



# 2020 Annual Campus Security & Fire Safety Report

Jeanne Clery Disclosure of Campus Crime Statistics Act

Includes 2019, 2018, 2017 Crime & Fire Statistics

*Crime statistics compiled in this report are Clery Act specific crimes. Crimes are compiled based on reported crimes/incidents committed within Appalachian State University's geography, as defined by the Clery Act, prior to being investigated and some crimes are reported on a confidential basis.*

Appalachian  
STATE UNIVERSITY

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# Annual Security & Fire Safety Report

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Dear Appalachian Community:

At Appalachian, we take pride in our commitment to student health and safety within our University of North Carolina System, state and region. We are committed to protecting all facets of our faculty, staff and students' well-being — from housing and health services to academics and athletics. We continually refine our processes for intentional, timely access to information and strategically designed safety education and preparedness programs, both of which are critically important to maintaining a safe and secure campus.

This report reflects evidence of our commitment to leadership in health and safety. I encourage you to familiarize yourself with the university's initiatives, resources, policies and procedures outlined in this report so you can be an active participant in safeguarding the health and safety of our campus. The diligence of our students, faculty and staff fosters a safe, healthy and just community for all, and contributes to Appalachian's standing as the premier, public undergraduate university in North Carolina.

Sincerely,



Sheri Everts  
Chancellor

***Welcome to Appalachian State University!***

To our Mountaineer community,

On behalf of the men and women of the Appalachian State University Department of Public Safety, thank you for taking the time to view our Annual Security and Fire Safety Report (ASR). The ASR is an excellent resource for information pertaining to safety and security initiatives on our campus. Our philosophy is one of proactive community engagement, collaboration, and customer service. We strive to cultivate a safe, inclusive environment in which students, faculty, and staff have the opportunity to develop and achieve success.

The Appalachian State University Department of Public Safety works diligently and proactively with many campus partners on a daily basis to detect and analyze potential safety issues. We encourage everyone on our campus to contact the police department to report any activity they feel is suspicious, and we urge those who recognize someone in need of support to get engaged by reaching out for assistance. Appalachian State University has a robust system of resources for members of our community who are in crisis.

At Appalachian, the safety and health of all members of our campus community are our highest priorities.

It's great to be a Mountaineer!

Sincerely,



Andy Stephenson  
Director of Public Safety/Chief of Police  
Phone: (828) 262-6434  
Email: stephensonam1@appstate.edu

## **Introduction**

This document has been written to establish policies and procedures to comply with the Jeanne Clery Disclosure of Campus Crime Statistics Act, hereafter called the “Clery Act,” and formerly known as the Crime Awareness and Campus Security Act of 1990 (Title II, Public Law 101-542) as amended. It is updated and published by October 1st of each year and distributed to all students, staff and faculty via e-mail as Appalachian’s Annual Security and Fire Safety Report as required by the Clery Act. For 2020, this deadline has been extended by the U.S. Department of Education to December 31 due to the COVID-19 pandemic.

In November 1990, the Crime Awareness and Campus Security Act (Title II, Public Law 101-542) was signed into law. This law requires universities to produce and make available certain policy statements and statistics about campus crime. In November of 1999 this Act was renamed the Jeanne Clery Disclosure of Campus Crime Statistics Act or simply, the Clery Act.

It is the policy of Appalachian State University to publish an annual security report that informs current students and employees of its safety and security policies, procedures and practices by the deadline set by the U.S. Department of Education, typically October 1st. Our annual report will also disclose statistics from the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property either owned or controlled by the University and owned or controlled by student organizations recognized by the University, and on public property within or immediately adjacent to and accessible from the campus.

Under the Act, institutions must provide survivors of sexual assault, domestic violence, dating violence, and stalking with options such as changes to academic, transportation, living, or working situations and assistance in notifying local law enforcement, if the student or employee chooses to do so. It also provides both parties in a campus disciplinary process with certain rights. The Annual Security and Fire Safety Report is available for all students, faculty and staff, as well as prospective students and employees. Anyone wishing a paper copy of the full report may request one by calling 828-262- 2150 or by mailing a request to:

Clery Act Compliance Coordinator  
ASU Box 32113  
Boone, NC 28608-2113

*NOTICE: Some links within this report are current at the time of publish. In the chance that links are changed or updated after publishing date, links may no longer work correctly. Please google the appropriate data to direct to updated information/publications or call the Clery Act Coordinator for assistance.*

# Appalachian State University Clery Act Compliance Coordinator

The Clery Act Compliance Coordinator works collaboratively with various offices at the University to ensure the institution's compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and associated regulations. By October 1 of each year, the University must publish and distribute their Annual Campus Security Report to current and prospective students and employees. This report is required to provide crime statistics for the prior three years, policy statements regarding various safety and security measures, campus crime prevention program descriptions, and procedures to be followed in the investigation and prosecution of alleged sex offenses.

**OUR NUMBER ONE PRIORITY IS THE HEALTH AND SAFETY OF OUR STUDENTS AND CAMPUS COMMUNITY.**

## Bill McGowan

Appalachian State University  
PO Box 32113  
461 Rivers Street  
Boone NC 28608  
828-262-8111  
[mcgowanwj1@appstate.edu](mailto:mcgowanwj1@appstate.edu)

*COMPLIANCE - Not because we have to - Because we want to.*

## Member of:

National Association of Clery Compliance Officers and Professionals  
International Association of Campus Law Enforcement Administrators

## Serves:

Appalachian State University Clery Compliance Committee (Chair).  
Appalachian State University Health and Safety Council  
Appalachian State University Emergency Management Task Force

**Appalachian State University Clery Act site:** <https://police.appstate.edu/clery-act>

## Clery Act Links:

<http://clerycenter.org/>  
<https://www2.ed.gov/admins/lead/safety/handbook.pdf>  
<http://www.acenet.edu/news-room/Documents/A-Presidents-Guide-to-the-Clery-Act.pdf>

## U.S. Department of Education:

*The Clery Act requires all institutions to collect crime reports from a variety of individuals and organizations that are considered to be "campus security authorities" under the law.*

*Under the Clery Act, a crime is "reported" when it is brought to the attention of a campus security authority, the institution's police department or campus safety office, or local law enforcement personnel by a victim, witness, other third party or even the offender. It doesn't matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives a report, he or she must include it as a crime report using whatever procedure has been specified by your institution.*

*What you must include, therefore, are **statistics based on reports of alleged criminal incidents**. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to include the reported crime in your institution's crime statistics.*







## **Getting to Know Appalachian State University**

As the premier public undergraduate institution in the state of North Carolina, Appalachian State University prepares students to lead purposeful lives as global citizens who understand and engage their responsibilities in creating a sustainable future for all. The Appalachian Experience promotes a spirit of inclusion that brings people together in inspiring ways to acquire and create knowledge, to grow holistically, to act with passion and determination, and to embrace diversity and difference. Located in the Blue Ridge Mountains, Appalachian is one of 17 campuses in the University of North Carolina System. Appalachian enrolls more than 20,000 students, has a low student-to-faculty ratio and offers more than 150 undergraduate and graduate majors.

Appalachian was founded in 1899. The pioneering spirit necessary to overcome the mountains' hardships quickly characterized the institution, giving Appalachian a special niche in higher education that continues today. After more than a century, students still feel the pull of this unique place to transform their lives, and Appalachian has remained focused on providing students with educational experiences that are not only life-changing but world-changing.

Appalachian State University is accredited by the commission of Colleges of the Southern Association of Colleges and Schools to award baccalaureate, master's, intermediate, and doctoral degrees. As of the fall of 2020, Appalachian State University has approximately 20,023 Students: 18,061 undergraduate and 1,962 graduate students. The average class size is 25 and 16:1 student / faculty ratio. There are 134,000 living alumni from all 50 states and many countries across the globe.

Main Campus located in Boone, North Carolina consist of approximately 500 acres.

Visit us at <http://www.appstate.edu/>

## Site-based, Remote Campuses

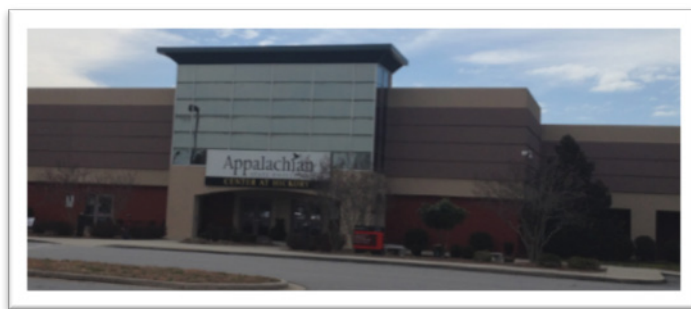
Appalachian State University operates on three site-based, remote campuses. These centers are:

- The Appalachian Center at Hickory
- The Appalachian Center at Burke
- The Appalachian Center at Caldwell

Off-campus programs offer students the ability to maintain family and careers while working toward a degree. Full-time undergraduate programs are available in Elementary Education, Advertising, Criminal Justice, Management, Social Work and Psychology. Appalachian provides a variety of off-campus, part-time undergraduate and graduate programs. These three sites are included in our current Clery Act Crime Statistics; however, we encourage those who are interested to visit each campus' separate Annual Clery Act Security Reports. These are listed below.

### Appalachian Center at Hickory

Located at Catawba Valley Community College  
2760 Hwy 70 SE, Hickory, NC



**Hours of operation:** 8 a.m.-10 p.m. Monday-Thursday; 8 a.m.-5 p.m. Friday (closed on Fridays in summer)

**Parking:** in front of building, no tag required

**Security:** 828-327-7000, x711

**Emergency Notification/Alerts:** Sign up for alerts affecting the Appalachian Center at Hickory and CVCC campuses

**Emergency Preparedness Plan:** [http://www.cvcc.edu/Campus-Resources/Safety-and-Security/cvcc-alert-app.cfm?cssearch=125485\\_1](http://www.cvcc.edu/Campus-Resources/Safety-and-Security/cvcc-alert-app.cfm?cssearch=125485_1)

**Conduct Policies:** As an Appalachian State University student or faculty member you are subject to all Appalachian policies regardless of the location where you receive or deliver Appalachian course work. You may also be subject to the policies of the site where Appalachian classes are held. Click to access [Student Conduct Policies](#) or the complete [Appalachian State University Policy Manual](#).

**Resources:**

<http://www.cvcc.edu/index.cfm>

[http://www.cvcc.edu/Services/Safety\\_And\\_Security/index.cfm](http://www.cvcc.edu/Services/Safety_And_Security/index.cfm)

[http://www.cvcc.edu/Services/Safety\\_And\\_Security/annual-security-report.cfm](http://www.cvcc.edu/Services/Safety_And_Security/annual-security-report.cfm)

## **Appalachian Center at Caldwell**

Hudson Campus of Caldwell Community College and Technical Institute  
2855 Hickory Boulevard, Hudson, NC



**Hours of operation:** 8 a.m.-10 p.m. Monday-Thursday, 8 a.m.-12 p.m. Friday.

**Parking:** Parking permits are required. Permits may be picked up from Karen Laws in the Appalachian Center in the Faye A. Broyhill Building. Cars without permit tags will be ticketed. Students and faculty can park in front, to the side, and in the rear of the Faye Broyhill Building. Handicap tags are required for vehicles parked in spaces reserved for the handicapped. Faculty and students should not park in unmarked spaces or in spaces designated fire, loading or reserved.

**Security:** 828-726-2200. Campus Security is available until 10 p.m. Monday-Thursday and for scheduled classes on Friday evenings and Saturdays.

**Room Lockout:** Karen Laws - H-137, 828-759-4674 or Shawn Harbison - H-145, 828-726-2622 or dial “0” from an internal phone for the CCCTI switchboard

**Emergency Notification/Alerts:** Sign up for alerts affecting the ASU Caldwell and CCCTI campuses (in Hudson and Watauga)

**Emergency Preparedness Plan:** <http://www.cccti.edu/Documents/CurrentEditions/EmergencyPreparednessBooklet.pdf>

**Conduct Policies:** As an Appalachian State University student or faculty member, you are subject to all Appalachian policies regardless of the location where you receive or deliver Appalachian coursework. You may also be subject to the policies of the site where Appalachian classes are held. Click to access the Student Conduct Policies or the complete Appalachian State University Policy Manual.

**Resources:**

<http://www.cccti.edu>

<http://www.cccti.edu/ConsumerInfo/default.asp>

<http://www.cccti.edu/ConsumerInfo/Documents/CampusCrimeSurveyReport.pdf>

## **Appalachian Center at Burke**

Located in the Foothills Higher Education Center  
2128 South Sterling Street, Morganton, NC 28655



**Hours of operation:** 7 a.m.-10 p.m. Monday-Thursday; 7 a.m.-5 p.m. Friday. Call 828-448-6140 for more information.

**Parking:** Side of building adjacent to front entrance, no tag required

**Emergency Notification/Alerts:** Sign up for alerts affecting the Appalachian Center at Burke, Foothills Higher Ed Center and the Western Piedmont Community College main campus

**Campus Emergency Procedures:** <https://www.wpcc.edu/campus-safety/>

**Conduct Policies:** As an Appalachian State University student or faculty member, you are subject to all Appalachian policies regardless of the location where you receive or deliver Appalachian course work. You may also be subject to the policies of the site where Appalachian classes are held. Click to access the Student Conduct Policies or the complete Appalachian State University Policy Manual.

**Health and Safety Resources:**

<http://www.wpcc.edu>

<http://www.wpcc.edu/current-students/campus-safety/>

<http://www.wpcc.edu/students/consumer-information-2/clery-campus-security-crime-statistics-report>

## **The Clery Act**

One of the main purposes of the Annual Security & Fire Safety Report is to publish annual crime statistics for Appalachian State University Clery Geography.

The Clery Act requires institutions to disclose statistics for reported crimes based on:

- where the crimes occurred,
- to whom the crimes were reported,
- the types of crimes that were reported, and
- the year in which the crimes were reported.

### **What is Clery Geography?**

#### **On-Campus Property**

Under the Clery Act, the on-campus category includes the following: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

An institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics:

- The total number of crimes that occurred on campus, including crimes that occurred in student housing facilities; and
- The number of crimes that occurred in on campus

#### **On-Campus Student Housing Facilities**

On campus student housing facilities are considered to be any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. These numbers are included in the on-campus property.

#### **Non-Campus Buildings or Property**

Non-campus buildings or property are any building or property owned or controlled by a student organization that is officially recognized by the institution. They may also be buildings or property owned or controlled by an institution that is used in direct support of, or relation to the institution's educational purposes, frequently used by students, and not within the same reasonably contiguous geographic area of the institution.

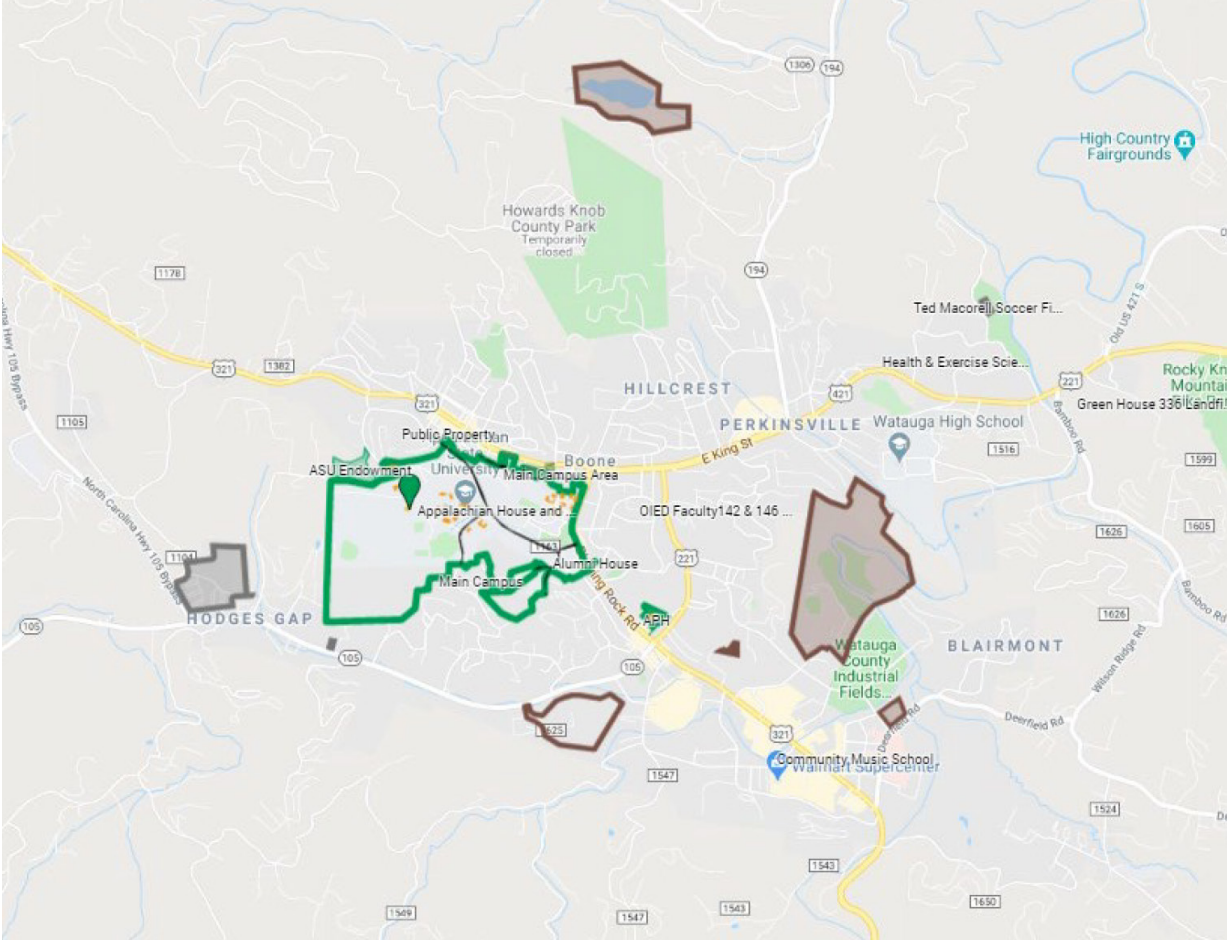
# Public Property

Public property includes thoroughfares, streets, sidewalks, and parking facilities within the campus, or immediately adjacent to and accessible from the campus. This does not include private owned property such as privately-owned apartments, businesses, parking lots or other privately-owned property adjacent to the university's main campus.

# Main Campus



# Appalachian State University Clery Act Geography Map



Please visit:

[maps.appstate.edu?id=1329#!ce/39473?ct/42910?mc/36.21140753284011,-81.67656347086559?z/16?lvl/0](https://maps.appstate.edu?id=1329#!ce/39473?ct/42910?mc/36.21140753284011,-81.67656347086559?z/16?lvl/0)

## **Annual Disclosure of Crime Statistics**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. §1092(f)) is also referred to the Clery Act, and requires all colleges and universities across the United States who received federal funding to disclose information about crime on and around their campuses. The Appalachian Police Department maintains a close relationship with all police departments where they own or control property to ensure that crimes reported directly to these police departments that involve the University are brought to the attention of the Appalachian Police Department.

The Appalachian Police Department collects the crime statistics disclosed in the charts through a number of methods. All reported crimes on campus are entered into a records management system. The University's Clery Compliance Team meets at a minimum of once a month and analyzes these reports to ensure they are appropriately classified in the correct crime category. The Clery Act Compliance Coordinator routinely examines the data to ensure that all reported crimes are recorded in accordance with the crime definition outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook. In addition to the crime data that the Appalachian Police maintains, the statistics below also include crimes that are reported through the Campus Security Authorities as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws, and weapons offenses represents the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. A special thanks to the University's Clery Act Compliance Committee, who meet at a minimum of once per quarter to discuss and review Clery Act policies, procedures, training and the Annual Security and Fire Security Report.

Our website and report contain information regarding campus security and personal safety including topics such as crime prevention, fire safety, police law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Appalachian; and on public property within, or immediately adjacent to and accessible from the campus.

The annual security and fire safety report is available on Appalachian Police Department's website at:

**<https://police.appstate.edu/clery-act>**



The Clery Act requires our institution to include four general categories of crime statistics:

- Criminal Offenses—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft and Arson.
- Hate Crimes—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;
- Violence Against Women Act (VAWA) Offenses—Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and
- Arrests and Referrals for Disciplinary Action for Weapons—Carrying, Possessing, etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

*Note: Not all crimes that occur on campus are regarded as “Clery Act Crimes.”*

All Clery Act crimes that occur on Clery Act Geography are included in the institution’s crime statistics that are reported through various channels to the Appalachian Police Department regardless if the crime is investigated or without regard to the findings of a court, coroner or jury, or the decision of a prosecutor. Once an alleged Clery Act crime is reported to proper authorities, that crime is entered as a “Clery Act Crime Statistic.” It can only be removed from the statistics if the crime is later determined to be unfounded (report was false or baseless) by a sworn or commissioned law enforcement personnel. It will then be reported as an unfounded crime.

Below are the reported crime statistics for our Main Campus (in Boone), the Caldwell Center Campus (in Hudson), the Burke Center Campus (in Morgantown) and the Hickory Center Campus (in Hickory).

The main campus statistics also include crime statistics for Clery Act reportable crimes within the Clery Geography of main campus, non-campus property (Appalachian owned or controlled property outside the one mile or reasonably contiguous to main campus) and public property that borders the main campus only. Not all crimes reported to the Appalachian Police are “Clery” reportable crimes. As stated previously, Clery Act crimes that occur in on-campus student housing are counted once as “on campus property” and again as “on campus resident halls” as a subset of on campus property.

