to free speech and expression, as set forth above, provided that such activities do not substantially interrupt or inhibit their duties, and such exercise of free speech and expression shall be subject to the Political Activities Policies of the SBHE and LRSC.
2. Lake Region State College will not engage in viewpoint- or content-based discrimination or suppression of speech, and will, to the greatest extent possible, permit and facilitate the open discussion and debate of ideas and issues, regardless of the content of those issues.
3. As a general rule, LRSC will not use the concept of civility or mutual respect as a basis to suppress or limit the discussion of ideas, regardless of content, except as reasonably necessary to an educational activity.
4. Lake Region State College and its faculty and employees shall generally not seek to shield individuals from the free speech or expression of others, except as reasonably necessary to an educational activity.
5. Except as set forth elsewhere in this policy, the generally accessible, open, outdoor areas of the campus are traditional public fora for free speech by both LRSC and off-campus persons and organizations, subject to reasonable and constitutional time, place, and manner restrictions.
6. Lake Region State College designates the following areas as restricted or designated forums:
  - a. those areas inside buildings which have not otherwise been treated as traditional public fora;
  - b. areas within a 100-foot radius from residential buildings during evening and overnight hours;
  - c. areas within a 100-foot radius from academic buildings during times when classes are held in that building;
  - d. areas which must be restricted due to reasonable safety and security concerns, as designated by Vice President of Academic & Student Affairs;
  - e. areas which must be restricted to enable the flow of pedestrian or vehicle traffic, as designated by Vice President of Academic & Student Affairs;
  - f. areas within a 50-foot radius from building entrances and exits to provide for safe and convenient ingress and egress from those buildings; and
  - g. areas to include: Leever's Welcome Center, Learning Commons, classrooms/labs, Bergstrom Technical Center lobby, Student Union, Dining Room, Precision Ag Center, courtyard, Robert Fawcett Auditorium, gymnasium, and public meeting rooms.

Lake Region State College requires reservations or permits for the exercise of free speech or expression, including assemblies, within these restricted or designated forums.

7. Lake Region State College designates the following areas as closed to free speech, expressive activity, and public assembly: Gilliland Hall, North Hall, South Hall, wind turbine location and surrounding property within 1,000 feet of the wind turbine. Receiving and within 100 feet of loading dock area, weight room, faculty and staff offices, restrooms, and hallways in all LRSC buildings are also closed.

#### **Prohibited Items at Assemblies**

1. Dangerous weapons, as defined by N.D.C.C. § 62.1-01-01(1) as any switchblade or gravity knife, machete, scimitar, stiletto, sword, dagger, or knife with a blade of five inches or more; any

throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slingshot; any bow and arrow, crossbow, or spear; any weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas, including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance.

2. Firearms, except as permitted by law. See N.D.C.C. § 62.1-02-05.
3. Body-armor or makeshift body-armor, helmets and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as weapons or body-armor, without written permission from Vice President of Academic & Student Affairs
4. Open flame, unless approved in advance by Vice President of Academic & Student Affairs.

#### **IV. General Rules on Means of Expression**

##### **1. Disruption**

- a. No speech, expression, or assembly may be conducted in a way that disrupts or interferes with any teaching, research, administration, or other authorized activities on the campus; free and unimpeded flow of pedestrian and vehicular traffic on the campus; or signs, tables, exhibits, public assemblies, distribution of literature, guest speakers, or use of amplified sound by another person or organization acting under the rules in this chapter.
2. Except in the most extreme cases, interference and disruption are unavoidably contextual. Intentional physical interference with other persons is nearly always disruptive in any context. Interfering with traffic depends on the relation between the volume of traffic and the size of the passageway left open. Disruptive noise is the most contextual of all, because it depends on the activity disrupted. Any distracting sound may disrupt a memorial service. Any sound sufficiently loud or persistent to make concentration difficult may disrupt a class or library. Occasional heckling in the speaker's pauses may not disrupt a political speech, but persistent heckling that prevents listeners from hearing the speaker does disrupt a political speech. These illustrations may be helpful, but none of them includes enough context to be taken as a rule. We cannot escape relying on the judgment and fairness of LRSC authorities in particular cases. In this context where difficult enforcement judgments are unavoidable, it is especially important for administrators to remember that their judgements must not be influenced by the viewpoint of those claiming disruption or of those allegedly disrupting.
3. Potentially disruptive events can often proceed without disruption if participants and administrators cooperate to avoid disruption without stopping the event. In cases of marginal or unintentional disruption, administrators should clearly state what they consider disruptive and seek voluntary compliance before stopping the event or resorting to disciplinary charges.

