SUBJECT: CAMPUS SECURITY AND FIRE SAFETY ANNUAL REPORT AND POLICY

1. PURPOSE

To establish policy and procedures to comply with the Jeanne Clery Disclosure of Campus Crime Statistics Act, hereafter called the Clery Act, formerly known as the Crime Awareness and Campus Security Act of 1990 (Title II, Public Law 101-542) with its amendments and the Higher Education Opportunity Act (HEOA) (Public Law 110-315).

2. DEFINITIONS

2.01 The criminal offenses and violations that must be reported are defined in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program and the Clery Act as follows:

1. Murder and Non-Negligent Manslaughter - the willful (non-negligent) killing of one human being by another.

2. Negligent Manslaughter - the killing of another person through gross negligence.

3. Robbery - the 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.

4. Aggravated Assault - 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 harms and includes assaults that require medical attention.

5. Burglary - the unlawful entry of a structure to commit a felony or theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny;
housebreaking; safecracking; and all attempts to commit any of the aforementioned.

6. Motor Vehicle Theft - the theft or attempted theft of a motor vehicle. For reporting purposes include all cases where automobiles are taken by persons not having lawful access even if the vehicle was later abandoned, including joyriding.

7. Arson - any willful or malicious burning or attempt to burn with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

8. Sex Offenses, Forcible - any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. For reporting purposes this includes forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

9. Sex Offenses, Non-Forcible - unlawful, non-forcible sexual intercourse. For reporting purposes there are only two types of offenses included in this definition, incest and statutory rape.

10. Larceny-Theft – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Note: Constructive possession is defined by Black’s Law Dictionary, 6th ed. as “where one does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.”)

11. 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.

12. 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. (e.g. Communicating Threats, Harassment, Stalking)

13. Destruction/Damage/Vandalism of Property (Except "Arson") - 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.

14. Drug Law Violations - violations of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful possession, sale,
use, growing, manufacturing, transportation, importation and making of any controlled drug or narcotic substance.

15. Liquor Law Violations - violation of state or local laws or ordinances prohibiting the manufacture, sale, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Violations include, but are not limited to, maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person, using a vehicle for the illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned.

16. Weapon Law Violations - violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing weapons; and all attempts to commit any of the aforementioned.

17. Hate Crimes - the above listed crimes, (except drug, liquor and weapons violations), and any other crime involving bodily injury—where the victim was intentionally selected on the basis of actual or perceived race, gender, religion, sexual orientation, ethnicity or disability. The hate crime must be reported according to the category of hate, bias or prejudice

2.02 Offenses are to be reported by separate geographical locations, as defined below (see the map at Appendix A for Main Campus boundaries):

1. On-campus - any building or property on Main Campus owned or controlled by Appalachian State University (the “University”) that is used by the University in direct support of, or in a manner related to, its educational mission. Any property on Main Campus owned by the University, but controlled by another person, if that property is used by students and supports our institutional purposes.

2. Non-Campus Building or Property - any building or property owned or controlled by a student organization recognized by the University; or any building or property (other than a branch campus) owned or controlled by the University that is used in direct support of its educational mission, is frequently used by students, and is outside the boundaries of Main Campus.

3. Public Property - all public facilities and property including roads, thoroughfares, streets, sidewalks and parking facilities that are either within the Main Campus or immediately adjacent to and accessible from the Main Campus.

4. Residential Facilities – 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 reasonable contiguous geographic area that makes up
the campus is considered an on-campus student housing facility. For Clery Act reporting purposes, this requires a separate reporting category. All reportable incidents that occur in a residential facility will be reported under this category and they will also be counted in the "on campus" category or in the "non-campus" category as required.

2.03 Other Important Definitions.

1. Business Day - Monday through Friday, excluding any day when the University is closed.

2. Test - Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

3. Campus Security Authority - any official or office of the University who has a significant responsibility for campus security and for certain student and campus activities, including the following:

   (a) the Chief and all employees in the Appalachian State University Police Department;

   (b) any individuals not employed by the University Police Department, but having responsibility for monitoring entrance into institutional property (e.g., security guards employed for special events on institutional property);

   (c) the Director of Athletics and team coaches;

   (d) the Director of AA/EEO Compliance;

   (e) the Dean of Students and the respective directors of the following departments within the Division of Student Development: Housing and Residence Life; Student Conduct Office; Student Programs; University Recreation; Center for Student Involvement and Leadership.