**APPALACHIAN STATE UNIVERSITY - MAIN CAMPUS**

<b>OFFENSE</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>NON-CAMPUS BUILDING PROPERTY</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b> (subtotal of on campus property)
MURDER / NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
RAPE	2019	8	2	0	10	8
	2018	3	0	0	3	3
	2017	6	2	0	8	6
FONDLING	2019	7	0	0	7	5
	2018	4	1	0	5	3
	2017	7	1	0	8	7
INCEST	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
STATUTORY RAPE	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
ROBBERY	2019	0	0	0	0	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
AGGRAVATED ASSAULT	2019	0	1	0	1	0
	2018	1	0	0	1	1
	2017	0	0	0	0	0
BURGLARY	2019	5	2	0	7	3
	2018	5	0	0	5	1
	2017	6	0	0	6	6
ARSON	2019	1	0	0	1	1
	2018	1	0	0	1	1
	2017	1	0	0	1	1
MOTOR VEHICLE THEFT	2019	0	1	0	1	0
	2018	0	0	0	0	0
	2017	0	0	0	0	0
<b>VIOLATIONS</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>NON-CAMPUS BUILDING PROPERTY</b>	<b>PUBLIC PROPERTY</b>	<b>TOTAL</b>	<b>ON-CAMPUS RESIDENCE HALLS</b>
LIQUOR LAWS						

ARREST	2019	126	1	4	131	93
	2018	109	2	10	121	79
	2017	122	1	20	143	84
JUDICIAL REFERRALS	2019	239	0	0	239	222
	2018	193	0	3	196	185
	2017	166	0	0	166	166
DRUG ABUSE						
ARREST	2019	40	1	8	49	28
	2018	106	2	18	126	77
	2017	77	3	27	107	54
JUDICIAL REFERRALS	2019	119	0	0	119	66
	2018	70	0	1	71	57
	2017	37	3	0	40	23
WEAPONS: Carrying, Possessing, Etc.						
ARREST	2019	4	0	1	5	0
	2018	5	1	1	7	2
	2017	3	0	1	4	1
JUDICIAL REFERRALS	2019	9	0	0	9	9
	2018	11	0	0	11	11
	2017	1	0	0	1	1

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY	TOTAL	ON-CAMPUS RESIDENCE HALLS
DOMESTIC VIOLENCE	2019	1	1	0	2	0
	2018	1	0	0	1	1
	2017	0	0	0	0	0
DATING VIOLENCE	2019	3	0	0	3	1
	2018	1	0	0	1	1
	2017	6	0	0	6	5
STALKING	2019	5	0	0	5	3
	2018	8	0	0	8	2
	2017	3	0	0	3	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
HATE CRIMES (by prejudice)	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RACE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

GENDER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RELIGION	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
SEXUAL ORIENTATION	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ETHNICITY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISABILITY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
GENDER IDENTITY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
NATIONAL ORIGIN	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

TOTAL UNFOUNDED CRIMES	
2019	1
2018	1
2017	3

APPALACHIAN STATE UNIVERSITY - CENTER at BURKE				
OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

THERE WERE NO HATE CRIMES REPORTED IN THE YEARS 2017, 2018 and 2019.

VIOLATIONS	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
LIQUOR LAWS				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DRUG ABUSE				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
WEAPONS: Carrying, Possessing, Etc.				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

APPALACHIAN STATE UNIVERSITY - CENTER at CALDWELL				
OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

NO HATE CRIMES REPORTED IN THE YEARS 2017, 2018 and 2019.

<b>VIOLATIONS</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>NON-CAMPUS BUILDING PROPERTY</b>	<b>PUBLIC PROPERTY</b>
LIQUOR LAWS				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DRUG ABUSE				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
WEAPONS: Carrying, Possessing, Etc.				
ARREST	2019	0	0	0
	2018	2	0	0
	2017	0	0	0

JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

APPALACHIAN STATE UNIVERSITY - CENTER at HICKORY				
OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
MURDER / NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0



AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

NO HATE CRIMES REPORTED IN THE YEARS 2017, 2018 and 2019.

<b>VIOLATIONS</b>	<b>YEAR</b>	<b>ON-CAMPUS PROPERTY</b>	<b>NON-CAMPUS BUILDING PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>LIQUOR LAWS</b>				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
<b>DRUG ABUSE</b>				
ARREST	2019	2	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
<b>WEAPONS: Carrying, Possessing, Etc.</b>				
ARREST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
JUDICIAL REFERRALS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS BUILDING PROPERTY	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

## Definitions of Reportable Crimes

Under the *Clery Act*, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest and disciplinary referral statistics you must do so based on definitions provided by the Federal Bureau of Investigation’s (FBI’s) Uniform Crime Reporting (UCR) Program.

For the categories of Domestic Violence, Dating Violence and Stalking, the Clery Act specifies that you must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department’s Clery Act regulations.

A crime is reported when it is brought to the attention of a Campus Security Authority or local law enforcement by a victim, witness, offender, or a third party.

Crimes must be disclosed regardless of whether the crimes have been investigated by the police or security and regardless of whether a finding of guilt or responsibility has been assigned.

**Murder / Manslaughter** – defined as the willful killing of one human being by another.

**Negligent Manslaughter** – defined as the killing of another person through gross negligence.

**Sex Offenses** - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual Assault (Sex Offenses) is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

- Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his /her temporary or permanent mental incapacity.

- Incest – Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Robbery** – defined as taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – is the theft or attempted theft of a motor vehicle.

**Arson** – any willful or malicious burning or attempted to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Dating Violence** – Violence committed by a person who is or has been in social relationship of a romantic or intimate nature with the victim. A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or,
- By any other person against an adult or youth victim who is protected from that person’s act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (i) Fear for the person’s safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

**Hate Crime:** a criminal act involving one or more of the aforementioned crimes, as well as the crimes of:

(a) **Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

(b) **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury

involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

(c) **Destruction of Property/Vandalism:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

(d) **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

As well as *any other crime involving bodily injury* which is shown or suspected to have been motivated by bias against any person or group of persons, or the property of any person or group of persons based upon the perception that the person or group has one or more of the following characteristics:

(a) **Ethnicity/National Origin:** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions (e.g. Arabs, Hispanics).

(b) **Race:** A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g. color of skin, eyes, and/or hair, facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g. Asians, blacks, whites).

(c) **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g. Catholics, Jews, Protestants, atheists).

(d) **Disability:** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

(e) **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

(f) **Sexual Orientation:** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g. gays, lesbians, heterosexuals).

(g) **Gender Identity:** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).

## Incidents / Crimes Not Reported on Annual Security Report

Not all crimes are included in the institution's Clery Statistical disclosure. These crimes include:

- **Non-Clery crimes.** Only crimes identified by the Clery Act and defined by the FBI's Uniform Code Reporting Handbook are reported on the institution's annual security report.
- **Unfounded crimes.** If a reported crime is investigated by the Appalachian State University Police Department or other sworn or commissioned law enforcement personnel and found to be false or baseless, the crime is "unfounded" and it will not be reported in the institution's annual security report.
- **Crimes not committed in geographic locations specified by the Clery Act.** For a crime to be reported on the university's annual security report it must have occurred on campus, in or on a non-campus building or property or on public property as defined by *Clery Act* regulations.

## Reporting Crimes and Emergencies

Appalachian State University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately report all incidents to the Appalachian Police. Crimes and suspicious activities may be reported to the Appalachian Police Department in a number of different ways.

- Call the campus emergency line by dialing 8000 from an on-campus phone. If calling from elsewhere, call 828-262-8000.
- Make a report in person by visiting our offices in the Rivers Street Parking Deck. Our professional and courteous staff is ready to assist 24 hours a day, seven days a week, including holidays.

Victims are encouraged to accurately and promptly report crimes to the campus police and other local police agencies, when they elect to do so. If a victim is unable to make a report, campus police will accept a report from a third party. Victims may also report crimes to campus security authorities (CSA), who will promptly notify the Appalachian Police Department. Next, the Chief of Police will determine whether or not a timely warning must be sent out to campus. All Clery reportable crimes are included in our annual crime statistic disclosure. Reports of crimes made to other campus officials, such as the staff of Residence Life, professors, and counselors should also be referred to Appalachian Police.

Appalachian Police Department dispatchers are available twenty-four hours a day. Upon notification of a criminal activity, emergency, or request for assistance, the Appalachian Police Department has the responsibility of responding to, and summoning the necessary resources to assist, mitigate, investigate, and document the incident. The call will initiate a response from the Appalachian Police Department, immediate or otherwise, as dictated by the nature of the incident. The responding officer will assess the situation and arrange for necessary resources including, but not be limited to crime investigation, victim services, medical services or the use of other available resources. Appalachian Police work closely with the full range of city and county emergency resources to assure a complete and timely response to all emergency calls. Criminal actions will be thoroughly documented in an appropriate report. Appalachian Police incident reports are also forwarded to the Watauga County District Attorney's Office and the University's Office of Student Conduct for potential action, as appropriate.

## **Voluntary, Confidential Reporting**

If crimes are never reported, little can be done to help other members of the community to avoid becoming victims too. We encourage Appalachian community members to report crimes promptly and to participate in and support crime prevention efforts. The community is improved when all community members participate in safety and security initiatives. Depending upon the circumstances of the crime being reporting, confidential reports may be filed. Confidential reports keep personally identifying information private, but provide police with information to help ensure the reporting party's safety and the safety of others. Confidential also reports allow Appalachian to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the annual Security and Fire Safety Report. In limited circumstances, Appalachian Police may not be able to assure confidentiality in some cases.

## **Anonymous Reporting**

You may also report a crime or suspicious activity anonymously through Watauga County Crime Stoppers. Crime Stoppers may pay up to \$1,000.00 cash for information that leads to the arrest of anyone who commits a crime, that leads to the recovery of stolen property, seizure of drugs, or the location of wanted persons. To anonymously report a crime to Crime Stoppers, call 828-268-6959.

## Reporting to Campus Security Authorities

While the University prefers that community members promptly report all crimes and other emergencies directly to Appalachian Police, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as “Campus Security Authorities” (CSA). The Clery Act defines these individuals as “an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing staff, Resident Life Staff, Security Staff, Greek Life Staff, and Student Conduct Staff. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.” While the University has identified numerous CSAs, we officially designate the following offices as places where campus community members may report crimes:

DEPARTMENT	PHONE NUMBER
Appalachian Police	828-262-8000
Dean of Students	828-262-2060
Director of University Housing	828-262-2160
Director of Student Conduct	828-262-2704
Director of Investigations and Title IX Compliance/Title IX Coordinator	828-262-2144
Clery Compliance Coordinator	828-262-8111

### Campus Security Authority (CSA) Responsibilities:

When someone tells a CSA about a crime or an incident that might be a crime, the CSA must report it to the Appalachian Police Department and to your institution’s designated office or Clery Compliance Coordinator via CSA report.

- Share the information as related by the person.
- Tell the person who disclosed the crime to you that you must share the information.
- Help connect the person to available options and resources within the institution.
- When in doubt, report.

ON-CAMPUS ASSISTANCE:		OFF-CAMPUS ASSISTANCE:	
Appalachian Police Emergency	262-8000	Police, Fire and Medical Emergencies	9-911
Appalachian Police Department	262-2150	Boone Police Department	268-6900
Appalachian Counseling Center	262-3180	OASIS, Inc. 24-hour domestic violence and sexual assault crisis line.	262-5035
Evening Crisis Coverage	262-2150	Watauga County Sheriff's Department	264-3761
Student Health Services	262-3100	Daymark (24 Hour Emergency Number)	264-8759 (264-4357)
Residence Life	262-2160	Watauga County Clerk of Court  Criminal & Civil Actions	268-6600
APPALACHIAN POLICE DIRECTORY			
Chief Andy Stephenson Director of Public Safety <a href="mailto:stephensonam1@appstate.edu">stephensonam1@appstate.edu</a> ✉	262-2150	Captain Johnny Brown Patrol Commander <a href="mailto:brownjm@appstate.edu">brownjm@appstate.edu</a> ✉	262-6436
Captain Todd Corley Investigations Commander <a href="mailto:corleywt@appstate.edu">corleywt@appstate.edu</a> ✉	262-2150 262-6439	Sandra Evans Support Services Manager <a href="mailto:evansss@appstate.edu">evansss@appstate.edu</a> ✉	262-6435

## Important Telephone Numbers

Area Code: 828



## **M.S. Shook Student Health Service**

The Mary S. Shook Student Health Service is a primary care ambulatory campus health clinic helping meet the needs of Appalachian State University students. Serving the student drives everything the Clinic does.

- Dedicated and experienced health care professionals
- Provides accredited primary health care
- Centrally located and accessible facility
- High-quality health care at low cost
- Engaging in ongoing collaboration with Academics and other Student Support Services throughout the university

Please visit <https://healthservices.appstate.edu/> for more information.

## **Mountaineer Safe Ride/Walk**

The Appalachian Police Department operates a campus escort service, Mountaineer Safe Walk/Ride to provide a safety escort service for students during the evening hours who may feel uncomfortable walking alone after dark. Students who need a safety escort to or from any campus owned building or parking lot can call 828-262-7433 seven days per week, excluding university holidays and both summer sessions. Please visit <https://police.appstate.edu/safe-ride> for more information.

## **Pastoral and Professional Counselors**

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by the University to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

## **Daily Crime and Fire Log**

Appalachian Police Department maintains a Campus Daily Crime & Fire Log of all incidents reported to its department. The purpose of this daily crime log is to record criminal incidents and alleged criminal incidents that are reported to campus police. The log identifies the type, location and time of each criminal incident reported to the Appalachian Police Department. The log also records all

fires that occurs in an on-campus student housing facility to include the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. This Daily Crime & Fire Log is available to the public and members of the press. Any portion of the Appalachian Crime Log will be made available for public inspection upon request within two business days.

Crimes may be temporarily withheld from the Daily Log under the following circumstances:

1. The disclosure will jeopardize the confidentiality and safety of a victim or the integrity of an ongoing investigation
2. The disclosure may cause a suspect to flee or evade
3. The disclosure may result in the destruction of evidence

**Appalachian Police Department's Crime and Fire Log can be located on the Appalachian Police Department website:**

<https://police.appstate.edu/crime-log>

# COVID-19

The Centers for Disease Control and Prevention (CDC) report a novel (new) coronavirus first detected in China has been detected in locations internationally, including the United States. The virus is named SARS-CoV-2 and the disease it causes has been named “coronavirus disease 2019,” which is abbreviated COVID-19. The U.S. Department of Health and Human Services has declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19.

Local, State and Nationwide Resources:

- [AppHealthCare \(local health department\)](#)
- [Appalachian Regional Health Care System](#)
- [NC Department of Health and Human Services Novel Coronavirus Resource](#)
- [NC Office of State Human Resources, Communicable Disease Emergency Resource](#)
- [Centers for Disease Control and Prevention’s \(CDC\) Coronavirus homepage](#)

## Appalachian State University Coronavirus Information

Across our campus, faculty and staff are engaged in planning for teaching, research and learning in an environment fundamentally changed by the coronavirus. We are developing ways to be flexible and responsive to whatever the coming weeks and months hold. Our planning includes working groups that are making assessments and recommendations with the following overarching strategic goals:

- Ensuring the health and safety of the campus and greater campus communities by enacting policies and practices to reduce the potential spread of COVID-19.
- Ensuring continuity of Appalachian’s academic mission (teaching/service/research) and building a path to restore in-person academic instruction.
- Ensuring financial stability.
- Supporting campus community resiliency and well-being through the implementation of strategies to address needs of students, faculty, and staff.
- Restoring campus functions and programs strategically based on criticality of function/program, campus community need, and public health guidance.

Appalachian State is closely monitoring the developing COVID-19 situation, which continues to evolve rapidly.

Across our campus, faculty and staff are engaged in planning for teaching, research and learning in an environment fundamentally changed by the coronavirus. The University’s dedicated coronavirus website is updated regularly. Please continue to visit for the most updated information. <https://www.appstate.edu/go/coronavirus/>

# **The Appalachian Police Department**

The Appalachian Police Department (APD) is responsible for protecting life and property at Appalachian by providing emergency and non-emergency law enforcement services, crime prevention, safety and criminal investigation services. The department consists of 29 full-time state commissioned Police Officers, 10 civilian support staff and 7 Security Officers. The Appalachian Police Department is located in the Rivers Street Parking Deck. Should the need arise, our professional and courteous staff is ready to assist 24 hours a day, seven days a week, including holidays.

## **Partnerships**

Through partnerships, we reach out to students, staff, faculty and other community groups. By working with student, staff and faculty leaders, we hope to open better lines of communication to help us identify and solve crime and quality of life problems before they become major issues. We are also proud of our active partnership with the staff of Residence Life. By working together with Residential Life Staff (R.A.s and R.D.s) we know that we are making on-campus housing a safer and better place for students.

## **Pro-Active Patrolling**

At Appalachian, patrolling means more than being mobile and highly visible, it means officers get out of their patrol cars more often to interact with students in a positive manner. APD employs bike patrols, foot patrols and motorized patrols. Our bike patrol officers give APD the ability to patrol areas not readily accessible by vehicles. They also give APD the capability to respond to emergencies in these areas much faster than on foot, while providing security, crowd control and traffic control at special events on campus.

## **Officer Training and Education**

Appalachian State University is striving to maintain a high quality and professional police department. Many APD officers have college degrees, and officer skills and professionalism are increasing through quality training programs in addition to the technical skills officers learn in traditional training (such as radar speed measurement, CPR, marksmanship and defensive driving).

## **Appalachian State University Police Authority and Jurisdiction**

Appalachian Police officers are state certified by the North Carolina Criminal Justice Training and Standards Division. APD officers have complete police authority to apprehend and arrest anyone who violates North Carolina State law while on campus. When minor offenses involving University rules or regulations are committed by an Appalachian student, our officers may refer them to the Office of Student Conduct. The North Carolina State Bureau of Investigation and other local law enforcement agencies may assist with investigations upon APD's request. Through mutual aid agreements with the Boone Police Department and the Watauga County Sheriff's Department, APD officers may enforce violations of North Carolina law off-campus when requested.

## **Appalachian Police Department Security Officers**

Appalachian security officers are not sworn, do not carry firearms and have no arrest authority. Property security officers have no police powers. They may not attempt in any way to use police powers or claim to possess such powers. As University officials, they do have the authority to refer students who violate the Student Code of Conduct to the Student Conduct Office. Appalachian security officers conduct security checks of campus buildings, provide escorts, foot patrols and assist police officers in providing crowd control and security during special events. Appalachian also contracts with private security companies to provide security during special events. These security personnel are not sworn, do not carry firearms and have no arrest authority.

## **Crime Alerts**

The Appalachian Police Department posts crime alerts on campus when serious incidents occur. These crime alerts inform the Appalachian community of the nature of the crime, provide a description of suspects, and share instructions on how to prevent or report crimes.

## **Escort Service: Mountaineer Safe Walk and Safe Ride**

Appalachian also supports a campus safety escort service, Mountaineer Safe Walk and Safe Ride, operated by the Appalachian Police Department. Students who need a safety escort to or from any campus owned building or parking lot can call 262-RIDE between 9:45 P.M. and 2:45 A.M., 7 days per week (excluding University holidays and both summer sessions).

## **Victims' Assistance Program**

The Appalachian Police Department, Health Services, Student Development, Counseling and Psychological Services Center and other offices offer assistance to victims of crime on the basis of their specific needs and requests for information. Professional counselors are not required to notify the police of crimes reported to them. The Appalachian Police Department is also responsible for ensuring that crime victims who meet the criteria outlined in Article 45A of N.C., General Statute Chapter 15A, are properly notified of the following:

- Availability of medical services
- Crime victims' compensation funds
- Address and telephone number of the district attorney's office
- Name and telephone number of the investigating officer
- Information about the accused's opportunity for pretrial release (after being arrested)
- Name and telephone number of the officer whom the victim may contact to find out whether the accused has been released from custody
- The arrest of the perpetrator (within 72 hours of arrest)

## **North Carolina Sexual Offender and Public Protection Registry**

North Carolina law requires that sex offenders register with the Sheriff of the county in which they live,

if they are state residents. The law also requires sex offenders who are non-resident students or non-resident workers to register with the Sheriff of the county in which they work or attend school. The North Carolina Registry of Sex Offenders may be viewed at the Watauga County Sheriff's Office or you may access it directly on-line at <http://sexoffender.ncdoj.gov>.

## **Medical Transports**

The Appalachian Police Department will provide on-campus transportation to injured students to the Health Services Infirmary (Miles Annas Building) for non-emergencies. We will provide transportation for employee Workers' Compensation injuries to and from Boone Urgent Care. If Boone Urgent Care is closed, we will transport to the Watauga County Medical Center Emergency Room and back to campus. We do not provide transportation for scheduled doctor appointments.

If students or employees require transportation for an emergency injury or illness, they should call 9-911, and the Watauga County Medics and/or ambulance service will handle the transport to the Watauga County Medical Center Emergency Room.

*For on-campus non-emergencies call 262-2150*

*For on-campus medical emergencies call 9-911*

## **Vehicle Assistance**

If you have locked your keys in your vehicle the Appalachian Police can either assist you directly or call a locksmith. The Appalachian Police will not attempt to unlock any vehicle with side airbags. If you think you have a dead battery, the Parking and Traffic Department can assist you at 262-2878.