#### **V. Damage to Property**

1. No speech, expression, or assembly may be conducted in a way that damages, defaces, marks, discolors, or alters in any way property of LRSC or of any person who has not authorized the speaker to damage or deface their property.

#### **VI. Amplified Sound**

##### **1. General Rule on Amplified Sound**

- a. Lake Region State College academic or administrative units and student, faculty, or staff organizations may use amplified sound on campus at designated times and

locations, with advance permission from Vice President of Academic and Student Affairs, subject to the following restrictions.

2. Location and Times of Weekday Amplified Sound Areas
  - a. The Vice President of Academic & Student Affairs may prescribe rules concerning scheduling, sound levels, the location of speakers and the direction in which they are pointed, and other rules to facilitate the use of amplified sound areas, to mediate any conflict with LRSC functions and other nearby activities, and to manage environmental impact. All such rules will be reasonable and nondiscriminatory.
  - b. The Vice President of Academic & Student Affairs may limit the number or frequency of reservations for each student, faculty, or staff organization or academic or administrative unit to ensure reasonable access for all persons and organizations desiring to use amplified sound.
  - c. Lake Region State College persons and organizations using amplified sound are responsible for maintaining a passageway for pedestrians that is adequate to the volume of pedestrian traffic passing through the area.

### **Public Assemblies without Amplified Sound**

1. General Rule on Public Assemblies
  - a. Lake Region State College persons and organizations may publicly assemble on campus in any place where, at the time of the assembly, the persons assembling are permitted to be. No advance permission is required. If the expected attendance at an event with a program, guest speaker, or performer is twenty-five or more people, advance notice of no less than two weeks is required.
  - b. The buildings owned or controlled by LRSC are not open for demonstrations, assembly, or speech. In furtherance of LRSC's educational mission, the buildings owned or controlled by LRSC are limited for and open only to faculty, staff, and students and their organizations.
  - c. Off-campus persons and organizations may not engage in expressive activities at LRSC except in accordance with these rules.
2. Reservation of Space
  - a. Persons, organizations, and academic or administrative units who wish to publicly assemble in a particular room or space at a particular time may reserve the room or space by following the established procedure. Individual faculty, staff, and students may not reserve an indoor space, except as related to an educational activity. Off-campus persons or organizations may only reserve a particular room or space for a public assembly by following the established procedure.
  - b. Reservation requests from recognized student, faculty, and staff organizations or academic or administrative units shall receive precedence over requests from individual persons, unrecognized organizations, or any off-campus persons or organizations.
  - c. An LRSC person, organization, or academic or administrative unit with a reservation has the right to the reserved room or space for the time covered by the reservation. Any person or organization using or occupying the room or space without a reservation must yield control of the room or space in time to permit any person, organization, or academic or administrative unit with a reservation to begin using the room or space promptly at the beginning of its reserved time. Reservations for outdoor spaces are not required but are strongly encouraged. Reservations for indoor spaces are required, although this requirement may be waived by the President, Vice

President of Academic and Student Affairs, Vice President of Administrative Affairs, and program directors with responsibility for specific campus locations.

### 3. Fees for Reserving Space

- a. Lake Region State College prescribes a fee schedule for reserving specified campus spaces. The schedule shall be made available at the information window on request, and shall be based on the actual expenses incurred by the campus in making the space available. The schedule must not be wholly or partially based on viewpoint- or content-based criteria, but may include security and logistic fees based on the venue, the anticipated attendance, historical protest activity at events of similar attendance, and other content-neutral factors. The criteria used to establish the fee schedule shall be made publicly available.
- b. Lake Region State College does not retain funds beyond its actual expenses unless the reserving party or group charges admission to the event. The fee schedule must be applied equally to all persons or organizations, without reference to the content or viewpoint of the proposed assembly, except as otherwise governed by campus policies.
- c. The President may waive any applicable fee for an assembly contributing to the educational mission of the institution or engaging in charitable work.
- d. Academic and administrative units are not subject to the fee schedule.
- e. **LRSC may not impose fees on students, faculty, or student organizations, including with respect to invited guest speakers or groups, for the use of campus facilities based on the anticipated content or viewpoint of speech, expression, or the anticipated reaction thereto, but institutions are not required to subsidize the free speech and expression of students, faculty, or student organizations or their guests. As a result, institutions may, in their discretion, impose facility use fees based on venue, anticipated attendance, and other non-content-based factors. Such fees may not exceed the actual costs incurred by the institution, and the institution must refund any overpayment. Institutions shall set forth empirical and objective criteria for calculating such fees, and such criteria shall be made publicly available. Institutions may not consider the potential reaction to speech, including but not limited to potential protest activity, when calculating facility use fees.**