4. Prospective Employee - an individual who has contacted an official of the University for the purpose of requesting information concerning employment.

5. Prospective Student - an individual who has contacted an official of the University for the purpose of requesting information concerning admissions.

6. University - refers to the University, a constituent institution of The University of North Carolina with its main campus located in Boone, North Carolina.
7. Pastoral Counselor - a person who is associated with a religious order or denomination that recognizes him/her as someone who provides confidential counseling, and is functioning within the scope of that recognition as a university pastoral counselor.

8. Professional Counselor - is a person whose official responsibilities include providing mental health counseling to members of the university community and is functioning within the scope of his/her license or certificate.

9. Referred for campus disciplinary action - the referral of any student to any campus official who initiates a disciplinary action of which record is kept and which may result in the imposition of a sanction.

3. GENERAL POLICY

3.01 On November 8, 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.

3.02 This University policy is adopted to comply with Public Law 101-542, with its amendments and that portion of Public Law 110-315 that pertains to the Higher Education Opportunity Act campus safety disclosure responsibilities.

3.03 It is the policy of the University to publish by October 1st of each school year an annual Campus Security and Fire Safety Report that informs current students and employees of the security and fire safety policies, procedures and practices described in this policy. The annual Campus Security and Fire Safety Report will also disclose statistics from the previous three years concerning reported crimes listed under Definitions, section 2.01, above, that occurred: On-campus; in certain off campus buildings or property, either owned or controlled by the University or owned or controlled by a student organization recognized by the University; and on public property within, or immediately adjacent to and accessible from the campus. The statistics will be collected from the University Police, local law enforcement, and other University officials who have been designated as Campus Security Authorities.

3.04 The Director of Public Safety and Risk Management is responsible for preparing and distributing the annual Campus Security and Fire Safety Report. Coordination with many departments and agencies, such as the Safety Office, Dean of Students, Student Conduct Office, University Housing, and local police agencies is required to compile the report. The annual Campus Security and Fire Safety Report is available on the Web at www.police.appstate.edu and at www.safety.appstate.edu. Each member of the University community is notified by e-mail with a link to the report when the report is available on the Web. The report will be made available to prospective students, prospective employees, and others upon request. Paper copies of the report may be requested by contacting the University Police Department at 828-262-2150 or by mail at: Appalachian State University Police Department, ASU Box 32113, Boone, NC 28608.
3.05 It is also the policy of the University that students and employees are ultimately responsible for their own safety and security. Although members of the campus community are encouraged to use the annual Campus Security and Fire Safety Report as a guide for safe practices on and off-campus, nothing in this policy or other publications of the University is intended to represent the University as an insurer of any individual's personal safety or security. Students, employees and visitors are expected to use caution and good judgment, and make decisions to ensure their own safety.

4. UNIVERSITY POLICE DEPARTMENT

4.01 The University Police Department is responsible for protecting life and property at the University by providing emergency and non-emergency law enforcement services, crime prevention, criminal investigations, emergency management and safety-related services. The department consists of twenty-six (26) full-time state commissioned police officers, five security officers, and ten civilian support staff. The University Police Department office is located in the parking deck at 461 Rivers Street. Should the need arise, our professional and courteous staff are ready to assist you twenty-four (24) hours a day, seven days a week, including holidays.

4.02 University Police Authority and Jurisdiction

University Police officers are commissioned as law enforcement officers by the North Carolina Department of Justice, Criminal Justice Standards Division. Officers must meet all certification standards for police officers in the State of North Carolina. Officers have the power of arrest and are sworn to enforce statutes of North Carolina on University property and public roads passing through or immediately adjoining University property. To maintain their certification, officers must complete 24 hours of annual in-service training, which includes qualifying on all assigned firearms.

4.03 University security officers are not sworn, do not carry firearms and have no arrest authority. As University officials, they do have the authority to refer students who violate the Student Code of Conduct to the Student Conduct Office. Security officers conduct security checks of campus buildings, provide escorts, and assist police officers in providing crowd control and security during special events.

4.04 The University has standing mutual aid agreements with the Boone Police and Watauga County Sheriff’s Departments, which give our police officers off-campus arrest authority when operating under these agreements.

5. POLICY FOR REPORTING CRIMINAL INCIDENTS OR EMERGENCIES
5.01 The University Police Department is the primary contact point for the reporting of all campus emergencies and crimes. Officers responding to an emergency or crime will assess the situation and obtain additional assistance as needed.