## **Lost and Found**

The Appalachian Police Department is a place for individuals to turn in or claim lost and found items. Please contact us if you need assistance with any lost and found article.

## **Investigations**

The Appalachian Police Department has investigators on call 24 hours a day, 7 days a week. If you are a victim of a crime immediately call the Appalachian Police Department so the incident can be investigated and a report filed. If time is wasted, evidence can be destroyed or lost. Just call 8000 from any campus phone, (828) 262-8000 from any other phone, or come by our offices in the Rivers Street Parking Deck.

## **Cop Connect**

Cop Connect, (formerly Coffee with a Cop), provides opportunities for the community to ask questions and learn more about the department's work on campus. The majority of contact that officers have with the public usually happens during emergencies or emotional situations, and these are not always the most effective times for building relationships with the community. Some campus community members may also believe that officers are unapproachable while on patrol. To help solidify

relationships and effective communication between police officers and the campus community, Cop Connect provides time to socialize, ask questions and get to know the community's concerns better.

## **Ride-Along Program**

Our Ride-Along program offers the opportunity for students to learn about the Appalachian Police Department. Participants are allowed to ride along with an officer as they answer real police calls on campus. A signed agreement by the participant for confidentiality and liability purposes must be completed, as well as prior written approval from the patrol commander. Please contact our office to request further information.

## **Internships**

Internship positions are available at the Appalachian Police Department for qualified students in Criminal Justice. During the semester, you will have the opportunity to work with all areas of the Department while earning academic credit hours. Interns experience first-hand the role of a police officer and are also introduced to all the facets of a police department administrative office. Contact our Patrol Commander for more information about the Internship program.

## **Work-Study Students**

The Appalachian Police Department welcomes the opportunity to have work-study students work in our reception area to welcome visitors and answer questions and to help with office projects, while offering the flexibility to schedule hours around student class schedules. Students must sign a confidentiality agreement and will be supervised by the Support Services Manager. Please contact the Office of Student Employment for more information.

## **Appalachian Police Development Program**

The Appalachian Police Officer Development Program (APDP), the only program of its kind in North Carolina, is a two-year program designed to equip students with the knowledge, skills and training to become law enforcement officers while they are completing their undergraduate or graduate degrees at Appalachian.

Graduates entering the criminal justice system job market will have bachelors or graduate degrees, two years of work experience in policing, and North Carolina law enforcement certification and training. They will also have the exposure to different races, cultures, ideas and beliefs that enrollment at an institution of higher education provides.

## **The Appalachian Police Academy**

The Appalachian Police Academy, also known as "the academy," is an annual, 16-week training program held each summer on Appalachian's campus in which participants in the Appalachian Police Officer Development Program (APDP) have the opportunity to earn their credentials as certified North Carolina police officers. The Appalachian Police Academy is a state accredited academy, and covers all state-mandated training topics of Basic Law Enforcement Training (BLET). APDP participants attend

the academy full time between the first and second year of the program and are paid for their time in training. After graduating from the academy, they may begin working with the Appalachian Police Department as sworn, part-time police officers for the second year of the program while they earn their degrees at Appalachian.

## K-9

Appalachian Police’s furriest officer stands about 2 feet tall, Officer Yaya — a 2-year-old Labrador retriever. Yaya is trained in explosive detection and tracking, and provides valuable assistance on campus and during special events. The Appalachian K-9 team may also be called out to assist the greater High-Country Community.

## Emergency Blue Light Phones

The University has installed blue light emergency telephones for your safety. There are over 70 emergency blue light telephones located across the campus. These phones only require one button to be pushed and the call will ring directly into the Appalachian Police Communications Center. The blue light phone system automatically identifies the caller’s location so our dispatchers can quickly locate an officer to assist the caller. These phones are located at residence hall entrances, in parking lots, in tunnels and other strategic locations. For a map of blue light emergency telephone locations, please visit: <https://maps.appstate.edu/> and click on the health and safety layer under the locations tab.





## **Working Relationship with Local, State and Federal Law Enforcement Agencies**

The Appalachian Police Department maintains a cooperative relationship with state police, local police, and surrounding public safety agencies. This includes inter-operative radio capability, training programs, special events coordination and investigation of serious incidents.

Appalachian Police participate in an Inter-agency Mutual Aid Agreements that authorizes police officers of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance the public's and/or officers' safety and efficiency. These agreements also allow for joint training and cooperation on other matters, such as pre-planned large-scale special events. The Appalachian Police Department has written memoranda of understanding with local law enforcement agencies.

Appalachian State University relies on its close working relationship with local law enforcement agencies to receive information about incidents involving university students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, Appalachian Police will actively investigate certain crimes occurring on or near campus. If the Appalachian Police learn of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the office of Student Conduct, as appropriate.

The University requires all recognized student organizations to abide by federal, state, and local laws as well as University policies. The University may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial University interest as defined in the University Policy Manual: [http://policy.appstate.edu/Code\\_of\\_Student\\_Conduct](http://policy.appstate.edu/Code_of_Student_Conduct).

### **Monitoring and Recording Criminal Activity of Students Off-Campus**

Although Appalachian Police officers may enforce violations of North Carolina law off-campus when requested, Appalachian State University does not regulate the off-campus conduct of students. The University relies on local law enforcement agencies to handle off-campus crimes. However, the University reserves the right to address allegations of these crimes through the Code of Student Conduct when appropriate.

The Appalachian Police monitor local law enforcement daily shift logs for incidents that might involve students or incidents that might warrant a campus safety alert. The Appalachian Police also request crime statistics from local law enforcement agencies for disclosure in the annual security report for crimes that meet the Clery geography, including property owned or controlled by officially recognized student organizations.

## **NC Sexual Offender and Public Protection Registry**

The North Carolina General Assembly created the North Carolina Sex Offender and Public Protection Registry in January 1996. This law outlines registration requirements for persons living in North Carolina, non-resident students and non-resident workers. The Registry serves as a resource to help protect and inform the public. “The North Carolina Sex Offender Registration Program,” a publication of the North Carolina Department of Justice, provides more detailed information about the state’s Sex Offender Registry. Residents can sign up to receive an email notification when a sex offender reports moving to a North Carolina address within 1, 3, or 5 miles of their home. Residents can also register multiple North Carolina addresses which will enable them to be alerted via email notification when an offender reports moving to a North Carolina address within 1, 3, or 5 miles of any of those locations, such as homes, children’s daycare centers, grandparents’ homes, etc.

North Carolina law requires that sex offenders register with the Sheriff of the county in which they live, if they are North Carolina residents. The law also requires sex offenders who are non-resident students or non-resident workers to register with the Sheriff of the county in which they work or attend school. The North Carolina Registry of Sex Offenders may be viewed at the Watauga County Sheriff’s Office or you may access it directly on-line at <http://www.nc.gov/sex-offender-registry> . You can also find a link at: <https://police.appstate.edu/sex-offender-registry>.

## **Security and Access to Campus Facilities**

Appalachian State University recognizes that its support is derived in large part from public funds and is therefore committed to making its facilities and property as readily available for use by groups and individuals as is consistent with its educational mission, its duties as a custodian of State resources, and its responsibility to consider the welfare and security of its students, faculty, staff and visitors. Departments and divisions of the University shall have priority in the use of University facilities. Recognized student organizations and University-affiliated organizations shall have priority in use over non-University organizations and persons. Except for residence halls, most campus facilities are open to the general public during normal business hours, weekdays from 8:00 a.m. to 5:00 p.m. Individuals who wish to access University buildings or property after normal business hours or for special events should contact the appropriate department administrator or the Office of Business Affairs. Appalachian Security Officers and Police Officers routinely conduct security checks of buildings after normal business hours, on weekends and on holidays.

Access to campus residence halls is restricted and controlled twenty-four (24) hours a day by a card access system, and residents gain access with their student identification cards. Invited guests must be escorted by a resident while in the residence hall. A door lock secures each residence hall room. A RA is on duty in each hall from 5:00 p.m. to 7:00 a.m. Night Assistants (student safety monitors) work at the hall’s front desk and patrol the halls from 11:30pm to 3:30am. Night Assistants perform safety and security checks and contact Appalachian Police as needed. Additionally, a Resident Director

or Coordinator lives in each residence hall on campus. Appalachian Police Officers also conduct security checks, safety presentations and regularly meet with RAs, RDs, and Coordinators as part of the University's Community Policing Liaison program.

The Burke Center Campus is generally open to the public during normal business hours, weekdays from 8:00 a.m. to 5:00 p.m. and during evening classes which normally end at 10:00 p.m. Individuals who wish to access the campus after normal business hours should contact the WPCCC Security Department. If a classroom is locked, check with the receptionist at the front entrance of the Foothills Higher Education Center or call (828) 448-6140. There are no Residence Halls on the Appalachian Burke Center Campus.

The Caldwell Center Campus is generally open to the public during normal business hours, weekdays from 8am to 5pm. Individuals wishing to access the Appalachian Caldwell Center Campus after hours or on weekends should contact Griffith Security at 828-726-2200. If a classroom is locked, go to the Appalachian Administration Office H 137 or contact the switchboard by dialing "0" from any campus phone. There are no Residence Halls on the Appalachian Caldwell Center Campus.

The Hickory Center Campus is generally open to the public during normal business hours, weekdays from 8am to 5pm, but operating hours for each facility may vary. For access to a facility that is closed, individuals must contact the CVCC Campus Safety and Security Office at 828-327-7000, x711 or the CVCC switchboard and they will contact campus security. There are no Residence Halls on the Appalachian Hickory Center Campus.

The Appalachian Police Department employs security officers that conduct building security checks and lighting surveys from 4:00 p.m. to 7:00 a.m. each day. Security breaches and lighting outages are reported to the appropriate Facilities Operations maintenance shop the next business day. In addition, Appalachian Police and Security officers report unsafe facility and grounds conditions, such as handrails, steps and unsafe roadway conditions (ice/snow) to the Facilities Operations. The Physical Plant lock shop maintains all locking/security hardware and pursues upgrades to locking systems when funding is available. A campus safety walk is scheduled twice a year by the Student Government Association and University administrators to survey the adequacy and maintenance of campus lighting. A check is also done at those times to see that landscaping near buildings and along walkways does not obscure vision or present safety hazards. During the safety walks, Student Government Association leaders test the Police response to calls from an Emergency Blue Light phone and make recommendations to the Administration to add new phones when warranted.

Maintenance of facilities for Appalachian Centers at Burke, Caldwell, and Hickory Center campuses are the responsibility of the host Community College. If Appalachian students or faculty have any security/safety maintenance concerns they should contact the appropriate Community College office listed below:

1. Burke Center Campus – WPCCC Campus Security Department at 828-437-1211
2. Caldwell Center Campus – CCC & TI Facilities Services at 828-264-7670
3. Hickory Center Campus – CVCC Campus Safety and Security at 828-327-7000

## Possession of Weapons on Campus

North Carolina General Statute § 14-269.2 makes it unlawful for anyone other than law enforcement officers to carry or possess firearms or weapons on campus. The only exception being persons who have a legal concealed handgun permit may store their handgun in a closed compartment or container within their locked vehicle on campus. The handgun must remain in the closed compartment at all times. The University's definition of weapons includes: BB gun, air rifle, air pistol, paintball gun, Bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blade (except for personal shaving) sharp pointed or edged instruments except instructional supplies, unaltered nail files, clips and tools used solely for preparing food, instruction, and maintenance.

## Emergency Notifications

Appalachian State University is committed to ensuring that the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Appalachian State University uses the emergency notification system App State-ALERT.

AppState-ALERT is the Appalachian State University 24/7 emergency messaging system. Using a combination of text messaging, voice messaging, siren warning system, PC desktop alerts, email, and web technologies, AppState-ALERT is designed to provide Appalachian students, faculty and staff with timely notifications in the event of a campus emergency. Cell phone text and voice message emergency notifications will only be sent by the University when an emergency exists that is considered an "imminent threat." An "imminent threat" is defined as a significant emergency or dangerous situation involving an immediate threat to the life and safety of the campus community.

Emergency notifications will be distributed to students, faculty and staff using any or all of the following methods:

- Text Messaging: Emergency notifications will be sent as text messages to all cell numbers registered with APPSTATE-ALERT as "Emergency Cell-Text."
- Voice Messaging: Emergency notifications will be sent as voice messages to all cell numbers registered with APPSTATE-ALERT as "Emergency Cell-Voice."
- Siren Warning System: During high-risk conditions, the siren will be used to broadcast an audible warning message across the campus.
- Email: Emergency notifications will be sent to every [appstate.edu](http://appstate.edu) email address.
- Web: Emergency notifications will be posted on [www.appstatealert.com](http://www.appstatealert.com), in addition to [emergency.appstate.edu](http://emergency.appstate.edu), [appstate.edu](http://appstate.edu), and [myasu.appstate.edu](http://myasu.appstate.edu).
- Desktop alerting: software enables the University to send emergency messages to all lab, classroom, faculty, and staff PCs logged into the campus network. During an emergency situation, the screen will flash an emergency message until the user acknowledges the message.

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency to all or a segment of campus community.

The Appalachian Police Department and/or campus first responders may become aware of a critical incident or other emergency situation that potentially affects the health and or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the Police Dispatch Recorder or upon discovery during patrol or other assignments. Once first responders confirm that there is an emergency or dangerous situation that poses an immediate threat to the health and safety of some or all members of the campus community, first responders will notify supervisors in the Appalachian Police Department or other University office to issue an emergency notification. The University's authorized representatives will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgement of first responders, issuing a notification potentially compromises efforts to assist victims or to contain, respond to or otherwise mitigate the emergency, the University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community. Once an emergency notification is issued, the university will provide follow up information as soon as possible and as needed.

Appalachian State University performs a university wide annual test of the system and monthly test of its on- campus Siren Warning System. The APPSTATE-ALERT siren warning system is designed to provide campus students, staff, faculty and visitors with an audible notification of an emergency event that affects campus and enables reaching the larger campus community. The University notifies the campus community of the siren testing via email on a monthly basis.

We encourage members of the campus community to enroll in the AppState-ALERT system by visiting <http://em.emergency.appstate.edu/register-appstate-alert>. We also encourage University community members to regularly update their information at the same site.



## Timely Warning

A campus wide “timely warning,” called a Safety Alert, will be issued to the campus community in the event that a situation arises, either on or off campus, which in the judgement of the Chief of Appalachian Police or his designee constitutes an ongoing or continuing threat. The Chief of Appalachian Police will generally make the determination, in consultation with other University officials, if a Safety Alert is to be issued. However, in some cases of immediate or ongoing threats, the university police tele-communicators and supervisors may issue timely warnings.

For incidents involving off-campus crimes, the university may issue a Safety Alert if the crime occurred in a location frequently used by the university population. The warning will be issued through the university emergency notification system to students, faculty, and staff via an email message and text message in cases that pose an imminent threat to campus. The safety alert will provide details of the crime, a description of the suspect, and information that will aid in the prevention of similar incidents, including safety information and protective steps. Appalachian Police may omit some information from the safety alert if providing it could identify the victim or compromise law enforcement efforts to respond.

The timely warnings may be updated when new or more accurate information becomes available. Timely warnings will be issued when the pertinent information is available and the following criteria are met:

**One of the following Clery Crimes is reported in good faith:**

- Criminal Homicide, including: Murder and Manslaughter;
- Sex Offenses, including Rape, Assault with Sexual Motives (Fondling), Incest, and Statutory Rape;
- Robbery;
- Aggravated Assault;
- Major Incidents of Arson; and
- All other Clery Crimes as deemed appropriate.
- The crime is reported by the victim to a Campus Security Authority (CSA) or local/state/federal law enforcement agency that forwards the information to the Appalachian Police for evaluation and dissemination.
- The university determines that the incident represents an ongoing threat to the campus community;
- The crime occurs within the university’s Clery Geography (that property the university owns or controls);
- The perpetrator has not been apprehended;
- There is a substantial risk to the physical safety of other members of the campus community because of the crime;
- The crime represents a pattern that has occurred two or more times within a specific area or period of time.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate and/or continuing threat to the community, the Appalachian Police may issue an

emergency notification via AppState-ALERT in lieu of a timely warning. Emergency notifications are covered in a separate policy that addresses a broader range of incidents and requires a greater urgency than timely warnings.

Institutions are not required to issue a timely warning with respect to crimes reported to a pastoral or professional counselor.

All available information known at the time will be taken into consideration when evaluating the need for a timely warning. Those considerations include, but are not limited to:

- The nature and seriousness of the crime,
- When and where the incident occurred,
- When it was reported,
- The duration of time between the occurrence and the report,
- The relationship between the victim and perpetrator,
- The patterns or trends of other incidents,
- The continuing danger to the campus community, and
- The risk of compromising law enforcement efforts or identifying the victim.

Although each case will be evaluated on an individual basis, timely warnings will not be issued when:

- A report is filed more than 10 days after the date of the alleged incident, unless it has been determined there is a continuing threat to the campus community;
- A report is filed anonymously or by a third party and there is not enough information to evaluate the situation;
- The pertinent information has not been acquired;
- The suspect has been apprehended;
- The report is not made in good faith;
- There is a possible risk of compromising law enforcement efforts or;
- The report does not pose an ongoing threat to the campus.
- Crime reported to a pastoral or professional counselor.

## “Emergency Notification” vs. “Timely Warning”

### **Emergency Notification**

**Scope:** Wide focus on any significant emergency or dangerous situation (may include *Clery Act* crimes).

**Why:** Emergency notification is triggered by an event that is currently occurring on or imminently threatening the campus. Initiate emergency notification procedures for any significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students or employees.

**Where:** Applies to situations that occur on your campus.

**When:** Initiate procedures immediately upon confirmation that a dangerous situation or emergency exists or threatens.

## **Timely Warning**

**Scope:** Narrow focus on *Clery Act* crimes.

**Why:** Timely warnings are triggered by crimes that have already occurred but represent an ongoing threat. Issue a timely warning for any **Clery Act crime** committed on your *Clery Act* geography that is reported to your campus security authorities or a local law enforcement agency, and that is considered by the institution to represent a serious or continuing threat to students and employees.

**Where:** Applies to crimes that occur anywhere on your *Clery Act* geography.

**When:** Issue a warning as soon as the pertinent information is available.

## **Missing Student Notification**

Parents, fellow students, friends and members of the university community who have reason to believe a current student has been missing for 24 hours or more should notify the Appalachian Police Department, Dean of Students, or the Director of University Housing:

- Appalachian Police – 828-262-8000
- Dean of Students – 828-262-2060
- Director of University Housing – 828-262-2160

All reports of missing students shall be directed immediately to the Appalachian Police Department to determine which law enforcement agency has jurisdiction. In cases where the Appalachian Police Officers do not have legal jurisdiction to act, they will notify the appropriate off-campus agency and provide assistance as needed during the missing person investigation.

During on-campus housing move-in, students will be given the opportunity to identify and register a contact person or persons, with University Housing, whom the University will notify within 24 hours of the determination that the student is missing. The student contact information will be registered confidentially, and will only be disclosed to authorized University officials, and law enforcement personnel in furtherance of their missing person investigation.

Students are advised that:

- Contact information will be registered confidentially, that this information will be accessible only to authorized campus officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
- If they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing.
- If they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.
- The institution will notify the local law enforcement agency within 24 hours of the



determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

When it has been determined that a student has been missing for 24 hours, the Appalachian Police shall immediately:

- Inform the law enforcement agency that has jurisdiction, whether or not the student has registered a contact person.
- If the student has designated a contact person, notify that person.
- If the student is under 18 years of age and is not emancipated, notify the student's custodial parent or guardian and any other designated contact person.

*Appalachian State University's policy and procedures on Missing Student Notification 301.4*

## **Student Death Protocol**

Appalachian State University intends to provide a safe and positive environment for all students. When tragedy does occur, it is incumbent upon the University to respond in a sensitive and caring manner, recognizing that individuals respond in different ways to different circumstances that may surround a death. The death of a student affects the entire University community, as well as the family and friends of the deceased. Considering the very sensitive and unpredictable nature of a death, no policy or protocol can describe in complete detail all the steps that must be taken. These guidelines are designed to help faculty, professional staff, administrators and other University employees respond to the death of a student in a cohesive manner.

All deaths on campus will be investigated by Appalachian Police to determine if there are any signs of possible foul play. The area where the deceased is found will be treated as a crime scene and no one will be permitted in the area until such time as police and medical officials approve.

Please refer to the below suggested guidelines and resources in this publication:

<https://policy.appstate.edu/File:Student-Death-Protocol.pdf>

[https://policy.appstate.edu/Student\\_Death\\_Policy](https://policy.appstate.edu/Student_Death_Policy)

## **Environmental Health, Safety & Emergency Management**

The Office of Environmental Health, Safety, and Emergency Management (EHS&EM) is committed to providing a healthy and safe environment for all faculty, staff, students and visitors to the campus. EHMS&EM works in coordination with other departments across campus to build a safe and prepared

campus in support of the University's commitment to campus safety. The department holds the primary responsibility for environmental health, safety, and emergency management functions across campus.

To help carry out these functions, EHS&EM believes in a people and environment first model. While the University must comply with the expectations of numerous governing and regulatory agencies, the people and environment first model allow us to look at the root cause of risk and establish appropriate controls rather than simply seeking to reach code compliance. Code compliance is often the result of thinking more and managing or reducing risk. This same basic model also extends to our emergency preparedness and management programs.