### 4. Notice and Consultation

- a. Lake Region State College persons or organizations may publicly assemble on campus in any place where, at the time of the assembly, the persons assembling are permitted to be.
- b. Students or student organizations planning a public assembly with a guest speaker and expected attendance of more than twenty-five participants, including potential counter-demonstrators, are required to provide advance notice of no less than two weeks to the Vice President of Academic & Student Affairs. Students or student organizations planning smaller assemblies or large assemblies without a guest speaker are encouraged to consult the Vice President of Academic & Student Affairs if there is uncertainty about applicable LRSC rules, the appropriateness of the planned location, or possible conflict with other events. The Vice President of Academic & Student Affairs can help the planners avoid unintended disruption or other violations that may result in subsequent discipline or subsequent interference with the assembly by campus authorities.
- c. Faculty, staff, and related organizations that are planning a public assembly with a guest speaker and an expected attendance of more than twenty-five participants,

- including potential counter-demonstrators, are required to provide notice of no less than two weeks to the Vice President of Academic & Student Affairs.
- d. The notice and consultation requirements of this subchapter do not apply to academic or administrative units.
  - e. The notice and consultation requirements of this subchapter may be waived by the President.

## VIII. Guest Speakers

### 1. Who May Present

- a. Lake Region State College persons and organizations and academic and administrative units may present guest speakers on LRSC property with advance permission from the Vice President of Academic & Student Affairs.

### 2. Location and Form of Presentation

- a. A guest speaker may present a speech or performance, or lead a discussion of specified duration, at a time announced in advance, in a fixed indoor location or in a fixed outdoor location approved by the Vice President of Academic & Student Affairs.
- b. A guest speaker may not accost potential listeners who have not chosen to attend the speech, performance, or discussion.

### 3. Application

- a. All students, faculty members, staff members, student organizations, faculty organizations, and staff organizations that wish to present a guest speaker must request permission from the Vice President of Academic and Student Affairs at least two weeks before the scheduled event or prior to the publication of any planned advertising for the event, whichever is earlier.
- b. **Students, faculty, and student organizations shall be permitted to invite guest speakers or groups to campus regardless of the anticipated content or viewpoint of the speaker or group's speech or expression. LRSC may not prohibit any invited speaker or group from speaking on campus and may not retract (or pressure or require students, faculty, or a student organization to retract) an invitation to speak based on the anticipated content or viewpoint of the speech or expression.**

### 4. Obligations of Presenting Person or Organization

- a. An LRSC person or organization that presents a guest speaker must make clear that:
  - i. the person or organization, and not LRSC, invited the speaker; and
  - ii. the views expressed by the speaker are their own and do not necessarily represent the views of LRSC, the North Dakota University System, or the State of North Dakota.
- b. The person or organization that presents a guest speaker is responsible for paying any fees.
- c. Institutional funds provided to a recognized LRSC organization may not be used to pay for any costs or expenses related to the presentation of a politically-oriented guest speaker unless approved in advance by an organization's faculty advisor and the President in consultation with LRSC's legal counsel.

### 5. Equal Treatment

- a. Guest speakers reserving space at LRSC facilities may be subject to the same terms and conditions governing the use of the facilities for other outside groups. If a room, space, or facility is made available to any guest speaker invited by a LRSC person or

organization, then that room, space, or facility must be made equally available to all such speakers or groups.

- b. If an LRSC person or organization complies with this policy when presenting a guest speaker, LRSC may not prohibit or disinvite that guest speaker based on the anticipated content or viewpoint of the guest speaker's speech, performance, presentation, or other form of expression.