5.02 The University requires employees (to the extent allowed under professional ethics constraints) and encourages students and visitors to promptly report crimes that occur on campus to the University Police Department, which has primary responsibility for security on campus. Professional and pastoral counselors are encouraged to report crimes to the University Police, but the University does not mandate that they report. The University encourages professional and pastoral counselors, if and when they deem it appropriate, to inform the persons they are counseling to report crime on a voluntary basis to the University Police.

5.03 Crimes and other police emergencies should be reported to the University Police by calling 828-262-8000 or by using one of the numerous Emergency Blue Light phones located throughout campus. Reports of crimes may be made to other campus security authorities as listed below:

<table>
<thead>
<tr>
<th>Security Authority</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Dean of Students</td>
<td>828-262-2060</td>
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<tr>
<td>Director, University Housing</td>
<td>828-262-2160</td>
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<tr>
<td>Director, Student Conduct</td>
<td>828-262-2704</td>
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<tr>
<td>Director, University Recreation</td>
<td>828-262-2100</td>
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<tr>
<td>Director, Student Programs</td>
<td>828-262-3032</td>
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<tr>
<td>Director, Center for Student Involvement and Leadership</td>
<td>828-262-6252</td>
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<tr>
<td>Coordinator, Off Campus Community Relations</td>
<td>828-262-8284</td>
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<tr>
<td>Director of Athletics</td>
<td>828-262-7825</td>
</tr>
<tr>
<td>Director of Equity, Diversity and Compliance</td>
<td>828-262-2144</td>
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</table>

5.04 Campus security authorities will promptly refer all reportable offenses to the University Police Department. Reports of crimes may also be made anonymously to the High Country Crimestoppers by calling 828-268-6959. Crimestoppers will keep the caller's identity confidential and will refer all crimes that occur on campus to the University Police. Crimes may also be reported anonymously to the University Police by going to [www.police.appstate.edu](http://www.police.appstate.edu) and clicking on Report Crime Information or Suspicious Activity Anonymously On-line.

5.05 All reports are investigated and the perpetrators are either prosecuted, referred to the Office of Student Conduct for discipline under the Code of Student Conduct, or both. University Police officers prepare cases and testify in court or disciplinary hearings as necessary.

5.06 The North Carolina State Bureau of Investigation and other law enforcement agencies may assist with investigations upon request. Reports of felony
violations and certain misdemeanor violations which occur on campus are routinely reported to the Division of Criminal Information (a division of the State Bureau of Investigation) each month.

6. MONITORING AND RECORDING CRIMINAL ACTIVITY OF STUDENTS OFF-CAMPUS

6.01 The University relies on local, non-University law enforcement agencies for response to off-campus crimes. However, the University Off-Campus Community Relations Coordinator does collect off-campus arrest information and provides information to the Office of Student Conduct on all felony arrests, drug arrests and certain alcohol related arrests. The University reserves the right to address allegations of off-campus crimes through the Code of Student Conduct when appropriate. The University also discloses in the annual security report crimes that occur on property owned or controlled by officially recognized student organizations.

7. ACCESS TO CAMPUS FACILITIES AND RESIDENCE HALLS

7.01 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. The use of University facilities and grounds is governed by the laws of the State of North Carolina and Administrative Policy-1, Facility Use, Solicitation, Distribution of Printed Materials, Unscheduled Public Speaking Areas, and Peaceful Assembly. 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. University Police officers routinely check each building between 5:00 p.m. and 7:00 a.m.

7.02 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 Resident Assistant (RA) is on duty in each hall from 7:00 p.m. to 7:00 a.m. and someone is present at the hall’s front desk to monitor people entering and exiting from 8:00 p.m. to 4:00 a.m. Safety and security checks are made periodically by student monitors who contact the University Police as needed. Additionally, a Resident Director or Residence Life Coordinator lives in each residence hall on campus. University Police officers also conduct security checks, safety presentations and regularly meet with RA’s as part of the University’s Community Policing Liaison program.
8. SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES

8.01 The University Police Department employs four security officers that conduct building security checks and lighting surveys from 4:00 p.m. to 4:00 a.m. each day. Security breaches and lighting outages are reported to the appropriate Physical Plant maintenance shop the next business day. In addition, University Police and Security officers report unsafe facility and grounds conditions, such as handrails, steps and unsafe roadway conditions (ice/snow) to the Physical Plant. The University maintains a blue-light system that enables persons to make direct telephone contact with the University Police Department if assistance is needed. The telephones with "location" lights are placed at strategic points throughout the main campus. 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 conducted at least twice a year by University administrators and student leaders 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.