## **Basic Campus Protective Measures**

*Seek Safe Shelter - Shelter in Place - All Clear – Evacuation*

### Seek safe shelter

- During an elevated or high-risk condition, students, staff and faculty may be directed to seek safe shelter. This is a precautionary measure aimed at keeping people safe while indoors. When possible, exterior doors to buildings should be locked but movement inside the building is not necessarily restricted. During this time, people whom are known or who do not fit the description of the suspect(s) may be let into the building.
  - If you are outside trying to enter a locked building, please be prepared to show ID.
  - Leave all parcels, briefcases, backpacks, and gym bags outside away from the building entrance.
  - Students, faculty and staff may be asked to open outer garments for a visual inspection for weapons.
- Consider what actions may needed should the situation escalate to a lockdown of the building.
- If possible to do so without traveling through a danger area, people may also opt to leave campus. There are risks and benefits to trying to leave campus during an emergency situation and this decision is based on individual situations.

### Shelter in place

- This is a term that may be used in an emergency where hazardous materials may have been released into the atmosphere.
- This means go indoors and find an interior room or hallway with few or no windows and take refuge there until an evacuation can be safely initiated or until an all clear is given.
- This does not mean leaving the building to go to a storm shelter, nor does it mean locking and sealing off offices and rooms.

## All clear

- This means that the immediate danger is over and that most functions may resume normal operations. Occupants may re-enter buildings and/or move about campus without restriction unless specifically directed otherwise. Specific guidance regarding University events will be posted to the emergency webpage here: <http://appstatealert.com/>

## Evacuation

- This is the movement of persons from a dangerous or potentially dangerous place to a safe place. Examples are the evacuation of a building due to a bomb threat or fire. In an extreme situation, (e.g. a flood) large portions of and perhaps the entire campus may be required to evacuate.
- When a fire alarm is activated, evacuation is mandatory.
- Do not use elevators; take the stairs.
- Take personal belongings with you.
- Help people with disabilities if possible.

Annually, the University conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year to year, and include several departments from across the campus.

To ensure the University's emergency management plans remain current and actionable, the University will conduct an emergency management exercise, at a minimum once yearly. These exercises may include table drills, emergency operations center exercises, or full-scale emergency response exercises. The University conducts after action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the University will notify the community of the exercise and remind the community of the information included in the University's publicly available information regarding emergency response procedures:

<http://em.emergency.appstate.edu/>

# Testing Ourselves

## Emergency exercise provides preparedness assessment

Appalachian conducted a full-scale emergency exercise on campus May 16, 2017. The elaborate operation, involving more than 100 participants, was an active shooter simulation on campus. The exercise was designed to test the responses and preparedness of people, equipment and resources – from the Chancellor’s Cabinet to emergency personnel and communications – during an emergency.

These exercises serve as potent reminders of the value we place on the safety and wellbeing of everyone in the Appalachian Community, and a testimony to the forethought and effort that regularly goes into ensuring we are prepared.

Special thanks to the [Department of Environmental Health, Safety, and Emergency Management](#) for organizing this valuable drill and for the cooperation and participation by Appalachian Police, Boone Fire Department, Watauga Emergency Medical Services, Watauga County Rescue Squad, Watauga Medical Center and local law enforcement and media agencies.

Exercise Name	Exercise Format	Length of Exercise (minutes)	Exercise Date	Participants	Primary Facilitator
Active Shooter Drill	Drill	1	2018-11-14	55	EHS&EM
November VEOCI Drill	Drill	1	2018-11-14	10	EHS&EM
Chapel Wilson/Valborg BET Active Shooter Drill	Drill	2	2018-08-20	15	EHS&EM
Founders Hall BET Active Shooter Drill	Drill	1.5	2018-10-11	14	EHS&EM
UComm Emergency Communications	Tabletop	1.5	2018-11-13	24	EHS&EM
Belk Library BET Active Shooter Exercise	Drill	2	2018-05-15	47	EHS&EM
2018 Football Tabletop	Tabletop	2	2018-08-08	29	EHS&EM
May VEOCI Drill	Drill	2	2018-05-09	28	EHS&EM
July VEOCI Exercise	Drill	1.5	2018-07-11	30	EHS&EM
January VEOCI Drill	Drill	2	2018-01-10	36	EHS&EM
PFRC Functional Exercise	Functional	180	2019-12-12	39	EHS&EM
Active Assailant Tabletop Exercise	Tabletop	240	2019-10-15	44	Contractor
IG Greer Fire Evacuation	Drill	20	2019-12-04	18	EHS&EM
VEOCI Drill - 11/13/19	Drill	60	2019-11-13	26	EHS&EM
Active Shooter Drill Academy at Middle Fork	Drill	150	2019-10-28	42	EHS&EM
VEOCI Drill - 9/11/19	Drill	60	2019-09-11	31	EHS&EM
Admin Building BET Civil Disturbance TTX	Tabletop	60	2019-08-30	11	EHS&EM
Chapell Wilson Hall BET Civil Unrest	Tabletop	60	2019-08-21	3	EHS&EM
Public Health Measles Isolation & Quarantine Exercise	Tabletop	150	2019-08-27	18	Other
VEOCI Drill - 7/10/19	Drill	60	2019-07-10	16	EHS&EM
Active Shooter Founders Hall	Tabletop	30	2019-06-26	6	EHS&EM
Football Stadium TTX 2019	Tabletop	3	2019-06-19	21	EHS&EM
PFRC TTX	Tabletop	3	2019-05-09	15	EHS&EM
VEOCI Drill - 3/13/19	Drill	1	2019-03-13	30	EHS&EM
January VEOCI Drill	Drill	1	2019-01-15	18	EHS&EM

## Appalachian RAVE Guardian Campus Safety App

In a medical or life emergency, you should ALWAYS call 911 or 262-8000. It is the fastest, most reliable means of getting emergency assistance. However, The Appalachian Safety App can turn your phone into an additional personal safety device.

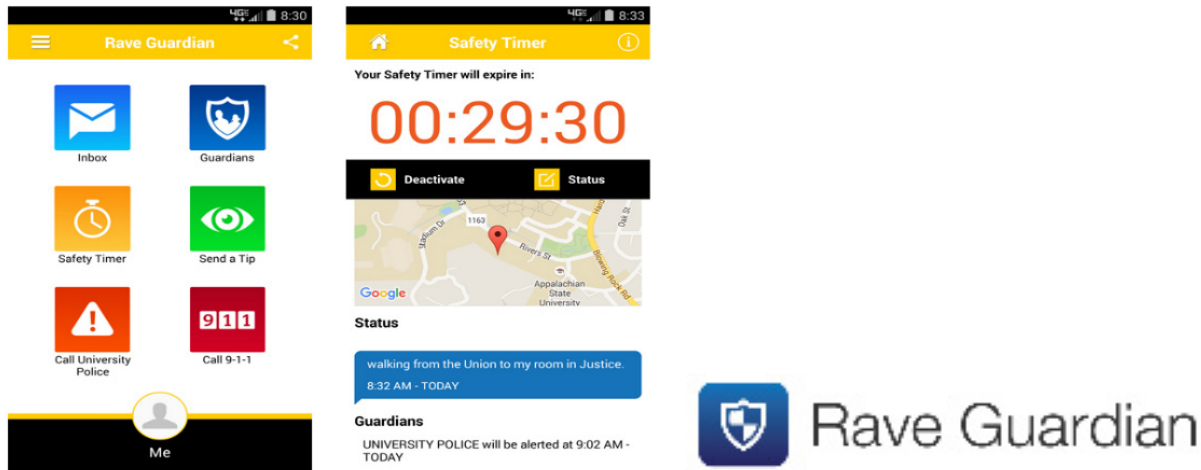
The app offers two services.

- **RAVE Guardian:** You can set a Safety Timer, which will notify people you trust to check in on you if you are alone or in an unfamiliar place. During the timer session, designated guardians can check the status of a student. If the safety timer function is not deactivated before it expires, the Appalachian Police department is automatically provided with the user's Rave Guardian profile to proactively identify and check in on the individual. The app can be downloaded by going to your app store using one of the following links:

iPhones: <https://itunes.apple.com/us/app/raveguardian/id691246562?mt=8>

Android: <https://play.google.com/store/apps/details?id=com.ravemobilesafety.raveguardian>

Here's a view of what you will see on your phone when you use the app:



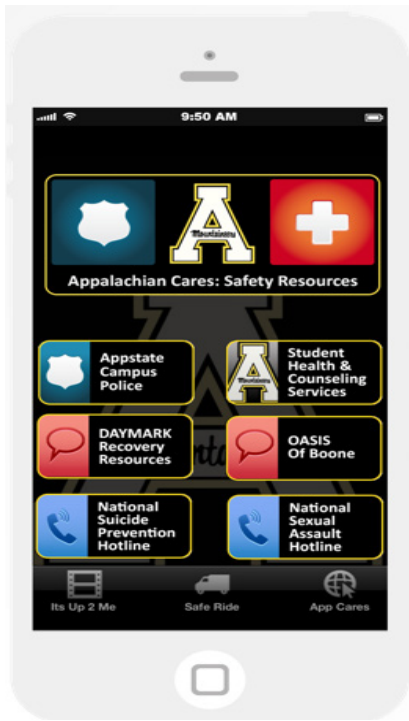
- **RAVE Eye Witness:** This is an anonymous, two-way tip texting service. This should not be used to report medical or other emergencies, but it is a method to report safety concerns and suspicious activity to Appalachian Police. To text Appalachian Police, text: appstatetip - followed by your message to 67283.

When using the safety app timer, Appalachian Police should only be assigned as a Guardian when the user is on campus. If the user is off-campus and/or away from Boone, Appalachian Police cannot respond or provide assistance.

When using the RAVE Guardian feature, Appalachian Police can only see the user's profile when the safety app timer alarms or when the user calls for emergency help. No user information is visible otherwise.

The 911 feature in the safety app will always call the nearest 911 center, regardless of the user's location. Users are encouraged to include as much information as they are comfortable providing in their profile, which is completed within the safety app. The more information available, the better the assistance that can be provided in the event of an emergency.

Download the FREE Rave Guardian safety app to check in with family, friends, the Appalachian Police Department, or others you trust to help you stay safe both on and off campus.



## Appalachian Cares Mobile App

Keep important safety information at your fingertips with the Appalachian Cares mobile app. It includes links and telephone numbers for Appalachian Police, student health and counseling services, Safe Ride and Safe Walk, local community resources and national hotlines.

## Campus Security Policies, Crime Prevention & Safety Awareness Programs

### Crime Prevention

Crime Prevention is the anticipation, recognition, and appraisal of a crime risk and the initiation of some action to remove or reduce the risk. The Appalachian Police Department advocates a proactive approach to Crime Prevention. This approach is exemplified by various education and information programs provided for faculty, staff and students by the Appalachian Police Department. These programs are based upon the concepts of eliminating or minimizing criminal opportunities, and encouraging the Appalachian community to be responsible for their own security as well as others. Our Crime Prevention Specialist is the liaison between Appalachian Police and the Appalachian community. Education and awareness programs are designed to make students more aware of crimes that happen both on and off campus and to educate them on crime prevention techniques. For a listing of programs offered, please see our Educational Programs page at <http://police.appstate.edu/educational-programs>.

In addition to the many programs offered by Appalachian State University, the Appalachian Police Department, and other university departments, the University has established a number of policies and procedures related to ensuring a reasonably safe campus community. Please visit [https://policy.appstate.edu/Policy\\_Manual](https://policy.appstate.edu/Policy_Manual)

## **Health and Safety Council**

Formed in 2008, the University Health and Safety Council is dedicated to your safety and security, both on- and off-campus. The Council was established to oversee all of the organizations on-campus that offer you help and resources with the mission of making the Appalachian community a safer place for everyone, regardless of whether you're a student, staff member, or faculty member. Part of the mission is to maintain an ongoing focus on the advancement of the University's protection, prevention, and education efforts that directly impact the health, wellness and safety of Appalachian State's campus and community.

The Health and Safety Council focuses on many key issues, including high-profile problems confronting many colleges and universities, including:

- Sexual violence and alcohol and substance abuse
- State and federal regulation of campus safety
- Crime reporting
- Effective and fair disciplinary proceedings
- Institutional risk management

The University Health and Safety Council is an oversight council for all types of University groups including clubs, committees, and everything in between, with the mission to keep campus a safe place for everyone. The Council is also home to several subcommittees, including, but not limited to the Interpersonal Violence Council.

## **Interpersonal Violence Council**

The Interpersonal Violence Council is charged with the following:

- Collect and analyze data on interpersonal violence at Appalachian and nationally;
- Examine nationally known best practices involving prevention, education and support services;
- Evaluate existing services at Appalachian which support victims of interpersonal violence; and
- Recommend short and long-term strategies, practices, and policies regarding prevention of and response to sexual assault and other forms of interpersonal violence.

## **Behavioral Intervention**

### **Early Intervention Team**

The Early Intervention Team is a faculty- and staff-led team, which consults with personnel from Counseling and Psychological Services, the Student Wellness Center, the Institute for Health and Human Services, the Learning Assistance Program, the University College Academic Advising and

Orientation Center and a number of other units on campus. The team's main function is to meet with students who are showing signs of difficulty with university life and who have been referred by faculty or staff. Students may make referrals through a faculty member. The meetings with referred students are non-disciplinary and are intended to offer support and connect students with resources that can assist them to become healthier and more productive members of the community.

The Early Intervention Team is not intended to substitute for faculty and staff conversations with students or to take the place of referrals to the Counseling Center. Rather, it is hoped that faculty and staff, in contacting the Early Intervention Team, will simultaneously also encourage students to visit the Counseling Center.

### **Threat Assessment Team**

Appalachian State University is committed to providing a workplace that is free from violence by establishing preventative measures, by holding perpetrators of violence accountable, and by providing assistance and support to victims. A Threat Assessment Team has been established to assess both immediate and potential threats of violence, including threats that could potentially impact the University workplace. Any form of Workplace Violence as defined in this policy may be cause for disciplinary sanctions, up to and including dismissal. Violent acts, whether on-duty or off-duty, affect the ability of all employees to perform their jobs. The University will apply all useful management tools to accomplish the dual purpose of reducing the effects of violence on victims and the University community and holding perpetrators of violence accountable for their actions. The Office of Human Resources, the Office of the Provost, the Office of Student Employment, Appalachian Police, the Office of the Dean of Students, Counseling for Faculty & Staff, and Counseling & Psychological Services, and office of Title IX Compliance are resources for victims of Workplace Violence.

### **CARE Team**

Appalachian State University is an institution that is focused on student retention and promoting a healthy and safe environment for student development; the Campus Awareness, Response, and Education (CARE) Team is one method through which the university attempts to safeguard its students from mental, social, and emotional challenges. The CARE Team deals with behavioral concerns regarding students, including but not limited to: suicidal ideation, mental health concerns, sexual assault/misconduct, assault, arrest, death in the family, or any other significant event.

### **Emergency Management Task Force**

Appalachian State University's Emergency Management Task Force (EMTF) plans for and responds to crises affecting the University. This mission is accomplished through an innovative and comprehensive emergency management, business continuity, and disaster recovery planning process. The EMTF coordinates the organizational resources of the University during crisis response through a collaborative approach to crisis management based upon best practices and executive authority.



## Composition

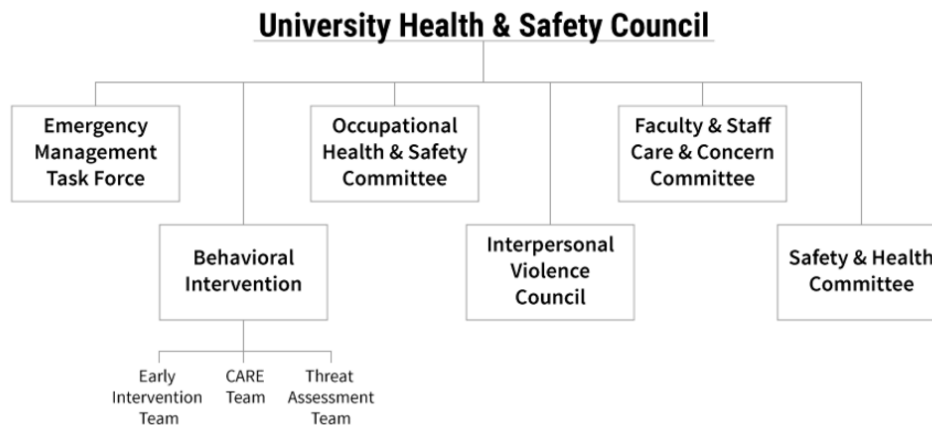
The EMTF is composed of a primary and at least one alternate representative from each organizational entity reporting directly to the Chancellor:

- Chancellor's Office
- Academic Affairs
- Business Affairs
- Advancement
- Student Development
- Human Resources
- Athletics
- University Communications

Each member of the EMTF has the authority to make formal recommendations on behalf of the division or department and coordinate resources during an activation of the University Emergency Operations Center (EOC).

## Occupational Health and Safety Committee

The Purpose of the Occupational Safety & Health Committee is to encourage involvement of all faculty, staff, and students at the non-management and management levels in the ongoing responsibility of providing a safe work and learning environment.



## Crime Prevention and Safety Awareness Programs

Crime Prevention is the anticipation, recognition, and appraisal of a crime risk and the initiation of some action to remove or reduce the risk. The Appalachian Police Department advocates a proactive approach to Crime Prevention. This approach is exemplified by various education and information programs provided for faculty, staff and students by the Appalachian Police Department. These programs are based upon the concepts of eliminating or minimizing criminal opportunities, and encouraging the University

community to be responsible for its own security as that of others. Education and awareness programs are designed to make students more aware of crimes that happen both on and off campus and to educate them on crime prevention techniques.

### **Alcohol Awareness**

This program is for the entire campus community and provides information on alcohol abuse. The program covers such topics as underage drinking, binge drinking, and effects on the body and legal ramifications of alcohol use both on and off campus. A question and answer session conclude the presentation.

### **Drug Awareness**

This program is for the entire campus community and provides information on drug abuse. The program covers such topics as Drug ID Kit, effects on the body and legal ramifications of drug abuse both on and off campus.

### **Operation I.D.**

This service allows the campus community to check out electric engravers at no charge from the Appalachian Police Department and the Student Housing Department. The Appalachian Police offer advice to faculty, staff and students about which items should be engraved for identification purposes. A property sheet to record identification numbers is also furnished to aid in the recovery of stolen items.

### **Orientation**

This program is presented to incoming students and their parents and is designed to increase awareness of crime on campus. The program addresses police related issues and how it affects the individual while attending Appalachian. This program is presented several times each year.

### **Personal Safety Seminars**

These seminars are designed to improve safety habits within the student population. Topics include residence hall security, personal safety habits, reporting illegal or suspicious activity, crime on campus, and police services. This program allows the student the opportunity to address safety related concerns and to receive an appropriate response.

### **R.A. and R.D. Training**

At the beginning of each school year the Appalachian Police Department assists in training University Housing staff on campus safety, awareness and all police services. This includes Alcohol and Drug awareness and sexual assault protocols. The Clery Compliance coordinator also trains all housing staff to include RD / RA concerning their role as Campus Security Authorities.

### **Rape Aggression Defense (RAD)**

The Rape Aggression Defense System is dedicated to teaching women and men defensive concepts and

techniques against various types of assault by utilizing easy, effective and proven self-defense/martial arts tactics. Our system of realistic defense will provide a student with the knowledge to make an educated decision about resistance.

### **Safety Walk**

The Appalachian Police Department also supports the annual Student Government Association's campus safety walk. The purpose of the walk is to survey the adequacy and maintenance of campus lighting and blue light phones, and to see that landscaping near buildings and along walkways does not obscure vision or present other safety hazards. During the walk students can make recommendations to add lighting and blue light emergency phones.

### **Security Surveys**

Upon request, a survey of the interior and exterior of a particular facility is conducted to determine vulnerability to criminal activity. A written report is sent to the requester with the recommendations on improving security.

### **Sexual Assault Prevention**

This program is for the entire campus community and addresses acquaintance rape, statistics, victim resources, and reporting procedures. We also provide information and prevention tips about the various so called "date rape" drugs.

## **It's Up to Me/Us**

Any situation that threatens physical harm to yourself or someone else should be assessed carefully. Through the Division of Student Affairs' campaign It's Up to Me/Us, App State students are encouraged to never hesitate to call the police if they need help to defuse a situation. It's Up to Me/Us emphasizes four primary messages: Be aware, ask and listen, have a plan and say something. More information on the campaign is available at <https://appcares.appstate.edu/tips/>.

## **Risk Reduction Techniques**

Most people want to respect others' boundaries. Without education, skill building, and practice, consent violations may happen. It is still the responsibility of each of us to respect another person's (partner, friend, etc.) boundaries. These abbreviated Q&A are from [www.LoveIsRespect.org](http://www.LoveIsRespect.org).

### **How am I supposed to know my partner's boundaries?**

- Ask early and often. You can do this in person, online, via text, or over video chat. Everyone's boundaries are different and should be respected (including yours).

- If you're not sure, ask.

### **But my partner's boundaries make me unhappy in the relationship!**

- Each person has a right to have their own feelings and needs.
- No one should try to impose their needs or feelings on another person.
- If you find your boundaries clashing, start by looking at your own boundaries to see if they're potentially putting unhealthy or unrealistic expectations on your partner.

### **Boundaries + sex**

- It's easy to get swept up in the moment and forget to ask your partner(s) about their physical boundaries. But when it comes to intimacy, sex, and methods of protection, everyone has different backgrounds, desires, and comfort levels, and it's important to be mindful of the fact that [what's okay with you might not be okay with your partner](#).
- Try to talk with your partner about their boundaries and expectations around sex before you're in the moment. Communicating with each other in the moment to make sure everything feels good the whole time and no one feels uncomfortable is also a good idea.
- Check out [Scarleteen's checklist](#) you can use with your partner(s) to learn each other's sexual boundaries: [Yes, No, Maybe So](#).
- Our levels of comfort and desire change, so we can't assume that just because a partner was okay with something in the past, that they will always be okay with it. Everyone (including you) has the right to change their boundaries anytime, for any reason.