## **IX. Responding to Speech, Expression, and Assembly**

1. General Rule on Responding
  - a. Lake Region State College persons and organizations may respond to the speech, expression, or assembly of others, subject to all the rules herein.
  - b. Responders may not damage or deface signs or exhibits, disrupt public assemblies, block the view of participants, or prevent speakers from being heard.
2. Means of response that are permitted in many locations and without advance permission or reservation, such as signs, tables, distribution of literature, and public assembly without amplified sound, may be used immediately and in any location authorized in this policy.
3. Means of response that require advance permission or reservation, such as banners, exhibits, and amplified sound, may be used as soon as the needed permission or reservation may be arranged. Banner space and some amplified sound areas may be unavailable on short notice because of earlier reservations, but the Vice President of Academic & Student Affairs will expedite approval of exhibits and available banner space and amplified sound areas where necessary to permit appropriate response to other speech, assembly, or expression.
4. Means of response that are confined to authorized locations, such as banners and amplified sound, may be used only in those locations. It is not permissible to respond to amplified sound with amplified sound in the same location; similarly, if an exhibit or public assembly is in a location where amplified sound is not permitted, it is not permissible to respond with amplified sound in that location. In either case, it is permissible to respond with amplified sound in another location and to use signs or distribution of literature to advertise the response at the other location.

### **History**

Revised 08/26/2019



## POLICY AND PROCEDURE MANUAL CHANGE REQUEST FORM

NAME OF POLICY, PROCEDURE OR FORM	CHAPTER NUMBER	ARTICLE NUMBER
Harrassment	1500	08

REQUESTED ACTION:     CHANGE     ADD     REMOVE

**Text of Requested Change: (Continue on other side or attach a separate document.)**

See attached.  
Change needed due to legislation passed and updates required to SBHE Policy and NDUS Procedure.

HAS THIS CHANGE BEEN REVIEWED FOR CONSISTENCY WITH NDUS POLICY?	Reviewer Initials
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	BN/LH

NAME OF LRSC GROUP SUBMITTING CHANGE REQUEST	DATE
Academic Affairs	05/10/2021
SIGNATURE & TITLE OF SUBMITTER	DATE
Lloyd Halvorson <small>Digitally signed by Lloyd Halvorson Date: 2021.05.10 15:26:46 -05'00'</small>	

### ADMINISTRATIVE COUNCIL ACTION:

- REQUEST APPROVED                       REQUEST TABLED FOR FURTHER REVIEW  
Date: 5/11/21  
 REQUEST NOT APPROVED               REQUEST APPROVED WITH REVISIONS  
Date: \_\_\_\_\_

LRSC PRESIDENT'S SIGNATURE	DATE
	6/8/21

**The official original copy of the Change Request will be filed in the President's Office and copies distributed to the:**

- Faculty Senate President
- Staff Senate President

**Final printed versions of the change will be distributed to the following for placement in paper manuals:**

- Library Director
- Administrative Affairs
- Academic and Student Affairs
- CCF / Advancement

SECTION 1500.08  
HARASSMENT

Lake Region State College will maintain a learning and working environment that is free from harassment of its employees and students, including student-to-student and other peer harassment. Any person engaging in inappropriate conduct will be in violation of this policy.

Discrimination is defined under applicable federal and state law. In general, unlawful discrimination means failing to treat people equally based, at least in part, on status that is protected under applicable law or policy.

~~Student-on-Student Harassment is a specific form of discrimination. Harassment, by definition, must be sufficiently severe, persistent, pervasive, or objectively offensive so as to interfere with or limit the ability of the individual or group to participate in, or benefit from, LRSC's programs or activities. Harassment and/or discrimination of an individual or group that is related to their status in a protected class is prohibited. Harassment may take the form of oral, written, graphic, or physical conduct that is related to an individual's or group's protected class status, which includes: religion, sex, gender and gender identity, race, national origin, color, disability, sexual orientation, genetic information, age, economic or perceived social state, and any other protected classes. An institution may only discipline students for student-on-student harassment which meets one or more of the following criteria:~~

- ~~i. (1) Unwelcome verbal, written, or physical conduct directed to another student or a specified group of students; (2) that is lewd, obscene, defamatory, unlawful, has the purpose of causing distress, or is based on the student's (or students') actual or perceived personal characteristics; and either (3a) objectively and subjectively creates a hostile or disruptive environment or substantially interferes with the student's educational work; or (3b) the conduct is so severe, pervasive, or objectively offensive that it is reasonably likely, based on specific and documented facts, to create a substantial disruption to the educational environment or to effectively deny a student equal access to educational opportunities or benefits provided by the institution; or,~~
- ~~ii. Conduct which violates North Dakota criminal laws prohibiting harassment, stalking, menacing, criminal coercion, or similar behavior.~~

~~Student-on-Student Discriminatory Harassment – Speech or expression that is unwelcome, targets the victim on the basis protected under federal, state, or local law, and is so severe, pervasive, and objectively offensive that a student effectively is denied access to educational opportunities or benefits provided by the institution.~~