9. TIMELY WARNING and EMERGENCY NOTIFICATIONS

9.01 To help prevent crimes or serious incidents, the University Police Department will issue a Campus Crime Alert in a timely manner to notify community members about crimes that are considered by the police to represent a potentially serious or continuing threat to students and/or employees. The University may issue a Crime Alert for other crimes but must issue a Crime Alert for all Clery Act reportable crimes listed in section 2.01 of this policy. For the purposes of this policy, “timely manner” generally means within a reasonable amount of time after pertinent information has been gathered by the University Police and that information has been confirmed to be apparently true. The Crime Alert will be issued through the University e-mail system to students, faculty and staff. It will also be posted on the University Police web page at www.police.appstate.edu. The information in the Crime Alert will include a general description of the incident and location, but not to divulge information that could lead to the identity of the victim, and will provide several safety tips appropriate to the incident. Crime alerts generally remain posted and active on the University Police Web page for thirty (30) days before being moved into the archive file.

9.02 If there is an emergency or immediate threat to the health or safety of students or employees occurring on campus, the University will activate its emergency notification system, called AppState-ALERT. (see section 11 for more details about AppState-ALERT).
10. DAILY CRIME LOG AND CAMPUS CRIME STATISTICS

10.01 The University Police Department maintains a Daily Crime Log that records, by the date the incident was reported to the University Police, all crimes and other serious incidents that occur on campus or within the University Police Department’s jurisdiction. The Daily Crime Log is available for public inspection at www.police.appstate.edu or in the lobby of the University Police Department. The Daily Crime Log includes the nature, date, time and general location of each reported incident, as well as the disposition of the incident. Incidents are normally posted within two business days of receiving a report (except for holidays and weekends). The department may delay posting the information if it is considered detrimental to an ongoing investigation.

10.02 The University Police Department collects and discloses crimes that are reported to campus security authorities as well as certain crime statistics that are provided by off-campus law enforcement agencies in accordance with Clery Act requirements. Our three year crime statistics report is at Appendix B.

11. EMERGENCY PREPAREDNESS

11.01 The University recognizes the importance of comprehensive all-hazard planning for campus emergencies. The University Emergency Operations Plan is founded on the principles of the National Incident Management System (NIMS), and we operate during a crisis or emergency under the Incident Command System. The University conducts annual exercises to test its plans and to test the AppState-ALERT emergency notification system.

11.02 AppState-ALERT is the University’s emergency notification system. This system allows the university to contact students, faculty and staff rapidly during an emergency. Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus the University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the AppState-ALERT system (as outlined in section 11.03), unless issuing a notification will, in the professional judgment of the on-scene Incident Commander, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The AppState-ALERT system uses a combination of voice and text messaging along with mass e-mails, siren warning speakers and Web technologies to notify and inform the campus community of an emergency situation:

1. E-mail – A broadcast e-mail is sent to everyone who has an appstate.edu e-mail address.
2. Text Message – Text messages are only sent to those students, staff or faculty who have registered their cell phone numbers withAppState-
ALERT (go to www.emergency.appstate.edu to register for AppState-ALERT). The university cannot guarantee that a text message will be received, given the numerous cell phone company providers and wide dispersion of cell phone towers in our area.

3. Voice Message – Telephonic voice messages are sent to students, staff or faculty who register their cell and/or home phone numbers with AppState-ALERT and to each main on-campus department phone number. Go to www.emergency.appstate.edu to register a cell phone or home phone in AppState-ALERT.

4. Outdoor Siren – The University has outdoor siren speakers located on top of Farthing Auditorium, Sanford Hall, on posts across from Appalachian Heights and at the north end of State Farm parking lot. Additionally, speakers have been added inside Panhellenic Hall. When activated, these speakers will send an audible tone followed by a pre-recorded voice message.

11.03 The AppState-ALERT system is used to notify the university community when campus conditions change from Normal to Guarded, Elevated or High Risk. Only members of the University Police Command Staff and the Director of Emergency Plans and Operations are authorized to activate the AppState-ALERT system. Once an alert has been sent out the University Public Affairs Office is responsible for posting all emergency notifications on the Emergency Web page (www.emergency.appstate.edu) and for posting information updates during protracted emergency situations. The emergency web page is available to the larger community and is used to disseminate emergency information to parents, the off-campus community and the media.