### **Digital life + privacy**

- **True or False?** If your partner doesn't have anything to hide, they should be OK sharing their passwords, text messages, DMs, apps, emails, etc.
- **False!** Having privacy doesn't mean that your partner is hiding anything. Everyone has the right to privacy, and no one should have to give it up to be in a relationship. Doing things like asking your partner for passwords to social media, email, their phone, or expecting them to tell you where they go and who they're with violates their basic right to privacy, and can be a form of [digital abuse](#).
- If you're finding it hard to respect your partner's privacy, it may be a red flag that you're having trouble trusting them. If trust is lacking in your relationship, it is impossible for the relationship to be healthy. If you find that you can't trust your partner, get to the bottom of those feelings to find out why.

## **Additional tips**

No victim is ever to blame for being assaulted or abused. Below are some tips to help reduce risk of becoming a victim through the recognition of some possible warning signs:

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation. Learn a well-lit route to your place of residence and avoid putting headphones in both ears, especially if you are walking alone.
- Try to avoid isolated areas and becoming isolated with someone you don't trust or someone you don't know well. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Make sure your cell phone is with you and charged and that you have some cash in case you need it.

## **In a Social Situation**

- When you go to a party, go with a group of friends. Arrive together, check in with each other and leave together.
- Practice responsible drinking. If someone offers to get you a drink from the bar at a club or party, go with them to the bar to order it, watch it being poured, and carry it yourself. Don't drink from punch bowls or other large, common open containers. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. Watch out for your friends, and vice versa.
- Have a buddy system. Don't be afraid to let a friend know if something is making you uncomfortable or if you are worried about your or your friend's safety.
- If someone you don't know or trust asks you to go somewhere alone, let him or her know that you would rather stay with the group.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way out of an unsafe situation.

## **Bystander Intervention**

Bystander intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- Recognizing situations of potential harm;
- Understanding institutional structures and cultural conditions that facilitate violence (this

might include fraternity or sports cultures at some institutions);

- Overcoming barriers to intervening;
- Identifying safe and effective intervention options; and
- Taking action to intervene.

**Risk reduction is defined as options designed to:**

- Decrease perpetration and bystander inaction;
- Increase empowerment for victims in order to promote safety;
- Help individuals and communities address conditions that facilitate violence.

**Intervening to Help a Friend:**

- Bystander intervention is one of the most effective ways to prevent sexual assault.
- An active bystander is someone who has the moral courage to find a way to safely intervene to stop a potentially dangerous situation.
- There is evidence to suggest that the presence of bystanders reduces crime, and criminals may try to avoid being observed while committing crimes.
- If you are witnessing an uncomfortable situation, don't leave the room, and keep your eyes indirectly on the interaction.

**Safety is Your Top Priority:**

Before jumping into a potentially dangerous situation, be smart and think about your own safety too.

Ask yourself these questions:

- How can I keep myself safe in this situation?
- What are all the options available?
- Who else might be able to assist me?

Aside from safety in numbers, you may have more influence on the situation when you work together with someone else or even several people.

## **The 3 D's of Bystander Intervention**

**Distract:** Anything that distracts someone enough to discontinue the abusive behavior.

- Spill a drink
- Ask the abuser for directions
- Ask the victim to assist with a task
- Tell the abuser their car is being towed

**Delegate:** If you do not feel comfortable or safe intervening, delegate the intervention to someone else.

- Tell a trusted professor

- Alert a bartender or security that someone has had too much to drink.
- Ask the host of the party to intervene

**Direct:** Directly address the abuse. Point out threatening or inappropriate behavior in a safe, respectful manner. You can either confront the potential victim or the person you think is about to abuse.

- Ask the victim if they are OK
- Tell the abuser it isn't cool to talk to someone like that.

## Wellness and Prevention Services

Office of the Wellness and Prevention Services offers a variety of wellness programs throughout the academic year for all students at Appalachian State University.

Wellness and Prevention Services recognize that wellness encompasses more than physical health. Wellness and Prevention programs and services highlight each of the 8 dimensions of wellness to provide students the opportunity to support their well-being. You can visit <https://wellness.appstate.edu/> to learn more about the programs listed below, or contact Dr. Alex Howard, director of wellness and prevention services.

- Alcohol and other Drug Programs
- Mental Health Programs
- General Wellness Programs
- Nutrition and Body Image Programs
- Sexual Health Programs
- Peer Education

It is the mission of the Wellness and Prevention Services to serve all students through the promotion of healthy behaviors, risk behavior modification services, and advocacy for campus-wide health policies which facilitate student success and holistic well-being. They offer services promoting health awareness and active lifestyles while taking a holistic approach to wellness, encompassing the following eight dimensions:



### Contact Information

Miles Annas Student Services Building  
P.O. Box 32130  
614 Howard Street  
Boone, NC 28608  
Phone: (828) 262-3148

**“Creating an environment in which all students of the Appalachian community can thrive and achieve optimal well-being.”**

## **Wellness Resources**

### Emotional Resources

- Counseling and Psychological Services
- Office of the Dean of Students

### Environmental Resources

- Appalachian and the Community Together (ACT)
- Office of Sustainability
- Outdoor Programs

### Financial Resources

- Office of Student Financial Aid
- North Carolina Problem Gambling Program
- Gamblers Anonymous
- National Council on Problem Gambling
- National Center for Responsible Gaming
- Gambler’s Anonymous Quiz

### Intellectual Resources

- Belk Library and Information Commons
- Office of Disability Services
- Student Success Team
- University Writing Center
- University Tutoring Services

### Occupational Resources

- Career Development Center
- Career Exploration

### Physical Resources

- Campus Food Pantry and Free Store
- M.S. Shook Student Health Services



- University Recreation
- Fitness
- Club Sports
- Intramural Sports
- Outdoor Programs

#### Social Resources

- Appalachian Popular Programming Society
- Appalachian State Collegiate Recovery Program
- Henderson Springs LGBT Center
- Multicultural Student Center
- Residence Life
- Student Engagement and Leadership
- Student Conduct
- Women's Center

#### Spiritual Resources

- Mindful Meditation
- Multicultural Student Development

## **Appalachian State University's Response to Sexual Assault, Domestic Violence, Dating Violence & Stalking**

### **Prohibition of Sexual Misconduct and Harassment, Relationship Violence, Stalking**

The institution of higher learning prohibits the offenses of dating violence, domestic violence, sexual assault, and stalking.

Appalachian State University is committed to providing a place of learning and work that is free of violence, including all forms of violence, harassment, intimidation or exploitation.

Appalachian State University does not tolerate any form of sexual misconduct or harassment, relationship violence, (which includes domestic and dating/intimate partner violence), or stalking on any university property or at any university-sponsored event.

Victims often have difficulty reporting a sexual assault for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

### **Personal Safety**

Theft, disorderly conduct, and alcohol related offenses are very common on university campuses.

However, they don't stand alone. Despite law enforcement efforts, serious crimes do occur on campus. It is important to report any suspicious incidents to police and always remain alert and vigilant. One of the more serious crimes that too often is unreported is sexual assault. It is important to know what these crimes are, because, in many cases, victims do not realize that they have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to assist those who may have been victims of sexual assault or who have a friend who has been sexually assaulted. There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes, including the following:

### *Know your surroundings*

- Be alert.
- Call for help.
- Report any suspicious people and/or activity immediately.

## **Defining Rape and Sexual Assault**

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

### Violence Against Women's Act Definitions

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

In North Carolina, Rape and Sexual Offenses & Stalking are defined as:

**First Degree Rape [GS 14-27.21; Class B1 felony].** Defined as vaginal intercourse by force, and against the will of the other person with the use of a weapon or article which the other person reasonably believes to be a dangerous or deadly weapon. This includes an act that inflicts serious injury and/or is aided and abetted by one or more others. (*note: Vaginal intercourse is defined by case law as the slightest*

*penetration of the female sex organ by the male sex organ. See State v. Summers, 92 NC App. 453, 374 SE2d 631 (1988), cert. den., 324 NC 341, 378 SE2d 806 (1989).*

**First Degree Sexual Offense [GS 14-27.26; Class B1 felony].** Defined as sexual acts (not vaginal intercourse) that occur by force, against the will of the other person and with the use of a weapon or article which the other person reasonably believes to be a dangerous or deadly weapon. This includes an act that inflicts serious injury and/ or is aided and abetted by one or more others. (*Note: 'Sexual act' defined by GS 14-27.20 (4) includes the following acts: cunnilingus, fellatio, analingus, or anal intercourse, as well as the penetration, however slight, by any object into the genital or anal opening of another person's body.*)

**Second Degree Rape [GS 14-27.22; Class C felony].** Defined as vaginal intercourse by force, and against the will of the other person. This offense includes vaginal intercourse with a victim who the perpetrator knows or should reasonably know is mentally disabled, mentally incapacitated or physically helpless. This includes most drug-facilitated sexual assaults. (*Note: this definition and charge does not involve injuries.*)

**Second Degree Sexual Offense [GS 14-27.27; Class C felony].** Defined as sexual acts (not vaginal intercourse) by force and against the will of the other person. This offense includes sexual acts with a victim who the perpetrator knows or should reasonably know is mentally disabled, mentally incapacitated or physically helpless. This includes most drug-facilitated sexual acts. (*Note: this definition and charge does not involve injuries.*)

**Stalking [GS 14-277.3A]** Stalking involves severe intrusions on the victim's personal privacy and autonomy

- (1) Course of conduct. - Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- (2) Harasses or harassment. - Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
- (3) Reasonable person. - A reasonable person in the victim's circumstances.
- (4) Substantial emotional distress. - Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

Offense. - A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

- Fear for the person's safety or the safety of the person's immediate family or close personal associates.
- Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

## **Procedures Victims May Follow If a Crime of Domestic Violence, Dating Violence, Sexual Assault, Sexual Harassment or Stalking has Occurred**

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence.

If the victim would like to preserve physical evidence, they should try not bathe, shower, brush teeth, douche, use the toilet, or change clothing until they have a medical exam or sexual assault forensic exam. Contact a close friend or relative, or someone you trust, who can provide support and accompany the victim to the medical exam and/or police department. Advocates from Oasis, a local domestic and sexual assault survivor support and advocacy organization, can be available to the victim to provide support. This should include all social media communication if any to include text messages, and or photographs.

Get medical attention as soon as possible. A physical or a forensic exam may reveal the presence of injury of which the victim is unaware, and can be a way of collecting evidence.

- Consider contacting the police. Sexual assault is a crime, and reports are vital to the safety of the community. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District Attorney.
- Consider talking to a counselor. Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery.
- Take care of your physical and emotional well-being.
- Try to eat well, get enough sleep, and exercise. Remember that it is not your fault, and you are not alone.
- Learn about common reactions to trauma.

Everyone is different, but it is good to understand what you might expect and know that others have experienced similar reactions. There is a wide range of range of symptoms, and common reactions include the following:

- Having work or school problems
- Feelings of hopelessness
- Trouble sleeping and feeling very tired
- Stomach upset and trouble eating
- Pounding heart
- Feeling edgy

## Let others help

- **Friends and family** can offer support by listening to you, keeping you company, walking to class with you, or going with you to appointments.
- The [M.S. Shook Student Health Service](#) offers free health services for students.
- [App State's Counseling and Psychological Services](#) can provide free counseling support via zoom or phone.
- Medical care and counseling services are confidential and they can connect you with additional resources, if needed. If you're not sure where to begin, the [Interpersonal Violence Specialist](#) is available to meet with students who have experienced any form of interpersonal violence or those who are concerned about a friend.

Appalachian State University does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Code of Student Conduct and University policy 110 and may also violate state and federal laws. Violations of this policy are subject to disciplinary sanctions through the Office of Student Conduct.

In compliance with federal laws the University has adopted policies and procedures to prevent and respond to incidents of interpersonal violence which include, but are not limited to, sexual assault, date or acquaintance rape, dating violence, domestic violence and stalking involving members of our campus community. These guidelines apply to all students, faculty, staff, contractors and visitors to our campus. Incidents of interpersonal violence are a serious concern to the University, and a person responsible for such acts can be subject to the most serious sanctions or disciplinary actions, up to and including dismissal (employees) or expulsion (students).

## Reporting an Incident of Interpersonal Violence

If any student or employee has been the victim of an incident of interpersonal violence, they can report to the Appalachian Police Department by calling 828-262-8000. In case of an emergency or ongoing threat, victims should first move to a safe location and then call 911. Upon the request of victims, Appalachian Police can assist victims in reporting the crime to the appropriate law enforcement agency if the incident happened at an off-campus location.

Students may also report incidents of interpersonal violence to the Title IX Coordinator by calling 828-262-2144, the Office of the Dean of Students by calling 828-262-8284 or any other non-law enforcement campus security authorities. Employees are required to report students' incidents of interpersonal violence to the Office of Title IX Compliance (Title IX Coordinator) at 828-262-2144. These offices will assist any victim in notifying law enforcement, if the victim elects to do so. Victims are not required to report to law enforcement in order to receive assistance from or pursue any other options with the University.

## **Victim's Right and Options**

Any student or employee who reports to the University as a victim of an incident of interpersonal violence, whether the incident occurred on or off campus, shall receive a written explanation of their options and rights. This information will be provided to the victim by the Appalachian Police, Office of the Dean of Students, Office of Human Resources, Office of the Provost, or the Office of Title IX Compliance. Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. This notice will include information on resources available from the University and the community. Under North Carolina State Law, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

### **North Carolina Declaration of Rights for Victims of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

- The right, as prescribed by law, to be informed of and to be present at court proceedings of the accused.
- The right to be heard at sentencing of the accused in a manner prescribed by law and at other times as prescribed by law or deemed appropriate by court.
- The right as prescribed by law to receive restitution.
- The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.
- The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.
- The rights as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence.
- The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.
- The right as prescribed by law to confer with the prosecution.

Upon written request, the University will disclose to the alleged victim of a crime of violence or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim

## **Preserving Evidence.**

In order to preserve the widest range of options, including pursuing a successful criminal prosecution, it's helpful to understand the importance of preserving evidence:

- Completing a forensic exam at a hospital does not require a victim to file a police report.
- An advocate at your [local sexual assault service provider](#) can talk through how the exam can be paid for, how to keep the exam private from a parent or partner if you share insurance, can accompany you to the exam, and often are available 24/7 for assistance.
- A victim of a sexual assault may have a strong urge to wash or shower but should not attempt to wash, douche, use the toilet, or change clothing prior to a medical exam, which is important both to address any health issues that may arise or have occurred as a result of the sexual assault and evidence collection should the victim wish to pursue criminal charges at a later date. Any clothing removed should be placed in a paper, not a plastic, bag.
- Evidence of violence such as bruising or other visible injuries, following an incident of interpersonal violence should be documented by photographs. Evidence of stalking, including any communication, such as written notes, voice mail, texts, Facebook posts or other electronic communications, should be saved and not altered in any way.

## **Medical, Counseling and Other Services.**

Medical treatment, counseling, and advocacy services for victims of interpersonal violence are available both on-campus and off-campus. The University has many advocacy offices, and cooperative relationships with community partners that are available to assist any student or employee free of charge and will help them consider their options and navigate through any resources they elect to pursue. A victim need not make a formal report to law enforcement or the University to access these resources that include, but are not limited to, the following:

Office of the Dean of Students 828-262-8284

Office of Title IX Compliance 828-262-2144

Office of Human Resources 828-262-3187

Student Counseling and Psychological Services 828-262-3180

Student Health Services 828-262-3100

Wellness and Prevention Services 828-262-3148

Student Legal Clinic 828-262-8284

Student Financial Aid 828-262-2190

Counseling for Faculty & Staff 828-262-4951

OASIS Crisis Office (off-campus) 828-264-1532

OASIS Crisis Line (24/7) 828-262-5035

Daymark Recovery Services (off-campus) 828-264-HELP

Against All Odds, Inc. (off-campus) 828-386-1546

Watauga Medical Center (off-campus) 828-262-4164

Rape Crisis Center of Catawba County (Burke Center) 828-322-6011

Shelter Home Caldwell County (Caldwell Center) 828-758-0888

First Step-Abuse Services/24 Hour Shelter (Hickory Center) 828-322-1400

### **Assistance Options**

Whether or not students or employees report to law enforcement and/or pursue any formal action, if they report an incident of interpersonal violence, the University is committed to providing them as safe a learning or working environment as possible. Upon request, the University will make every reasonable effort available to ensure that a victim's academic, living, transportation, and/or working situation are viewed by the victim as safe and supportive. Students may contact the Office of the Dean of Students at 828-262-8284 for assistance, and employees may contact their supervisors, the Office of Title IX Compliance at 828-262-2144, or the Office of Human Resources at 828-262-3187. If a victim reports to the University, the University will assist the victim in obtaining a domestic violence and/or civil no-contact order from a criminal court if the victim requests such assistance. The University is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. The University is also committed to protecting victims from any further harm and may issue University no-contact orders for students or employees, and may ban students or employees from certain University property and may ban non-university persons from campus.

### **Victim Confidentiality**

The University recognizes the often-sensitive nature of interpersonal violence incidents and is committed to protecting the privacy of any individual who makes a report. Different university officials and personnel are, however, only able to offer varying levels of privacy protection to victims of interpersonal violence. Reports made to law enforcement, if criminal prosecution is pursued, may be made public under the public records law found in Chapter 132 of the North Carolina General Statutes as follows:

- A public law enforcement agency shall temporarily withhold the name or address of a complaining witness [victim] if release of the information is reasonably likely to pose a threat to the mental health, physical health, or personal safety of the complaining witness [victim] or materially compromise a continuing or future criminal investigation or criminal intelligence operation.
- Information temporarily withheld under this subsection shall be made available for release to the public in accordance with G.S. 132-6 as soon as the circumstances that justify withholding it cease to exist.

Reports made to non-law enforcement officials will be kept private, and identifying information about the victim shall not be made public, to the extent permitted by law. Information about victims who report incidents of interpersonal violence and any assistance provided a victim will only be shared with



university personnel as needed to effectively respond to the incident. Every effort will be made to limit the scope of information shared, keeping it to a minimum of detail, and only shared when necessary.

Should a student wish to seek resources that provide confidentiality, they should be encouraged to visit the Counseling and Psychological Services, Student Legal Clinic, Student Health Service, or Ombuds Office.

It is mandatory that the university follow required Clery Act reporting of crimes within our Clery Act geography to include emergency notifications. Such crime statistic and warnings will protect a victim confidentially. Reports made to medical professionals, licensed mental health professionals, pastoral counselors, and OASIS crisis counselors will not be shared with any third parties except in cases of imminent danger to the victim or a third party. Obligations under Title IX for Mandatory Reporters also requires the reporting of information if there are incidents of interpersonal violence.

### **Education Programs**

The University is committed to increasing awareness of and preventing all types of interpersonal violence. All incoming students and new employees are provided with programming and strategies intended to prevent interpersonal violence before an incident occurs through the changing of social norms and other approaches that are publicized on our AppCares web site. Ongoing prevention and awareness programs and campaigns are also offered throughout the year. These include:

- AppWay Programs during Freshman and Transfer Student Orientations
- Interpersonal Violence Awareness and Prevention training for supervisors
- HAVEN mandatory for all new incoming students
- HAVEN mandatory for all employees
- New Employee and Faculty Orientations
- Live performance programs such as Sex and a Six Pack, Risqué Business, and Sex Signals
- Rape Aggression Defense (RAD) classes
- Red Flag Campaign
- Bystander Intervention Campaign called “It’s Up to Me/Us”
- Residence Hall floor programs
- Seminars for staff & faculty
- AppCares Mobile App
- Take back the Night Walk for Awareness
- Safety Week Safety Festival
- Sexual Assault Awareness Month
- Healthy Lives Rising for Athletics and Greek Life.
- Men on the Mountain – Violence Awareness/Prevention
- I am Appalachian (all First Year Students)

Once a victim of sexual assault has made a personal request for assistance, the primary concern should be that of support. The following procedures are to be used when offering initial assistance to the

victim of a sexual assault:

If you have been identified as having reporting obligations, ensure that the victim understands your responsibilities to share information before they speak with you. If they are not comfortable with your obligations, provide them with alternate and confidential reporting options (e.g., medical provider, campus or pastoral counselors, or the local rape crisis center).

- Calmly maintain a supportive and listening posture at all times.
- Determine the location of the victim and if possible, the whereabouts of the perpetrator.
- Determine whether the victim is now safe or is injured and if medical assistance is needed.
- Determine what type of help the victim would like. For example, does the victim want law enforcement assistance, counseling assistance, or wish to visit the hospital? Offer these options to the victim to build trust and support.
- Politely suggest that the victim consider visiting the hospital before bathing, washing, or cleaning any body parts, or before changing clothes or disposing of any other evidence that may be valuable in apprehending the suspect.
- If the victim is willing to accept assistance, contact and request the assistance of a responsible person (police, counselor, friend, family member, App State Housing staff, Dean of Students, or local police.
- Offer unconditional support to the victim by staying on the telephone or by accompanying the victim to the hospital, if requested..