~~Sexual harassment is harassment, whether between individuals of the same or different sex, which includes unwelcome behavior or conduct of a sexual nature that is made, either explicitly or implicitly, a condition of an individual's education, employment, or participation in university-sponsored programs or activities or the submission to or rejection of such behavior or conduct is a factor in decisions affecting that individual's education, employment, or participation in university-sponsored programs or activities. It has the effect of interfering with a person's work or a student's academic performance, or it creates an objectively hostile environment.~~

Sexual harassment may include, but is not limited to, the following:

1. Verbal harassment or abuse
2. Pressure for sexual activity
3. Repeated remarks to a person with sexual or demeaning implications
4. Unwelcome touching (i.e. patting, pinching, hugging, repeated brushing against another employee's body or touching their clothing)
5. Suggesting or demanding sexual involvement accompanied by implied or explicit threats concerning one's grades, job, etc.
6. Suggesting or demanding sexual favors accompanied by implied or overt promise of preferential treatment with regard to an individual's employment or educational program status
7. Graphic verbal comment about an individual's body
8. Sexually degrading words, to describe an individual
9. Display in the workplace or in public areas of sexually suggestive objects or pictures
10. Requesting or demanding sexual favors
11. Physical assault

If harassment occurs:

1. Anyone who experiences sexual harassment should let the offender know immediately and firmly state that such behavior is unwelcome.
2. Any person who alleges harassment by any faculty, staff or student at Lake Region State College may file a complaint directly to:
  - a. Their immediate supervisor
  - b. Human Resource Manager
  - c. The Vice President for Academic and Student Affairs
  - d. The Vice President for Administrative Services
  - e. The President
3. The right to confidentiality, both of the complainant and of the accused, will be respected consistent with LRSC's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.
4. The complaint will be documented, investigated, and resolved in accordance with Equal Opportunity Employment guidelines, Title VII and Title IX principles.
5. Filing a grievance or otherwise reporting sexual harassment will not reflect upon the individual's status nor will it affect future employment, grades, or work assignments.

#### Employee Responsibilities

All employees are required to prevent sexual/unlawful harassment in the workplace. Employees must immediately report any perceived incident of harassment or retaliation.

#### Supervisor Responsibilities

Supervisors are responsible to make every effort to prevent sexual/unlawful harassment in their respective work areas. Supervisors must take immediate action to deal effectively with harassment and inappropriate behavior once such behavior has been brought to the supervisor's attention. This includes documenting the incident, reporting it to their supervisor or the Human Resource Manager, and initiating an investigation when directed.

LRSC will investigate complaints of harassment or inappropriate behavior in a timely, thorough, and discreet manner and will take appropriate corrective and disciplinary action.

Institutions under the control of the SBHE shall not discipline or impose any students for harassing conduct or expression unless the speech meets the definition of either "student-on-student discriminatory harassment" or "student-on-student harassment." Institutions may not utilize the disciplinary process to sanction or discipline student speech that constitutes protected conduct except as provided in those definitions.

Notwithstanding, institutions may respond to student-on-student speech or expression which does not meet these definitions by taking constructive, non-punitive actions to promote a welcoming, inclusive environment.

**Sanctions:**

1. A substantiated charge against a faculty or staff member at LRSC will be dealt with through disciplinary procedures up to and including, termination.
2. A substantiated charge against a student at LRSC will be dealt with according to student disciplinary procedures, including suspension or expulsion.
3. Anyone who is found to have intentionally made a false report of harassment or who fails to cooperate in the investigation of a complaint will be subject to disciplinary actions up to and including termination, suspension, or expulsion.

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**History**

Administrative Council Approved 04/25/00

Administrative Council Approved 07/07/15

Administrative Council Approved 03/23/16



## 5. Requirements and Process:

- a. To gain admission to Lake Region State College, a student must submit the following items to Admissions in Student Services:
  - i. The Application for Admission along with the non-refundable fee.
    1. The President can approve an application fee waiver. If a student would like to request an application fee waiver, a student must provide to the Director of Student Services:
      - a. A personal statement outlining his/her desire to attend LRSC
      - b. A recommendation from the counselor or principal of the school in support of the waiver.
      - c. One of the following documents supporting economic need
        - i. Proof of waiver from ACT/SAT; or
        - ii. Proof of acceptance into the free/reduced lunch program; or
        - iii. Proof that the student is enrolled in a TRiO program; or
        - iv. Proof of foster home care or ward of the State.
  - ii. Proof of high school graduation or its equivalency: an official transcript of high school or official General Education Development (GED) transcript.