1. Normal – on a day-to-day basis, the university operates under Normal conditions.
2. Guarded – If the university receives general information (non-specific) about a threat that may impact our campus, the condition may change to Guarded and the campus community would be notified via e-mail.
3. Elevated – When the university receives credible information about a specific threat directed toward our campus, the condition would be changed to Elevated and the campus community would be notified via e-mail, text and voice messages.
4. High Risk – When the university confirms that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus the condition would be changed to High Risk and the campus community would be immediately notified via our outdoor siren warning system, text/voice messages and e-mail.

11.04 The AppState-ALERT siren system is normally tested on the first Wednesday of each month at 11:55am. The other components of AppState-ALERT, voice, text and e-mail are tested each fall and spring semester. All tests are publicized in advance by the Public Affairs Office via campus e-mail.
12. CRIME PREVENTION EDUCATION AND AWARENESS

12.01 The University Police Department advocates a proactive approach to crime prevention as part of its Community Oriented Policing philosophy. This approach is exemplified by the various education and awareness programs we provide students, faculty and staff. The University also provides programs through the Division of Student Development, and other offices, to promote awareness and provide information and services related to security practices and crime prevention. The number and types of programs offered to educate the community vary from year to year. Among programs which have been routinely offered are: daily crime log, Rape Aggression Defense (RAD) classes, individual counseling and periodic seminars about rape prevention, date rape, substance abuse, assertiveness, conflict management, relationship violence, alcohol/drug education and awareness, and personal safety. At the beginning of each academic year, during Safety Week, the University conducts an on-campus Awareness Walk and an off-campus Meet & Greet to inform and sensitize members of the campus community to issues of personal safety. The Student Government Association sponsors a campus safety walk each semester to assess facilities for safety risks and the University also supports Safe Ride, an on-campus van service operated by the Parking and Traffic Office. Call 828-262-RIDE to request a ride.

13. UNIVERSITY ALCOHOL POLICY

13.01 The possession, use and sale of alcohol on campus 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 less than 21 years of age are 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. Offenders will be dealt with through established University policies and procedures.

13.02 Persons who provide alcoholic beverages to anyone who is not of legal drinking age are in violation of North Carolina law and University policies, and may be subject to both criminal prosecution and University disciplinary action. They may also be liable for personal injuries or property damages resulting from acts committed by intoxicated persons, whether underage or otherwise.

13.03 Additional information about the University’s alcohol policy may be found at http://resourcemanual.appstate.edu/wiki/AdministrativePolicy.

14. UNIVERSITY DRUG POLICY
14.01 The University prohibits the unlawful possession, use, sale, growing, manufacturing, transportation, importation, and making of any controlled substances or illicit drugs by students, staff and faculty. The University adheres to the "University of North Carolina Policy on Illegal Drugs" adopted by the Board of Governors on January 15, 1988 and found in Chapter 1300.1 of the UNC Policy Manual. A complete version of the University's policy on the use or abuse of illegal drugs and alcohol can be found online at [http://resourcemanual.appstate.edu/wiki/AdministrativePolicyEight](http://resourcemanual.appstate.edu/wiki/AdministrativePolicyEight). Drug and alcohol educational and counseling services are offered through the University Counseling Center, Student Health Services, University Housing, and the University Police.

15. ALCOHOL AND DRUG EDUCATION RESOURCES

15.01 The University annually distributes a statement of Policy and Procedure on the Illegal or Abusive Use of Alcohol and Other Drugs that complies with the Drug-Free Schools and Campuses Act and related regulations (34 CFR Part 86). For more information go to: [http://resourcemanual.appstate.edu/wiki/AdministrativePolicyEight](http://resourcemanual.appstate.edu/wiki/AdministrativePolicyEight). The University also offers drug and alcohol counseling and education through the Counseling Center for Faculty and Staff and the Wellness Center for students.