## Definitions, Interpersonal Violence

**Domestic violence [34 CFR 668.46(a)]:** A felony or misdemeanor crime of violence committed by:

- (a) A current or former spouse or intimate partner of the victim;
- (b) A person with whom the victim shares a child in common;
- (c) A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (d) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (e) Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Dating violence [34 CFR 668.46(a)]:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

- a) The length of the relationship.
- b) The type of relationship.
- c) The frequency of interaction between the persons involved in the relationship.

For the purpose of this definition-

- a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of

such abuse.

- b. Dating violence does not include acts covered under the definition of domestic violence.

**Stalking [34 CFR 668.46(a):** (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- a) Fear for the person’s safety or the safety of others; or
- b) suffer substantial emotional distress.

For purposes of this definition –

- a. *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- b. *Reasonable person*” means a reasonable person under similar circumstances and with similar identities to the victim.
- c. *Substantial emotional distress*” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

North Carolina criminal statutes [GS 14-277.3A(c); Class A1 misdemeanor; second conviction Class F felony] define “stalking” as: willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

- (1) Fear for the person’s safety or the safety of the person’s immediate family or close personal associates.
- (2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

Under subsection (b) of the same statute:

- (1) “Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- (2) “Reasonable person” means a reasonable person in the victim’s circumstances.
- (3) “Substantial emotional distress” means significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

For purposes of student discipline, the Code of Student Conduct defines “stalking” more broadly: Engaging in any actions on more than one occasion directed at a specific individual that places or is likely to place a reasonable individual in fear or at risk of physical, mental, or emotional harm for

themselves or others. Such actions may occur directly, indirectly, or through a third party, and may include, but are not limited to, unwelcome communication of any type (e.g., face-to-face, telephone calls, voice messages, electronic mail, written letters or notes); unwanted gifts; pursuing/following; observing/surveillance; or interference with property.

**Sexual Harassment:** Engaging in a course of conduct on the basis of sex that satisfied one or more of the following:

- (1) An employee of the institution conditioning the provision of an aid, benefit or service of the college on an individual's participation in in welcome sexual conduct,
- (2) Unwelcome conduct that a reasonable person would determine is so severe, pervasive and objectively offensive that it denies a person access to the institution's education program or activity,
- (3) Sexual assault. (as defined in the Clery Act), dating violence, domestic violence, or stalking.

## **Consent**

Appalachian State University has defined consent in reference to sexual activity in section 1.08 of the Code of Student Conduct: Consent is clear, knowing, voluntary permission, through words or actions, for another individual to do something that affects the individual giving consent. Consent is based on choice and must be informed, freely and actively given, and mutually understandable, indicating a willingness to participate in mutually agreed upon activity. If an individual cannot say "no" comfortably, then "yes" has no meaning. If one of the participants is unwilling to accept a "no," then "yes" has no meaning. Please refer to Appendix E of the Code of Student Conduct for additional information concerning Appalachian State University's standards of conduct and application of "consent" to sexual activity:

- Consent is possible only when there is equal power in the relationship.
- Consent is active, not passive.
- Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.
- Consent to any one form of sexual activity does not automatically imply consent to any other form of sexual activity.
- Previous relationships or prior consent does not imply consent to future sexual acts.
- Not "understanding" sexual misconduct does not excuse any unwanted sexual advances.
- Individuals who consent to sexual activity must be able to understand what they are doing and what is being done to them.
- The initiator must obtain consent at every stage of sexual interaction.
- Under this policy, "No" always means "No," and "Yes" may not always mean "Yes" if coerced.
- Anything other than clear, knowing and voluntary consent to any sexual activity is equivalent to a "No."

- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly. Withdrawal of consent can be done in numerous ways and need not be a verbal withdrawal of consent.
- Consent will be determined using both objective and subjective standards. The objective standard is met when a reasonable individual would consider the words or actions of the parties to have manifested an agreement between them to do the same thing, in the same way, at the same time, with one another. The subjective standard is met when a party believes in good faith that the words or actions of the parties manifested an agreement between them to do the same thing, in the same way, at the same time, with one another.

### **Coercion, Intimidation, Physical Force, & Threats**

Consent is not effectively given if it results from the use of physical force, threats, intimidation, or coercion. Being verbally, emotionally, psychologically or physically pressured into any kind of sexual activity is not consent. Engagement in sexual activity because of fear or deceit is not consent.

- Coercion exists when the initiator engages in sexually pressuring or oppressive behavior, such that the application of such pressure or oppression causes an individual of the behavior to engage in unwanted sexual behavior. Coercion may also include the pressure to engage in sexual activity to gain access or inclusion into a group or organization.
- Intimidation occurs when an individual uses physical presence to menace another, although no physical contact occurs, or where an individual's knowledge of prior violent behavior by an assailant, coupled with menacing behavior, places them in fear, as an implied threat.
- Physical force exists, for example, when an individual act upon another physically, such as hitting, kicking, restraining or otherwise exerting their physical control over that individual through violence.
- Threats exist where a reasonable individual would have been compelled by words or actions of another to give permission to sexual contact they would not otherwise have given, absent the threat. Threats may suggest acts of harm towards the person involved in the sexual activity, another individual, or a loved one. For example, threats to themselves, another individual, or a loved one constitutes threats.

### **Consent may never be given by:**

- An individual under the age of 16,
- An individual who is physically incapacitated (e.g., incapacitated due to illness) when the incapacitation is known or reasonably should have been known, or
- An individual who is unconscious or asleep.

## **North Carolina Law on Consent**

North Carolina Right to Revoke Consent - An act to provide that a person who continues

to engage in intercourse or a sexual act after consent is withdrawn is deemed to have committed the act of intercourse or sexual act by force and against the will of the other person.

§ 14-27.37. Withdrawal of consent:

(a) **Withdrawal of Consent.** – A person who consents to vaginal intercourse or to a sexual act can withdraw that consent at any time during the course of that vaginal intercourse or sexual act. A defendant who continues the act of vaginal intercourse after consent is withdrawn is deemed to have committed the act of vaginal intercourse by force and against the will of the other person. A defendant who continues the sexual act after consent is withdrawn is deemed to have committed the sexual act by force and against the will of the other person.

(b) **Form of Withdrawal.** – A withdrawal of consent in accordance with subsection (a) of this section must be clearly communicated in a way that a person knows or should reasonably know consent has been withdrawn.

SECTION 2. This act becomes effective December 1, 2019, and applies to offenses committed on or after that date.

## **Appalachian State University Sex Offense Response Policy**

Sex offenses, including date or acquaintance rape, are a serious concern of the Appalachian Police. If you feel you are a victim of a sex offense on campus, call the Appalachian Police at 262-8000 any time of the day or night. Appalachian Police will:

- Meet with you privately at a place of your choice to take a complaint report, and if you feel more comfortable talking with an officer of a particular gender, we will do our best to accommodate your request.
- Not release your name to the public or the press as long as such release is likely to pose a threat to your mental or physical health or personal safety. However, the law requires notification to the campus community of crimes that are “considered to be a threat to other students and employees” and the disclosure of the time, date, location and nature of a violation.
- Assist you with transportation to a local hospital or other medical treatment facility.
- Assist you in privately contacting counseling and other available resources.
- Fully investigate your case, keep you informed about the progress of the investigation and/or prosecution, and be available to answer your questions and explain the legal system and processes involved. We will explain to you that, if an arrest is made, certain information that had previously been held confidential will now become public record.

**If a sexual assault occurs on campus: Get medical attention; notify Appalachian Police immediately; find and maintain a support system (a 24-hour crisis hotline is available by calling 828-262-5035).**

Remember, any victim of sexual assault has the right to file a complaint with law enforcement authorities. If an assault occurs off-campus, Appalachian Police will help you file a report with the appropriate law enforcement agency.

**To aid the police investigation, take these steps to preserve evidence:**

- If the sexual assault has just occurred, do not shower or bathe before the medical exam.
- Try not to touch any smooth surfaces that the perpetrator may have touched until the police have dusted for fingerprints.
- Save all your clothing and personal items from the crime and tell the police what you have.
- Document any injury you suffered, either by photography or by showing it to someone you trust.

### **Victims' Assistance Program**

The Appalachian Police Department, Student Health Services, Student Development, the Counseling and Psychological Services Center and other offices offer assistance to victims of crime on the basis of their specific needs and requests for information. Professional counselors are not required to notify the police of crimes reported to them. The Appalachian Police Department is also responsible for ensuring that crime victims who meet the criteria outlined in Article 45A of N.C. General Statutes, Chapter 15A, are properly notified of the following:

- Availability of medical services
- Crime victims' compensation funds
- Address and telephone number of the district attorney's office
- Name and telephone number of the investigating officer
- Information about the accused's opportunity for pretrial release (after being arrested)
- Name and telephone number of the officer whom the victim may contact to find out whether the accused has been released from custody
- The arrest of the perpetrator (within 72 hours of arrest)

Appalachian State University will provide written notification to students and employees concerning existing services and assistance:

- Counseling;
- Health;
- Mental health;
- Victim advocacy;
- Legal assistance;
- Visa and immigration assistance;
- Student financial aid; and
- Any additional services available for victims, both within the institution and in the community.

The University will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The University will make accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or a local law enforcement agency.

## **Counseling Services for Victims of Sex Offenses**

Counseling services for sexual assault victims are available both on- and off-campus. The Counseling and Psychological Services Center (“Counseling Center”), located in the Miles Annas Student Services Building, provides counseling to students who are victims of any sex offense. It can also provide referrals to community resources such as OASIS. The University’s Counseling Center will also assist students who choose to notify law enforcement agencies, both on- and off-campus. The Student Health Services can also provide medical information and referrals to community agencies. The offices of Student Development and Academic Affairs will also make every reasonable effort to assist the victim of a sexual assault by providing options for changing living or academic conditions.

## **Protective Orders**

Protective orders are civil court orders meant to protect victims who have experienced or are reasonably in fear of physical violence, sexual assault or stalking by another individual. The Appalachian Police Department will explain and provide assistance in the process of obtaining protective orders. An emergency protective order (EPO) aims to protect the health or safety of any person regardless of a decision to arrest.

APD officers will assist the victim with an emergency protective order request for any act involving violence, force, or threat that results in bodily injury, or places one in fear of death, sexual assault, or bodily injury. Such acts include, but are not limited to, any forceful detention, stalking, or criminal sexual assault, or any criminal offense that results in bodily injury or places one in fear of death, sexual assault, or bodily injury.

An emergency protective order is issued by a judge or magistrate, upon request of an alleged victim. To obtain an emergency protective order, the alleged victim must have been subjected to an act of violence, force, or threat. The judge or magistrate must find that there is probable cause of a such act being committed by the respondent against the alleged victim or there must already be a petition or warrant for the arrest of the respondent has been issued for a criminal offense resulting from the commission of an act of violence, force, or threat.

## **Interpersonal Violence Coordinator: The Office of the Dean of Students**

Appalachian’s Case Manager-Interpersonal Violence Specialist serves in the Office of the Dean of Students and assists students who have experienced interpersonal violence (sexual misconduct, relationship violence, stalking) in navigating resources, understanding reporting options and talking through next steps. Please contact the Office of the Dean of Students at 828-262-8284 or dos@appstate.edu. Visit <https://deanofstudents.appstate.edu/> for more information.



## **Office of Title IX Compliance**

Appalachian State University values fostering a campus community that is safe and promotes the well-being of all individuals. Gender discrimination, sexual violence, and relationship violence are counter to our values institutionally. Appalachian has policies and processes available to all Mountaineers, guests, and visitors to ensure every person is provided support, information, and resources to address any misconduct, redress its effects, and prevent its recurrence. Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance.

Appalachian's Director of Title IX Compliance shall serve as Appalachian's Title IX Coordinator and oversee all implementation of this policy pursuant to federal law and regulations. The Director of Title IX Compliance is responsible for the creation and implementation of procedures, consistent with this policy to address Sex-Based Misconduct and Retaliation. This policy and accompanying procedures supersede all prior existing policies and procedures for addressing and resolving allegations of Prohibited Conduct at Appalachian.

To contact the Director of Title IX Compliance, please reach out to the Office of Title IX Compliance at 828-262-2144 or visit <https://titleix.appstate.edu/>

## **Title IX Investigations**

The purpose of a Title IX Investigation is to gather information and impartially review the alleged incident by interviewing involved parties and witnesses and reviewing any relevant documentation in order to provide a comprehensive review of the alleged incident. Title IX Investigations are designed to be equitable, fair, and neutral. Further, all parties are presumed not responsible for any violations of Policy until determined otherwise through administrative processes.

### **Reports and Complaints**

Choosing to make a report and deciding how to proceed after making the report can be a process that unfolds over time. Some members of the community are required to report any suspected or known instance of sexual violence. Even in such cases, the University will – to the extent possible – respect an individual's autonomy in making these important decisions and provide support that will assist each individual in determining the best next steps.

Reporting can:

- Provide safety and support for individuals affected by sexual misconduct
- Provide the complainant (the person who experienced the conduct) with options for response (i.e. investigation, counseling, etc.)

- Help create a safer campus community

### **Non-Discrimination**

The University does not discriminate in access to its educational programs and activities, or with respect to hiring or the terms and conditions of employment, on the basis of race, color, national origin, religion, sex, gender identity and expression, political affiliation, age, disability, veteran status, genetic information or sexual orientation.

The following professionals, in addition to the University's Director of Title IX Compliance, have also been designated to handle inquiries regarding the non-discrimination policy:

Director of Human Resources  
330 University Hall Dr. Boone, NC  
hr@appstate.edu  
828-262-3187

Director of the Office of Disability Resources/ADA Coordinator  
Suite 112 Anne Belk Hall  
odr@appstate.edu  
828-262-3056

# **University Policy on Acts of Interpersonal Violence/Sexual Misconduct**

All members of the Appalachian community are prohibited from engaging in Sex-Based Misconduct or Retaliation (collectively, “Prohibited Conduct”).

## **Policy 112: Sex-Based Misconduct**

Appalachian State University Policy 112 applies to all members of the Appalachian community, including students, faculty, staff, visitors, volunteers, and others who participate in programs, activities, or conduct business on behalf of Appalachian that occur in locations, events, or circumstances where Appalachian exercises substantial control over both the respondent and the context in which the alleged sex-based misconduct occurs.

This policy addresses prohibited conduct that occurs either: (a) on property owned or controlled by Appalachian; (b) off Appalachian property in any building owned or controlled by a student organization that is officially recognized by Appalachian; or (c) on property owned or controlled by non-Appalachian entities or individuals that has an adverse or detrimental effect on Appalachian and its employees, employment applicants, students, visitors or volunteers.

Allegations of harassment and discrimination based on sex, gender, gender expression, gender identity, and sexual orientation, including instances involving sexual assault, dating violence, domestic violence, or stalking, are subject to this policy and Appalachian Policy 110 – Discrimination and Harassment. If there is a conflict between Appalachian Policy 110 – Discrimination and Harassment and this policy for the statuses and conduct referenced in this subsection, then this policy shall be controlling.

### **Disciplinary Proceedings**

The University strictly prohibits all acts of interpersonal violence, including sexual misconduct by members of the University community, regardless of where the alleged incident occurred. In addition to facing possible criminal investigation and prosecution, students, staff and faculty may also face disciplinary action by the University for violating the Code of Student Conduct or other university policies. Individuals found responsible for having committed such a violation could face disciplinary sanctions up to and including expulsion (students) and termination of employment (employees). Incidents involving accused students may be addressed by the Office of Student Conduct, Office of the Dean of Students or the Office of Title IX Compliance. Incidents involving accused employees will be addressed by the employee’s department head/chair through either the Office of Title IX Compliance, Human Resources Office or the Provost’s Office.

All disciplinary proceedings, whether the reported conduct occurred on- or off-campus, shall provide a prompt, fair, and impartial investigation and resolution. All interpersonal violence investigations and proceedings shall be conducted by officials who have received training on sexual assault, domestic violence, dating violence, and stalking, on how to conduct an investigation, and on how to conduct a

proceeding in a manner that protects the safety of victims and promotes accountability. Any official the University determined to possibly have a conflict of interest or bias for or against the complainant or the respondent may be recused from participating in a disciplinary proceeding.

The University strives to conclude investigations and achieve resolutions of complaints in a timely manner, usually within 60 days of the receipt of the complaint. In extenuating circumstances, the accuser and accused shall be notified in writing with an explanation, and the amount of additional time required.

### **Standard of Proof**

All cases that are handled administratively through a student conduct or employee disciplinary process will be adjudicated by the university official having jurisdiction over the accused. The University will use the preponderance of the evidence standard in determining the outcome of the hearing. “Preponderance of the evidence” means the greater weight of the credible evidence required for the trier of fact to determine that the alleged misconduct is more likely than not to have occurred.

### **Code of Student Conduct - Sex Offense Disciplinary Procedures and Sanctions**

For additional information about student conduct proceedings and appeal processes, please consult the Code of Student Conduct, which is available at [studentconduct.appstate.edu](http://studentconduct.appstate.edu) or the Office of Student Conduct located in room 320 of the Plemmons Student Union. For additional information about employee conduct proceedings and appeal processes please consult the Appalachian State University Policy Manual at:

[http://policy.appstate.edu/SPA\\_Grievance\\_and\\_Appeal](http://policy.appstate.edu/SPA_Grievance_and_Appeal) , [https://policy.appstate.edu/EHRA\\_Non-Faculty\\_Grievances](https://policy.appstate.edu/EHRA_Non-Faculty_Grievances) , or the Faculty Handbook at: [https://policy.appstate.edu/Faculty\\_Handbook](https://policy.appstate.edu/Faculty_Handbook).

### **Reporting Allegations**

Any member of the University community may submit a complaint of misconduct against a student to the Office of Student Conduct. The complaint should be submitted as promptly as feasible after the occurrence. A delay in reporting may be reasonable under some circumstances, as determined on a case-by-case basis. An unreasonable delay in reporting, however, is an appropriate consideration in evaluating the merits of a complaint. In any event, a complaint must be made within one hundred eighty (180) days following the date on which an alleged violation of this Code occurred. In extenuating circumstances, the timeline for filing a complaint may be extended. *(Note: Complaints regarding inappropriate behavior by staff or faculty are reported differently. The following are available to provide information regarding the most appropriate method of reporting: Office of Human Resources; Office of Title IX Compliance; Office of the Dean of Students; or Appalachian Police.)*

## **Investigations**

In appropriate circumstances an investigation may be needed to gather information before moving forward with conduct proceedings. Investigations may be conducted by either the Office of Student Conduct or the Office of Title IX Compliance depending on the nature of the student conduct being investigated.

### **Investigations by the Office of Student Conduct**

- If the Director determines that the most appropriate means for addressing the complaint is through an investigation, the Director will appoint an investigator. The Director will deliver written notice of investigation to the Respondent as soon as is practicable and to the extent permitted by law. The notice will include a brief synopsis of the alleged misconduct, the alleged violation(s), and information about meeting with the Investigator. For cases involving allegations of relationship violence, sexual misconduct, or other sex/gender-based harassment/discrimination, refer to 6.06b of this Code.
- The role of the Investigator is to gather information and impartially review the alleged incident by interviewing involved parties and witnesses in order to provide a comprehensive review of the incident. The investigation may include review of written statements, audio recordings, pictures, social media information, text messages, class schedules, police investigation reports, medical records, and other relevant information.
- During an investigation, the Respondent will have the opportunity to present relevant information and identify relevant witnesses.
- If the Respondent does not schedule a meeting by the date specified or fails to appear for a scheduled meeting, the Investigator may complete the investigation on the basis of other information obtained. A Respondent may decline to participate in the University's investigation and resolution of a complaint. The University, however, may proceed with an investigation and resolution of a complaint in the Respondent's absence based on other available evidence and testimony.
- At the conclusion of an investigation, the Investigator shall prepare a written report that includes a synopsis of all available relevant information. Prior to the report being presented to the Director for review, the Investigator shall provide an opportunity for the involved parties and witnesses to review their own statements for accuracy.
- The Director will make a determination as to whether the complaint will be addressed through the conduct process.
- After the investigation report is received by the Director for review, they shall meet with the Respondent to discuss the investigation report and forms of resolution.

### **Investigations by the Office of Title IX Compliance**

- In cases of relationship violence, sexual misconduct, or sex/gender-based harassment,

complaints will be referred to the Office of Title IX Compliance. Information about the investigation procedure can be found at <https://titleix.appstate.edu/>.

- Parties involved in cases of relationship violence, sexual misconduct, or sex/gender-based harassment/discrimination may engage in the Informal Resolution process at any time. They do not have to complete the investigation process.
- If an investigation by the Office of Title IX Compliance includes information about alleged violations found in the Code, the Director will determine the most appropriate means for addressing the alleged violations.

### **Notification of Outcomes**

The resolution of a process in the Office of Student Conduct is generally considered part of an education record and protected from unauthorized disclosure under the Family Educational Rights and Privacy Act (FERPA). However, the University may release the final results of any informal or formal resolution, without a Respondent's prior consent, in the following circumstances where permitted, or required, by law:

- The University will release the results of any disciplinary proceeding to an alleged victim of any crime of violence or non-forcible sex-offense.
- University Officials will be notified of any final resolution that requires their action.
- The University is required to release, as public records, disciplinary records of students who have violated the University's sexual misconduct policies. These records are subject to mandatory disclosure under North Carolina's Public Records Act.

### **Parental Notification**

The Office of Student Conduct may notify parents or guardians of students under the age of 21 of certain alcohol or drug violations. This notification generally will take place upon the determination of a violation by a Student Conduct Administrator in the student conduct process. Unless there are extenuating circumstances, the Office of Student Conduct will generally not notify parents or legal guardians of students under the age of 21 of first-time alcohol violations.