The following students are exempt from this admission requirement:

1. Transfer students who have completed an associate in arts or associate in science are not required to submit a high school transcript
2. Early Entry students will need to submit an unofficial high school transcript.
- iii. An official transcript of any previous college.
  1. Transfer students suspended from other institutions will not be permitted to enroll until the required conditions for reinstatement are met at the suspending institution. Student may petition with the Director of Student Services for enrollment if they can document circumstances contributing to academic difficulty.
  2. A transfer student on academic probation from another college will be admitted on academic probation.
- iv. Placement Test Scores: All student pursuing a certificate, diploma and associate programs of study are required to submit placement test scores, preferably the American College Test (ACT) or Scholastic Aptitude Test (SAT). LRSC may accept a COMPASS or ACCUPLACER exam or another nationally approved exam in lieu of ACT or SAT.

The following students are exempt from this admission requirement:

1. Individual students may be granted exemptions by the **Director of Student Services Registrar** on a case by case basis.
2. Students who transfer in 24 or more semester credits.
3. **International students (excluding Canadian students).**
4. Students who will be age twenty-five (25) or older on the first day of admit term.
- v. Admission requirement exemptions: Non-degree-seeking students need to submit the Application for Admission and the non-refundable admission fee



## POLICY AND PROCEDURE MANUAL CHANGE REQUEST FORM

NAME OF POLICY, PROCEDURE OR FORM	CHAPTER NUMBER	ARTICLE NUMBER
800.02: Admission: Standards, Requirements, Access, Application Process	800.02	6. Immunizations

REQUESTED ACTION:     CHANGE     ADD     REMOVE

Text of Requested Change: (Continue on other side or attach a separate document.)
See attachment.  <i>7/6/21 B.W. More changes coming for this one.</i>

HAS THIS CHANGE BEEN REVIEWED FOR CONSISTENCY WITH NDUS POLICY?	Reviewer Initials
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	BW

NAME OF LRSC GROUP SUBMITTING CHANGE REQUEST	DATE
Admissions	06/14/2021
SIGNATURE & TITLE OF SUBMITTER	DATE
Brittany Westphal <small>Digitally signed by Brittany Westphal Date: 2021.06.14 12:38:01 -05'00'</small>	06/14/2021

### ADMINISTRATIVE COUNCIL ACTION:

- REQUEST APPROVED                       REQUEST TABLED FOR FURTHER REVIEW  
Date: \_\_\_\_\_  
 REQUEST NOT APPROVED               REQUEST APPROVED WITH REVISIONS  
Date: 6/30/21

LRSC PRESIDENT'S SIGNATURE	DATE
	6/30/21

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- Administrative Affairs
- Academic and Student Affairs
- CCF / Advancement

1. Immunizations:

- a. Measles, Mumps and Rubella: Students enrolled in credit-bearing courses at Lake Region State College must provide documentation of immunity to measles, mumps and rubella.
  - i. Documentation of immunity means:
    1. Evidence of two (2) doses of measles, mumps and rubella vaccine no less than 28 days apart from a licensed physical or health department official; or
    2. Blood testing which proves immunity exists; or
    3. A birth date prior to 1957.
  - ii. Exemptions to the policy may be granted only when a licensed physician certifies that a student should not be immunized for measles, mumps or rubella, or if a student's beliefs prohibits immunization. Students enrolled only as early entry, in distance learning, or other courses taught off campus, and students enrolled only in community education or non-credit courses are excluded from this policy.
- b. Meningococcal: Students aged 21 and younger must provide documentation of meningococcal. The President shall adopt procedures implementing this requirement.
  - i. Documentation of immunity means evidence of at least one dose of meningococcal conjugates vaccine at age 16 or older.
  - ii. Exemptions may be provided upon application under established campus procedures if (a) immunization is contraindicated by a medical condition; or (b) a student's beliefs preclude participation in an immunization program. Students enrolled only as early entry, in distance learning, or other courses taught off campus, and students enrolled only in community education or non-credit courses are excluded from this policy.
- c. Tuberculosis: TB testing is required of international students from all countries except for those countries classified by US health officials as "low risk for tuberculosis".
- d. Any individual who has been exempted from any of the immunization requirements may be required to stay off campus, including exclusion from campus activities, in the event of an outbreak of a communicable disease until the danger is over.
- e. Evidence of immunization may be shared with another institution of higher education or other entity upon request of the student and with public health authorities during a public health emergency.