

BLACK HILLS STATE UNIVERSITY
Policy and Procedure Manual

SUBJECT: Disruptive Behavior

NUMBER: 2:7

Office: Office of Academic Affairs

Source: [BHSU Faculty Handbook](#); [BHSU Policy 3:1](#)

1. Purpose

This policy sets forth the process for addressing disruptive behavior at BHSU. Black Hills State University is committed to creating and maintaining a productive living-and-learning community that fosters the intellectual, personal, cultural, and ethical development of its students. Self-discipline and respect for the rights and privileges of others are essential to the educational process and to good citizenship.

2. Policy

- a. Prohibited conduct detracts from the effectiveness of an institution's productive living-and-learning community. Any student found to have engaged in, attempted to engage in, or allowed or assisted another in engaging in the following prohibited conduct is subject to the student conduct process and conduct sanctions outlined in [BHSU Policy 3:1 Student Code of Conduct](#).
- b. Disruption, Obstruction, or Interference with Institutional Activities
 - i. This policy prohibits disrupting or obstructing classroom and institutional activities, or significantly or repeatedly interfering with the instructor's ability to teach the class or the ability of other students to benefit from the instructional program.
 - ii. Failure to comply with directions of institutional, law enforcement, fire department, public safety, or other government officials acting in performance of their duties, or obstruction of the free flow of pedestrian or vehicular traffic is also a violation of this policy.

- iii. This policy also prohibits students from abusing the student conduct process, such as by falsifying, distorting, or misrepresenting information provided, making false allegations, attempting to discourage an individual's proper participation in, or use of, the student conduct process, harassment (verbal or physical) or intimidation of any person participating in the student conduct process, or failure to comply with any conduct sanctions imposed by the student code of conduct policy.
- c. Misuse of Institutional Resources or Property, or Personal Property of Others is prohibited, including:
 - i. Tampering with fire and life safety equipment, including, without limitation, fire alarms, sprinkler systems, first aid equipment, and laboratory safety apparatus.
 - ii. Unauthorized taking of, damage to, or possession of property belonging to the institution, another member of the institutional community, or another person.
 - iii. Unauthorized possession, duplication, or use of keys, access cards, or access codes to any institutional premises as well as unauthorized entry into, or use of, institutional premises.
 - iv. Unauthorized possession, entry into, or use of institutional equipment, software systems, or information and other unauthorized use or abuse of technology.
 - v. Possession of firearms, stun guns, tasers, BB guns, switchblade knives, fixed-blade knives with a blade length of five (5) inches or greater, or any item that is designed or used to injure or harm another person, fireworks, explosives, or dangerous chemicals on institutional premises or at institutional events, except as explicitly permitted by SDBOR policy or BHSU policy.
- d. Threat of Harm or Actual Harm to a Person's Physical or Mental Health or Safety is prohibited, including:
 - i. Using or threatening to use physical force on or towards another person without that person's permission, except in reasonable self-defense. The

use of physical force includes both using one's own body parts as well as using other items.

- ii. Brandishing, pointing, or using a knife, gun, or other weapon towards another person, except in reasonable self-defense.
 - iii. Restraining or transporting another person without that person's permission.
 - iv. Making bomb threats.
 - v. Harassment, including conduct towards another person that is severe or pervasive enough to create an objectively and subjectively intimidating, hostile, or demeaning environment that substantially interferes with the student's ability to participate in, or to realize the intended benefits of, an institutional activity or resource.
 - vi. Sexual Harassment, including subjecting another person to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, submission to such conduct is made either explicitly or implicitly a term or a condition of an individual's participation in, or use of, an institutionally sponsored or approved activity or resource, or submission to, or rejection of, such conduct by an individual is used as the basis for educational or similar decisions affecting an individual's ability to participate in or use an institutionally sponsored or approved activity or resource.
 - vii. Stalking or engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.
 - viii. Sexual Misconduct and any contact of a sexual nature with another person without that person's consent.
- e. Discrimination and Retaliation is prohibited, including:
- i. Discrimination, including conduct that excludes individuals or groups from institutional activities or that treats another person or group differently than others during institutional activities.

- ii. Retaliation, including conduct that would make a reasonable person feel intimidated, or that interferes with, threatens, coerces, or otherwise discriminates against any individual who reports or files a complaint alleging a violation of law, SDBOR Policy, or BHSU Policy, or participates in any process in which the individual has a right to participate.

3. Procedures

a. Disruptive Behavior in the Classroom

- i. If a student's behavior is disruptive in a classroom, laboratory, or studio space, the faculty member will first ask the student to stop; then warn them that they will be asked to leave if they do not end their disruptive behavior; and finally direct the student to leave the classroom, if necessary.
- ii. If a faculty member believes the disruptive behavior of a student or group of students creates an unsafe learning environment, the professor may dismiss the class and direct the students to an online assignment.
- iii. If the faculty member believes the disruptive student poses an immediate threat, or if the student refuses to comply with instructions to leave the classroom, the instructor should call BHSU security at 605-642-6297 or call 911.
- iv. Additional information can be found in [BHSU Policy 3:1 Student Code of Conduct](#).

- b. Intimidating or Threatening Behavior or Misuse of Property, Threats of Harm, or Discrimination and Retaliation
 - i. If any member of the campus community experiences intimidating, threatening or discriminating behavior on the part of another individual, observes this behavior, or witnesses the misuse of institutional or personal property, that person should report the incident to one of the following offices:
 - 1. BHSU security at 605-642-6297 or call 911.
 - 2. The Dean of Students at 605-642-6080, especially for reports about student conduct.
 - 3. The Provost at 605-642-6262, especially for reports about faculty conduct.
 - 4. Human Resources at 605-642-6549, especially for reports about staff conduct.
- 4. Responsible Administrator

The Vice President for Academic Affairs, or designee, is responsible for the annual and ad hoc review of this policy. The University President is responsible for approval of this policy.

SOURCE: Adopted by President 12/7/2020; revised/approved 2023.10.30