## **Code of Student Conduct - Sanctioning Options**

*Please visit Appalachian State University Website on Student Conduct <https://studentconduct.appstate.edu/>*

Sanctions are intended to educate students on the effects of their behavior and invoke change in future decision-making. A Conduct Review Officer or Board may implement any of the sanctions listed in this Article, pursuant to the guidelines set forth in this Code.

Sanctions that may be issued include the following:

- **Letter of Concern** – notification that the University is concerned about the student's behavior.
- **Disciplinary Warning** – official disciplinary action conveying to the student that their behavior

was unacceptable and that any future violation of this Code may result in more severe disciplinary action, including Disciplinary Probation, Suspension, or Expulsion.

- **Disciplinary Probation** –period in which the student’s behavior is under University review, conveying that the behavior was unacceptable and that any future violation of this Code may result in more severe disciplinary action, including Suspension or Expulsion.
- **Disciplinary Probation** shall be imposed for a period no less than the remainder of the current semester up to the remainder of the student’s academic career.
  - A student who has violated this Code while currently on Disciplinary Probation shall be suspended as a minimum sanction.
  - A student who has violated this Code and has previously been on Disciplinary Probation, but is not currently on Disciplinary Probation, shall be placed on Disciplinary Probation as a minimum sanction.
  - If the Disciplinary Probation is for an indefinite period, the Respondent may petition the Director in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Disciplinary Probation.
- **Suspension** – separation from the University for a period no less than the remainder of the current semester.
  - A suspension may be deferred until the end of the current semester when Compelling Factors as defined in Section 5.03 are present.
  - During the period of Suspension, the student shall be banned from all University premises and University-sponsored activities, and is subject to arrest for trespassing if found on any University premises or at a University-sponsored activity.
  - A notation of Suspension shall be recorded on the student’s official University transcript maintained by the Registrar’s Office. A notation will also be added to the University of North Carolina Suspension/Expulsion database.
  - A date at which time the student may request to be cleared by the Office of Student Conduct and returned to good disciplinary standing can be established contingent upon fulfillment of all requirements set forth by a Conduct Resolution Administrator or Board.
  - The notation of Suspension shall be removed from the student’s transcript after they have been returned to good disciplinary standing. In the case of suspension for an indefinite period of time, the notation of Suspension shall be removed upon approval of the Director.
  - A student who has violated this Code and has previously been suspended shall be suspended as a minimum sanction.
- **Expulsion** – permanent separation from the University.
  - Pending the decision of the Vice Chancellor regarding the recommendation from the

Formal Resolution, a student shall be banned from all University premises and University sponsored activities and is subject to arrest for trespassing if found on any University premises or at a University-sponsored activity.

- Expulsion precludes enrollment and matriculation at any University of North Carolina constituent institution.
  - The former student shall be banned from all University premises and University-sponsored activities, and is subject to arrest for trespassing if found on any University premises or at a University-sponsored activity.
  - A notation of Expulsion shall be recorded on the former student's official University transcript maintained by the Registrar's Office. A notation will also be added to the University of North Carolina Suspension/Expulsion database.
  - The former student may petition the Chancellor, through the Office of Student Conduct, to rescind the Expulsion no earlier than two years after the effective date of the Expulsion. The Chancellor's conclusion shall be based on the former student's petition and relevant documentation supporting or opposing the rescindment. If the Expulsion is rescinded, the Expulsion notation shall be removed from the former student's transcript, and they are no longer precluded from enrollment and matriculation at any University of North Carolina constituent institution on the basis of the Expulsion.
- **Additional Sanctions** – sanctions that may be given in addition to Sections 5.01b.-5.01e. of this Code include, but are not limited to, the following:
    - community service with a non-profit agency;
    - restitution for loss, damage, or actual expenses incurred as a result of the student's behavior;
    - participation in educational programming, which may include online programs, counseling, evaluation and compliance with any recommendations, reflection pieces, or other activities;
    - program service fee for on-campus alcohol and other drug education;
    - change in current University Housing assignment;
    - loss of University Housing privileges;
    - random drug testing at the student's expense;
    - restriction from representing the University in any official function or leadership position (e.g., varsity athletics, student leadership position, cheerleader, senator or officer in Student Government Association, elected office in any recognized student organization)
    - ban for a definite or indefinite period of time from all or a portion of any University premises or University-sponsored activity;
    - restriction of contact with, or proximity to, other specified members of the University community; and
    - any other sanction determined appropriate by a Conduct Resolution Administrator or Board.



## **Post-Enrollment and Post-Graduation Sanctions**

A student who has violated this Code, but who graduates before imposition of a sanction, is subject to (a) revocation of any degree awarded, (b) temporary or permanent withholding of the diploma or transcript for any degree, regardless of whether the degree has been awarded, or (c) having sanction(s) imposed as a condition of re-enrollment at the University.

## **Compelling Factors**

To maintain fairness and consistency, absent any compelling factors, the minimum sanction will be imposed. Compelling factors which may warrant a sanction less than or greater than the minimum may include, but are not limited to:

- a student's demonstration of insight about their behavior
- present demeanor and attitude
- prior disciplinary history
- the nature of the behavior, as well as the degree of any damage, injury, or harm resulting from it
- information provided in an impact statement, and
- the professional judgment of a Conduct Resolution Administrator, Board, or Hearing Administrator

Where a sanction less than the minimum is being considered, the responsibility shifts to the Respondent to offer reasons for a lesser sanction to be imposed.

## **Rights of Involved Parties**

### **Rights of the Respondent:**

- The Respondent has the following rights:
- to be provided a fundamentally fair process;
- to be presumed not responsible for a violation of this Code until determined otherwise;
- to be given written notice of any allegation(s) or formal charge(s) of prohibited conduct;
- to review the information that will be presented in any resolution, provided that the information may be given to the student in a redacted format;
- to present relevant information on their behalf;
- to obtain support, advice, or assistance from support individuals, a Student Conduct Counselor, or an Advisor, pursuant to relevant sections in Article VI of this Code;
- to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Appalachian State University Office of Disability Resources;
- to know the identity of individuals speaking or providing written information for consideration at any hearing; to confront, in some manner, the allegations and information presented relevant to the formal charge(s) against them, which in all cases will be brought forward by the University;

- to request that a member of a Board be excluded from the hearing on the basis of a conflict of interest or bias;
- to not speak or answer any question(s), if such testimony or answers would tend to establish against them a violation of this Code. When a student refuses to speak, therefore avoiding questioning, they relinquish the right to make a written or verbal statement at the end of the findings stage of the hearing; however, a summation of the relevant facts of the matter under adjudication may be made by the student's Student Conduct Counselor or Advisor, provided that the summation is not a substitute for the statement the student declined to provide;
- to pose reasonable questions to any witness appearing at a hearing in a manner determined by the Chair;
- to have prior disciplinary history excluded except during the sanctioning phase of a Formal Resolution;
- to provide an Impact Statement during the resolution process as stated in Article IV, Sections 6.07 or 6.08;
- to be informed of the final decision and results of a disciplinary proceeding; o. to appeal any Formal Resolution, pursuant to Article VII of this Code;
- to have supervised access to a recording of the hearing proceedings; and
- to have any disciplinary records kept confidential, unless an exception is allowed or required by law or regulation.

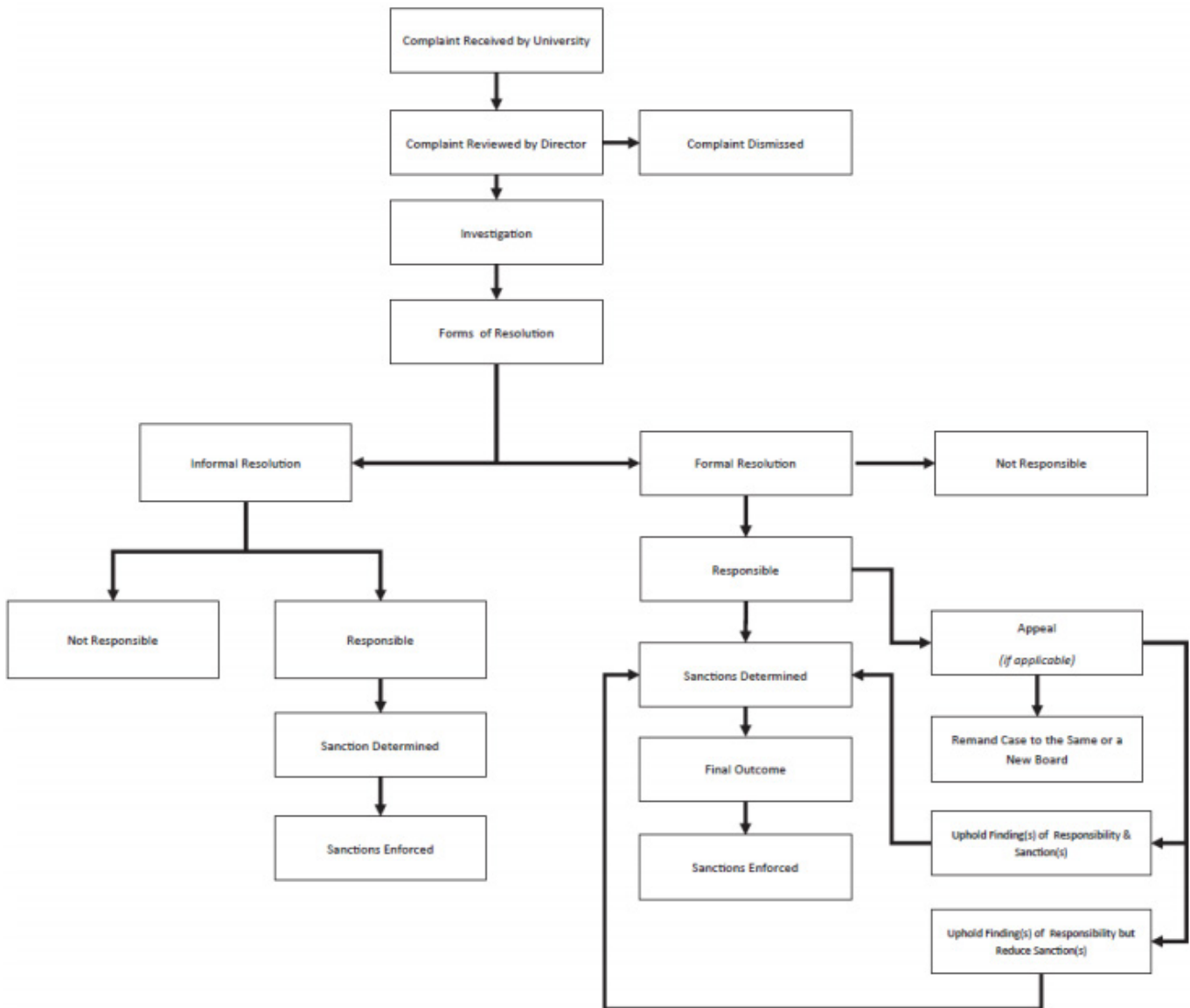
### 3.02 Rights of the Complainant

**The Complainant has the following rights:**

- to be provided a fundamentally fair process;
- to file a complaint within one hundred eighty (180) calendar days following the date on which an alleged violation of this Code occurred;
- to request reasonable accommodations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act through the Appalachian State University Office of Disability
- in cases involving an alleged crime(s) of violence, to be informed of the final decision and results of a disciplinary proceeding in accordance with FERPA, and the Clery Act; and all other rights provided to the Respondent in Article III, Section 3.01.

# Student Conduct

## Process for Addressing Prohibited Conduct



## University Policies Governing Alcohol & Illegal Drugs

Appalachian State University is committed to maintaining an environment that supports and encourages the pursuit and dissemination of knowledge. All members of the academic community - students, faculty, administrators and staff - share in the responsibility of protecting and promoting that environment and all are expected to exemplify high standards of professional and personal conduct. The illegal or abusive use of alcohol and other drugs by members of the academic community adversely

affects this educational environment. North Carolina and federal laws restrict or prohibit the use of alcohol and other drugs in various contexts. The illegal or abusive use of alcohol and other drugs is not compatible with personal health and welfare and the pursuit of academic excellence, and will not be tolerated by Appalachian State University on the campus or as part of any institutional activities.

Appalachian State University recognizes the following as undesirable: the abuse of alcohol, the use of illegal drugs, and the abuse of medically prescribed or over-the-counter drugs. The University will attempt to minimize incidents of such conduct through educational and counseling activities, as well as student and employee disciplinary action.

The possession and use of alcohol on the campus of Appalachian State University must comply with the laws of the State of North Carolina and with campus regulations and procedures. The acquisition, possession, transportation and consumption of alcohol by anyone under 21 years of age is prohibited. Alcohol may be possessed or consumed on University property only by persons 21 years of age or older in their residence hall rooms or in appropriately licensed and/or approved campus facilities. Persons are expected to assume responsibility for their own behavior while drinking and must understand that being under the influence of alcohol in no way lessens their accountability to the University community.

Offenders will be dealt with through established University policies and procedures. Appalachian State prohibits the unlawful possession, use or distribution of controlled substances or illicit drugs by students and employees. The University will take all actions necessary, consistent with state and federal law and applicable University policy, to eliminate the use of illegal drugs from the University community.

Appalachian State University adheres to the “University of North Carolina Policy on Illegal Drugs” adopted by the Board of Governors on January 15, 1988. For a complete version of the University’s policy on illegal drugs, go to [https://policy.appstate.edu/Policy\\_Manual](https://policy.appstate.edu/Policy_Manual). Appalachian offers drug and alcohol educational and counseling services through the Student Wellness Center, Counseling Center, Student Health Services, University Housing, and the University Police.

The possession, sale, or furnishing of alcohol and illegal drugs on Appalachian State University campuses is governed by the applicable University policies and laws noted below. To maintain a healthy educational and work environment, the University requires its students and employees to abide by all policies and laws governing alcohol and other controlled substances. Appalachian State University provides educational and rehabilitative counseling to its students, staff, and faculty.

Appalachian State University publishes a separate annual report: Drug and Alcohol Prevention Program (**DAAPP**) in accordance with the Drug-Free Schools and Communities Act Amendments of 1989.

# Guide for Code of Student Conduct Drug Violation Sanctions

Substance	Prohibited Conduct	Educational Sanctions
<b>Drugs</b>	<i>First Offense</i>	<ul style="list-style-type: none"> <li>▪ Disciplinary Probation (one calendar year)</li> <li>▪ Educational Program(s)</li> <li>▪ Program Service Fee (\$100.00)</li> <li>▪ Random Drug Testing (6 months)</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul>
	<i>Second or Subsequent Offense</i>	<ul style="list-style-type: none"> <li>▪ Progressively More Severe Sanctions, including Suspension or Expulsion</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul>
	<i>4.06c. – Manufacturing/Selling/Delivering</i>	<p><i>First Offense</i></p> <ul style="list-style-type: none"> <li>▪ Suspension</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul> <p><i>Second Offense</i></p> <ul style="list-style-type: none"> <li>▪ Expulsion</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul>

\*See Appendix D for Amnesty Policy.

\*Per Article V, Section 5.03 (Compelling Factors): Any individual or board authorized by this Code to resolve conduct allegations may modify any educational sanction based on compelling factors.

## Guide for Code of Student Conduct Alcohol Violation Sanctions

Substance	Prohibited Conduct	Educational Sanctions
Alcohol	<i>First Offense with Low Risk Behavior (e.g., BAC of 0.09 or less)</i> <ul style="list-style-type: none"> <li>▪ 4.01a. – Underage Possession/Use</li> <li>▪ 4.01b. – Improper Possession/Use</li> <li>▪ 4.01e. – Public Intoxication</li> <li>▪ 4.01f. – Energy Drinks</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disciplinary Warning</li> <li>▪ Educational Program</li> <li>▪ Program Service Fee (\$100.00)</li> </ul>
	<i>Second Offense or First Offense High Risk Behavior (e.g., BAC greater than 0.09, 4.01c. – Driving Under the Influence)</i> <ul style="list-style-type: none"> <li>▪ 4.01a. – Underage Possession/Use</li> <li>▪ 4.01b. – Improper Possession/Use</li> <li>▪ 4.01e. – Public Intoxication</li> <li>▪ 4.01f. – Energy Drinks</li> </ul>	<ul style="list-style-type: none"> <li>▪ Disciplinary Probation (one calendar year)</li> <li>▪ Educational Program</li> <li>▪ Program Service Fee (\$100.00)</li> <li>▪ Community Service (12 hours) and Reflection Activity</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul>
	<i>Subsequent Offense</i> <ul style="list-style-type: none"> <li>▪ 4.01a. – Underage Possession/Use</li> <li>▪ 4.01b. – Improper Possession/Use</li> <li>▪ 4.01c. – Driving Under the Influence</li> <li>▪ 4.01e. – Public Intoxication</li> <li>▪ 4.01f. – Energy Drinks</li> </ul>	<ul style="list-style-type: none"> <li>▪ Suspension</li> <li>▪ Notification of Parents/Guardians if under the Age of 21 [Considered a Record, Not a Sanction]</li> </ul>

\*See Appendix D for Alcohol Medical Amnesty Policy.

\*\*Per Article V, Section 5.03 (Compelling Factors): Any individual or board authorized by this Code to resolve conduct allegations may modify any educational sanction based on compelling factors.

## Amnesty Policy

The Amnesty Policy provides an opportunity for Appalachian State University to reduce harm and promote responsible decision making. The University will withhold disciplinary action when students are faced with medical emergencies, may have experienced relationship violence, sexual misconduct, or sex/gender-based harassment/discrimination, or otherwise have been the victim of a crime while underage drinking or using drugs. The policy strives to remove barriers and encourage students to seek the help of others.

### **The Amnesty Policy applies to the following:**

- students who seek assistance from a University official or emergency personnel on their own behalf
- students who seek assistance from a University official or emergency personnel on the behalf of another student and who remain on the scene to provide support (the policy would also apply to the student who received assistance)
- students who report alleged Code of Student Conduct, Sex-Based Misconduct Policy, and/or law violations; or
- organizations hosting an event in which a club representative seeks assistance from a University official or emergency personnel and remains on the scene to provide support.

This policy will provide an opportunity for an intervention that will not result in a disciplinary record from the Office of Student Conduct. Information related to receiving amnesty will be maintained for a minimum of eight years from the date amnesty is received. This information is considered internal to the University and will not be disclosed as part of a student's disciplinary history.

To receive amnesty, a student or organization must agree to the recommended action plan, which may include participation in educational programming. Failure to complete the action plan may result in revocation of amnesty.

### **The Amnesty Policy does not apply to the following:**

- prohibited conduct other than underage drinking or drug use (including, but not limited to, driving under the influence, acts of harm, harassment, sexual misconduct, and vandalism)
- students who do not seek assistance from a University official or emergency personnel; or
- circumstances where medical attention is requested by Appalachian State faculty or staff while performing their job duties.

Amnesty granted does not prevent independent action from law enforcement agencies, including the Appalachian Police Department. It does not prevent an individual who has enforcement obligations under federal, state, or local law to report an alleged violation, file a charge, or take other action related to the possible criminal prosecution of any student.

## **Resources at Appalachian State University**

### **Student Wellness Center: (828)262-2148**

Confidential appointments for drug or alcohol concerns for yourself or for a friend. We are located on the 2<sup>nd</sup> floor of the Miles Annas Building (post office building).

### **Student Health Services: (828) 262-3100**

Confidential walk-in or appointment health care. Located on the 2<sup>nd</sup> floor of the Mile Annas Building (post office building).

### **Counseling Center: (828) 262-3180**

Confidential appointments for any type of concern including anxiety, depression, stress, etc. Located on the 1<sup>st</sup> floor of the Miles Annas Building (post office building).

### **Office of Student Conduct: (828) 262-2704**

Addresses alcohol and other drug violations both on and off-campus. Located on the 3<sup>ed</sup> floor of the Student Union. View the Code of Student Conduct on the website for more information about the policies and sanctions for alcohol and other drug use and abuse.

## **Campus Health and Safety Resources**

**Appalachian Cares** <https://appcares.appstate.edu/>

A website about student health and safety issues.

**Emergency Information** <https://emergency.appstate.edu/>

A website about emergency preparedness and response.

**Sexual Assault Resources** <https://ipv.appstate.edu/>

A website providing sexual assault prevention and response resources.

**Health and Wellness Town Hall Meeting** <https://wellness.appstate.edu/pagesmith/98>

Listing of presentations from April, 2016.

## **Additional References and Guides:**

Drug and Alcohol Policy: [https://policy.appstate.edu/Drugs\\_and\\_Alcohol](https://policy.appstate.edu/Drugs_and_Alcohol)

University of North Carolina Policy on Illegal Drugs, effective August, 1988; revised June, 1991.

Drug-Free Workplace Act of 1988, 41 U.S.C.A. 701 et seq., 34 C.F.R. 85.600 et seq.

Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C.A. 1145g, 34 C.F.R. 86.



# Annual Campus Fire Safety Compliance Report

## Overview

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008, requiring all United States academic institutions to produce an annual fire safety report; outlining fire safety practices, standards, and all fire-related on-campus housing statistics. The following public disclosure report details information required by this law as it relates to Appalachian State University.

## On-campus Student Housing Fire Detection/Suppression Equipment

All residence halls are equipped with automatic fire alarm and sprinkler systems which are remotely monitored by the Appalachian Police Department. Annual inspections of residence hall fire alarm and sprinkler systems are contracted through an outside vendor. Fire extinguishers are provided in all residence halls and are serviced annually by an outside vendor. Monthly checks of fire extinguishers are conducted by University Housing personnel.

Appalachian State University On-Campus Housing Facilities – Fire Protection Systems 2019					
Residential Facilities	Fire Alarm (Monitoring Provided by Appalachian Police)	Sprinkler System	Smoke Detection	Fire Extinguishers	Number of Evacuation (Fire) Drills Each Calendar Year
Appalachian Heights 536 Bodenheimer Dr.	X	X	X	X	4
Belk Hall 324 Stadium Heights Dr.	X	X	X	X	4
Bowie Hall 418 Stadium Heights Dr.	X	X	X	X	4
Cannon Hall 286 Hardin St.	X	X	X	X	4
Coltrane Hall 193 Stadium Dr.	X	X	X	X	4
Cone Hall 135 Brown St.	X	X	X	X	6
Doughton Hall 222 Hardin St.	X	X	X	X	5
East Hall 175 Locust St.	X	X	X	X	4
Eggers Hall 388 Stadium Heights Dr.	X	X	X	X	4
Frank Hall 342 Stadium Heights Dr.	X	X	X	X	4
Gardner Hall 191 Stadium Dr.	X	X	X	X	4
Hoey Hall 230 Hardin St.	X	X	X	X	4
Justice Hall 189 Stadium Dr.	X	X	X	X	4

Living Learning Center (Residential Wing) 301 Bodenheimer Dr.	X	X	X	X	4
Lovill Hall 170 Locust St.	X	X	X	X	4
Mountaineer Hall 711 Poplar Grove Rd.	X	X	X	X	4
Newland Hall 657 Rivers St.	X	X	X	X	4
Panhellenic Hall 949 Blowing Rock Rd.	X	X	X	X	4
Summit Hall 240 Locust St.	X	X	X	X	5
White Hall 140 Brown St.	X	X	X	X	4

### **Fire Safety Education**

The Office of Environmental Health, Safety and Emergency Management provides fire safety awareness training for residence hall staff members as part of their annual orientation.

Topics addressed during this training include:

- Evacuation
- Fire alarms/fire drills
- Reporting fires
- Fire safety rules & regulations
- Fire alarm panels/intercom/fire watch

Annual fire extinguisher training is provided for residence hall staff through the Boone Fire Department.

Supplemental fire safety/extinguisher training sessions can be requested by residence hall staff as part of their programming activities. Additional opportunities for fire extinguisher training may be offered to the campus community by Environmental Health, Safety and Emergency Management in conjunction with Boone Fire Department (e.g., University Health, Wellness and Safety Festival).

### **Fire Drills**

In accordance with North Carolina Fire Code, Appalachian State University conducts a minimum of four evacuation drills annually in residential facilities. The first drill must occur within 10 days of the commencement of fall classes. Additionally, one of the required drills must occur between the hours of sunset and sunrise. Supplemental drills for specialty groups such as summer camps are conducted upon request. Drills are utilized to familiarize occupants with the sound of the alarm, practice evacuation procedures, and to evaluate alarm systems for proper operation.

Residence hall staff members are given advanced notice of drill dates and times. Staff members are expected to participate in drills by assisting with evacuation, directing occupants to assembly areas,

and assisting in the evaluation of alarm systems for proper operation. Any alarm malfunctions or safety issues observed during the drill are to be reported to Environmental Health, Safety and Emergency Management personnel or University Housing staff so corrective measures can be initiated. Problems experienced during the drill such as residents who do not follow evacuation procedures (e.g., fail to evacuate, fail to leave promptly, ride elevators during the alarm, observation of prohibited items, etc.) should be reviewed with occupants and/or referred to Student Conduct for disciplinary action by residence hall staff members.

### **Health & Safety Inspections**

Residence hall rooms and common areas are inspected at least once per semester for health and safety by residence hall staff members. Advance notice (at least 48 hours) will be given to the student. If violations are found, the student will be given written notification of the violation which will include a specified time frame to remedy the situation. Failure to remedy the situation by the written deadline may result in confiscation of any prohibited items and/or disciplinary action.

An annual fire and life safety inspection of campus properties is conducted by a representative from the N.C. Department of Insurance/Office of State Fire Marshal in conjunction with Appalachian's Office of Environmental Health, Safety and Emergency Management. Supplemental inspections may be conducted by Environmental Health, Safety and Emergency Management personnel and/or the N.C. Department of Insurance/Office of State Fire Marshal.

### **Building Maintenance**

Any unsafe hazard or condition in residence hall facilities should be reported to University Housing for correction. Corrections are made by University Housing personnel, Facilities Operations or Information Technology Service personnel or if necessary, by outside vendors.

### **Reporting Fires**

All fires no matter how small should be reported to Boone Fire Department & Appalachian Police immediately, even if the fire has been extinguished.

### **Fire Alarm/Evacuation Procedures**

In the event of a fire alarm, occupants must immediately evacuate the building and proceed to their predetermined evacuation assembly area. There, they will await instructions from residence hall staff or emergency personnel. See fire alarm procedures as outlined below.

Fire Alarm/Evacuation Procedures – If you discover any type of fire/smoke or hear an audible alarm (bell, horn, etc.) in your area, evacuate the building immediately and treat the situation as an emergency. Occupants are required to evacuate the building during alarm situations, this includes fire drills. If the alarm system has not been activated, do so immediately. Contact Boone Fire Department (911 or 9-911 from campus phones) and evacuate the building. If time permits, warn others as you

leave. If it would place you in danger to remain in the area long enough to activate the alarm, contact emergency response personnel or warn others, **EVACUATE THE BUILDING IMMEDIATELY**. Move to a safe location such as a Blue Light Emergency Telephone or another building/location that is unaffected by the emergency. Continue with the following procedures:

- Contact Boone Fire Department (911 or 9-911 from campus phones). If a telephone is unavailable, Appalachian Police can be contacted by activating any of the campus Blue Light Emergency Telephones. Describe the nature, extent and location of the emergency situation (e.g., fire/smoke present or alarm sounding). Await the arrival of Fire Department personnel and Appalachian Police at the pre-designated evacuation assembly area.
- Inform arriving emergency personnel of any areas where occupants may still be located inside the building (e.g., mobility impaired, trapped, injured or unaccounted for individuals).
- If requested, provide Appalachian Police and Boone Fire Department personnel with keys.
- Remain outside the building while emergency personnel inspect the premises, extinguish fires, remove trapped individuals and restore the alarm system.
- Do not re-enter or allow others to re-enter the building until Fire Department officials, Appalachian Police, or other designated safety personnel communicate that it is safe to return.

### **Fire Watch Procedures**

In the event that a fire alarm or sprinkler system is disabled or out of service a fire watch must be conducted to ensure the safety of the building and its occupants. Staff members may be asked to make rounds throughout the building to monitor for hazardous conditions.

If smoke, fire or other emergency situation is observed by staff during the fire watch period, Boone Fire Department should be contacted immediately by calling 911 or 9-911 from campus phones and room by room evacuation/notification given, if possible. Fire alarm procedures should be followed.

### **Fire Prevention Policies/Procedures**

- Smoking - All residence halls are smoke free-living environments. Smoking is prohibited in all residence halls; this also includes the use of electronic nicotine delivery systems such as e-cigarettes. Smoking on campus is only permitted in designated areas.
- Propping/Wedging Fire Doors - Fire doors are to be kept closed (except for where electromagnets are provided). These doors are installed to prevent the spread of deadly smoke and fire, but cannot perform their job if they are propped/wedged open. Fire doors may be located throughout the residence halls (e.g., stairwells, kitchens, laundry areas, corridors, lobbies, etc.).
- The blocking and obstructing of corridors, breezeways or stairways is prohibited.

- Fire Alarm Equipment - Fire alarm equipment such as smoke/heat detectors, sprinklers, pull stations, and fire extinguishers should not be tampered with or obstructed. Do not cover, hang or place any objects on smoke detectors, heat detectors or sprinkler heads, etc. If you discover a problem with any portion of the residence hall fire alarm system, immediately report it to University Housing staff.
- Cooking - Personal microwaves are not allowed in community kitchens or spaces. Only one microwave not exceeding 1200 watts or 10 amps is permitted per room. Appliances with exposed heating elements including, but not limited to; hot plates, toasters, toaster ovens, deep fat fryers, electric grills, coffee pots, and candle/wax warmers are not allowed. Additionally, slow cookers and pressure cookers are not permitted. Cooking food should not be left unattended. Occupants should use caution when cooking to avoid unnecessary smoke or burnt food which may result in fire alarm activation. A large number of fire alarms that occur in Appalachian's residence halls are cooking related. Practice safe cooking habits and as a courtesy to others in your building, stay with your food for the entire cooking period.
- Halogen lamps, salt lamps, lava lamps, multi-bulb (spider) floor lamps with plastic shades, and 3-D printers are prohibited in residence halls.
- Care should be taken in the use of all electrical cords and outlets throughout the building. Do not overload outlets/circuits. Extension cords and multi-plug adapters are not allowed. UL approved (heavy duty) power strips equipped with circuit breakers are permitted. Power strips may have a maximum of 6 outlets and must have a minimum 15-amp rating. Power strips should not be overloaded. Appliances exceeding 1200 watts or 10 amps are not permitted.
- Open Flame - The use or possession of open flame devices shall be prohibited in university residence halls and apartment complexes. Open flame devices shall include, but are not limited to, candles (lit or unlit), potpourri burners, incense burners, and oil lamps. Additional information can be found at [https://policy.appstate.edu/Open\\_Flame\\_Policy](https://policy.appstate.edu/Open_Flame_Policy).
- Posting – Notices/flyers should be placed only on designated bulletin boards/tack strips. Notices/flyers should not be placed on hallway walls, stairwell doors, in stairwells, around elevator call buttons or inside elevators.
- The following decorative materials are not permitted: foam plastics, cotton batting, dry/cut vegetation, moss, straw, hay, vines, leaves, twigs, or other similar material.
- Decorative light sets should not be anchored/taped or allowed to touch metal items such as window or door frames. Cords may not be placed through doorways, under doors, under carpeting or across hallways. Decorative light sets or other electrical items should be unplugged whenever the area is unattended.
- No objects may be attached to or suspended from the ceiling. No objects may be hung around the top 2 feet of the walls. Storage should not be within 2 feet of the ceiling. Decorations may not exceed/cover more than 50% of any wall surface in a resident's room. Decorations/postings in hallways/common areas may not exceed 10% of any individual wall. Residents may

not decorate or cover more than 5% (1 square foot) of any individual room door.

- Holiday Decorations - Holiday decorations must comply with guidelines issued by the University's Office of Environmental Health, Safety and Emergency Management (See Holiday Decorating Guidelines below).
- Grilling/BBQ - Grills must be located at least 10 feet away from residence halls and other combustible materials. This applies to combustible materials which may be located vertically and horizontally from the grill. Propane, charcoal and lighter fluid may not be stored inside university residence halls. Hot coals should be allowed to cool completely before being disposed of. Grills must be completely cool before being stored.
- Bicycles/Motorcycles/Mopeds/Hoverboards - Bicycles may not to be stored or placed in stairwells, hallways, fire exits, or chained/locked to outside stair railings, lamp posts or shrubbery. Bicycles should be properly secured to bicycle racks provided outside of residence halls. Motorcycles, motorbikes, mopeds and scooters are not allowed inside residence halls. The operation and charging of hoverboards is banned on all University owned and controlled property.
- Additional prohibited items include, but are not limited to: candles (other than battery powered), incense, oil lamps, Bunsen burners, use and storage of flammable liquids/gas (e.g., gasoline, kerosene, lighter fluid, paint thinner, propane), fireworks, fire pits, hazardous chemicals, kerosene or electric heaters, electric blankets, heated mattress pads, personal mattresses, air conditioners, washing machines, freezers or other high wattage equipment. Housing policies may be found at the Appalachian State University Housing website <https://housing.appstate.edu/> (On-Campus Living section).

### **Holiday Decorating Guidelines for On-Campus Housing**

- Decorations/Displays will only be permitted in lounge areas.
- No items may be hung, taped, or displayed in hallways or corridors (other than items on bulletin boards/tack strips and 5% of individual room doors).
- No items may be hung, taped, displayed or placed in stairwells or exits.
- All exit doors must remain clear and accessible at all times. Exit doors may not be decorated or disguised.
- All fire alarm equipment (pull stations, fire extinguishers, smoke/heat detector heads, etc.) must remain clear/visible and accessible at all times.
- All exit signs must remain visible and illuminated at all times.
- Please note that the following decorative materials will not be permitted: foam plastics, cotton batting, dry/cut vegetation, moss, straw, hay, vines, leaves, twigs, or other similar materials.
- Non-combustible, non-flammable or flame-retardant materials should be utilized, if possible. No items may be hung from ceilings or placed within 2 feet of the ceilings.

- The quantity of decorations placed in the lounge area must not exceed 10% of any individual wall or area. Paper, plastic, cloth or other combustible materials in excess of the 10% allowance, may not be used to cover/drape any area.
- Use only U.L. approved lights and wiring and follow the manufacturer's instructions.
- Ensure that light sets have no noticeable damage such as burned out bulbs, frayed or kinked cords, or bent or broken plug ends. Test lights to ensure that they work prior to use.
- Decorative light sets should not be anchored/taped or allowed to touch metal items such as window or door frames. Cords may not be placed through doorways, under doors or across hallways. Decorative light sets or other electrical items should be unplugged whenever the area is unattended.
- Any residence hall wishing to decorate for university sponsored Trick or Treat activities must have their decorations completed no later than 24 hours prior to the established Trick or Treat date or as specified by Environmental Health & Safety personnel.
- Haunted houses and mazes are prohibited in university buildings. The use of smoke/fog machines are not allowed in residential facilities.
- Jack-O-Lanterns (artificial or natural) may be illuminated only by the use of battery powered or electrical lighting sources. Candles (other than battery powered) are prohibited in all residence halls.
- Natural trees and other natural, combustible decorations such as wreaths and garland are not allowed in residence halls. Residence halls wishing to decorate should utilize artificial trees, wreaths and garland.
- All artificial trees, wreaths and garland must be labeled or certified by the manufacturer as being "flame retardant or flame resistive".
- Decorations may not be placed in emergency egress areas such as stairwells, hallways or exit passageways.
- Properly dispose of gift wrapping and packing materials soon after opening gifts.
- Remove all trees and combustible decorations prior to leaving for winter break.

### **General Fire Hazard Notice**

If any decorative item(s) are determined to be unsafe or present an undue fire/safety hazard to the building the item(s) shall be removed immediately.

### **Plans for Future Improvements in Fire Safety**

Appalachian State University will continue to monitor fire safety/alarm trends. Policy development/updates and facility modifications will be addressed as needed to aid in risk reduction.

## Fire Incident Statistics

- Per federal law, Appalachian State University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished (e.g., evidence that something burned) in on-campus student housing. These are fires for which you are unsure whether Appalachian Police Department may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:
  - Appalachian Police Department (828) 262-2150.
  - Appalachian State University Environmental Health, Safety & Emergency Management (828) 262-4007.
  - University Housing (828) 262-2160.
- When calling, please provide as much information as possible about the location, date, time and cause of the fire.

Appalachian State University On Campus Housing Fire Statistics - 2019						
Residential Facilities	Total Fires in Each Building	Fire #	Cause of Fire	Number of Injuries Requiring Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Appalachian Heights 536 Bodenheimer Dr.	0	0	N/A	N/A	N/A	N/A
Belk Hall 324 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Bowie Hall 418 Stadium Heights Dr.	1	1	Electrical – portable AC/DC charger burned into bedding/mattress. Use of plug/cable other than what came with charger.	0	0	\$100-999
Cannon Hall 286 Hardin St.	0	0	N/A	N/A	N/A	N/A
Coltrane Hall 193 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Cone Hall 135 Brown St.	0	0	N/A	N/A	N/A	N/A
Doughton Hall 222 Hardin St.	0	0	N/A	N/A	N/A	N/A
East Hall 175 Locust St.	0	0	N/A	N/A	N/A	N/A
Eggers Hall 388 Stadium Heights Dr.	1	1	Cooking – grease fire under eye of stove.	N/A	N/A	\$0-99
Frank Hall 342 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A



Gardner Hall 191 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Hoey Hall 230 Hardin St.	0	0	N/A	N/A	N/A	N/A
Justice Hall 189 Stadium Dr.	1	1	Arson – by using a lighter to burn a cork board.	0	0	\$0-99
Living Learning Center (Residential Wing) 301 Bodenheimer Dr.	0	0	N/A	N/A	N/A	N/A
Lovill Hall 170 Locust St.	0	0	N/A	N/A	N/A	N/A
Mountaineer Hall 711 Poplar Grove Rd.	0	0	N/A	N/A	N/A	\$0-99
Newland Hall 657 Rivers St.	0	0	N/A	N/A	N/A	N/A
Panhellenic Hall 949 Blowing Rock Rd.	0	0	N/A	N/A	N/A	N/A
Summit Hall 240 Locust St.	0	0	N/A	N/A	N/A	N/A
White Hall 140 Brown St.	0	0	N/A	N/A	N/A	N/A

<b>Appalachian State University On Campus Housing Fire Statistics - 2018</b>						
<b>Residential Facilities</b>	<b>Total Fires in Each Building</b>	<b>Fire #</b>	<b>Cause of Fire</b>	<b>Number of Injuries Requiring Treatment at a Medical Facility</b>	<b>Number of Deaths Related to Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Belk Hall 324 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Bowie Hall 418 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Cannon Hall 286 Hardin St.	0	0	N/A	N/A	N/A	N/A
Coltrane Hall 193 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Cone Hall 135 Brown St.	0	0	N/A	N/A	N/A	N/A
Doughton Hall 222 Hardin St.	0	0	N/A	N/A	N/A	N/A
East Hall 175 Locust St.	0	0	N/A	N/A	N/A	N/A
Eggers Hall 388 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Frank Hall 342 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A

Gardner Hall 191 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Hoey Hall 230 Hardin St.	0	0	N/A	N/A	N/A	N/A
Justice Hall 189 Stadium Dr.	0	0	N/A	0	0	N/A
Living Learning Center (Residential Wing) 301 Bodenheimer Dr.	0	0	N/A	N/A	N/A	N/A
Lovill Hall 170 Locust St.	0	0	N/A	N/A	N/A	N/A
Mountaineer Hall 711 Poplar Grove Rd.	1	1	Arson – by igniting paper on wall.	0	0	\$0-99
Newland Hall 657 Rivers St.	0	0	N/A	N/A	N/A	N/A
Panhellenic Hall 949 Blowing Rock Rd.	0	0	N/A	N/A	N/A	N/A
Summit Hall 240 Locust St.	0	0	N/A	N/A	N/A	N/A
White Hall 140 Brown St.	0	0	N/A	N/A	N/A	N/A

**Appalachian State University**  
**On Campus Housing Fire Statistics - 2017**

<b>Residential Facilities</b>	<b>Total Fires in Each Building</b>	<b>Fire #</b>	<b>Cause of Fire</b>	<b>Number of Injuries Requiring Treatment at a Medical Facility</b>	<b>Number of Deaths Related to Fire</b>	<b>Value of Property Damage Caused by Fire</b>
Appalachian Heights 536 Bodenheimer Dr.	0	0	N/A	N/A	N/A	N/A
Belk Hall 324 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Bowie Hall 418 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Cannon Hall 286 Hardin St.	0	0	N/A	N/A	N/A	N/A
Coltrane Hall 193 Stadium Dr.	1	1	Arson – by igniting paper on restroom wall.	0	0	\$0-99
Cone Hall 135 Brown St.	0	0	N/A	N/A	N/A	N/A
Doughton Hall 222 Hardin St.	0	0	N/A	N/A	N/A	N/A
East Hall 175 Locust St.	0	0	N/A	N/A	N/A	N/A
Eggers Hall 388 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A
Frank Hall 342 Stadium Heights Dr.	0	0	N/A	N/A	N/A	N/A

Gardner Hall 191 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Hoey Hall 230 Hardin St.	0	0	N/A	N/A	N/A	N/A
Justice Hall 189 Stadium Dr.	0	0	N/A	N/A	N/A	N/A
Living Learning Center (Residential Wing) 301 Bodenheimer Dr.	0	0	N/A	N/A	N/A	N/A
Lovill Hall 170 Locust St.	0	0	N/A	N/A	N/A	N/A
Mountaineer Hall 711 Poplar Grove Rd.	0	0	N/A	N/A	N/A	N/A
Newland Hall 657 Rivers St.	0	0	N/A	N/A	N/A	N/A
Panhellenic Hall 949 Blowing Rock Rd.	0	0	N/A	N/A	N/A	N/A
Summit Hall 240 Locust St.	0	0	N/A	N/A	N/A	N/A
White Hall 140 Brown St.	0	0	N/A	N/A	N/A	N/A

## Fire Log

Appalachian Police Department maintains a Campus Daily Crime & Fire Log of all incidents reported to its department. All fires that occurs in an on-campus student housing facility will be record on this log to include the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. This Daily Crime & Fire Log is available to the public and members of the press.

For further details, contact the University Fire and Life Safety Manager at (828) 262-4007.

*Appalachian State University is committed to providing an equal opportunity experience to current and future students, faculty, and staff. The University does not discriminate in access to its educational programs and activities, or with respect to hiring or the terms and conditions of employment, on the basis of race, color, national origin, religion, sex, gender identity and expression, political affiliation, age, disability, veteran status, genetic information or sexual orientation.*

Upon recommendation by the Director of Public Safety and Chief of Police, I hereby approve the 2020 Security and Fire Safety Annual Report, including all statements of policy referenced therein.

**Approved:**



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**Sheri Everts**

**Date:** 12/17/2020