16. SEXUAL ASSAULT PREVENTION AND RESPONSE

16.01 Sexual assaults, including date or acquaintance rape, are a serious concern to the University and will not be tolerated. Victims of sexual assaults should get medical treatment as soon as possible; notify the University Police (262-8000) or contact any of the "campus security authorities" listed in sections 2.03(2) and 5.03, above for help. Campus security authorities will assist the victim in notifying the University Police if the victim is off-campus. The University Police will help the victim file a report with the appropriate off-campus law enforcement agency. All sexual assaults reported to the University Police will be investigated and will be referred to the District Attorney’s Office for possible prosecution. To aid the police investigation, victims of sexual assault should take these steps to help preserve evidence:

1. Do not shower or bathe before the medical exam.
2. Do not change your clothes; if you do, save all your clothing and give them to the police.
3. Do not disturb or alter the crime scene.
4. Document any injury you suffered, either by photograph or by showing it to someone you trust.

16.02 Counseling services for sexual assault victims are available both on-campus and off-campus. The Counseling and Psychological Services Center (located in the Annas Student Services Building) provides counseling to students and can provide referrals to off-campus resources. Additionally, the offices of Student Development and Academic Affairs will make every reasonable effort to assist victims of sexual assault by providing options for changing living or academic conditions whenever possible.
16.03 The University's Student Conduct Office responds to all violations of the Student Code of Conduct, including all sex offenses, forcible or non-forcible. Both the accuser and the accused are entitled to the same opportunities to have others present during the proceedings, and both parties of any sex offense hearing shall be informed of the outcome of any campus disciplinary proceedings involving a sex offense.

16.04 The University's Code of Student Conduct outlines possible sanctions for sexual assault, rape or molestation. They include suspension (eight semesters) or expulsion. Sanctions and conduct proceedings are outlined in the Code of Student Conduct. The entire University Sexual Assault Policy can be found at: http://www.sexualassault.appstate.edu or http://www.studentconduct.appstate.

17. UNIVERSITY POLICE SEX OFFENSE RESPONSE POLICY

17.01 Sex offenses, including date or acquaintance rape, are a serious concern of the University. Victims of sex offenses on campus are encouraged to call the University Police at 828-262-8000 any time of the day or night. The University Police will:

1. Meet with a victim privately at a place of the victim’s choice to take a report.
2. Not release the victim’s name to the public or the press as long as such release is likely to pose a threat to mental or physical health or personal safety. However, the law requires notification to the campus community of date, time, general location and nature of crimes that are considered to be a threat to others.
3. Assist victims with transportation to a local hospital or other medical treatment facility. Assist victims in privately contacting counseling and other available resources.
4. Fully investigate the case, keeping the victim informed about the progress of the investigation and/or prosecution, and be available to answer questions and explain the legal systems and processes involved. If an arrest is made, certain information that previously had been confidential may become public record.
5. Assist victims in reporting sexual assault to the appropriate law enforcement agency if the assault occurred off-campus.

18. SEX OFFENDER AND PUBLIC PROTECTION REGISTRY

18.01 North Carolina law requires sex offenders to register with the Sheriff of the county in which they live. The law also requires non-resident students or non-resident workers to register with the Sheriff of the county in which they work or attend school. The NC 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/.
19.  MISSING STUDENT NOTIFICATION POLICY AND PROCEDURES

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

1. Dean of Students – 828-262-2060
2. Director of University Housing – 828-262-2160

19.02 All reports of missing students shall be directed immediately to the University Police Department to determine which law enforcement agency has jurisdiction. In cases where the University 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.

19.03 During on-campus housing move-in, students will be given the opportunity to identify a contact person or persons 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.

19.04 When it has been determined that a student has been missing for 24 hours, the University Police shall, as soon as practicable:

1. Inform the law enforcement agency that has jurisdiction, whether or not the student has registered a contact person.
2. If the student has designated a contact person, notify that person.
3. 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.

20.  2009 ANNUAL CAMPUS FIRE SAFETY COMPLIANCE REPORT

20.01 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 statistics. The following public disclosure report details information required by this law as it relates to Appalachian State University.
20.02 On-Campus Student Housing Fire Detection/Suppression Equipment

All residence halls are equipped with automatic fire alarm systems which are remotely monitored by the University Police Department. Fire extinguishers are provided in all residence halls and are serviced annually by an outside vendor. Monthly checks of fire extinguishers are made by Housing Personnel.

<table>
<thead>
<tr>
<th>ASU Residential Facilities</th>
<th>Fire Alarm Monitoring Provided by Univ. Police</th>
<th>Sprinkler System</th>
<th>Smoke Detection</th>
<th>Fire Extinguishers</th>
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<tr>
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## 20.03 Fire Incident Data for 2009

### ASU Campus Housing Fire Incidents 2009

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<tr>
<th>ASU Residential Facilities</th>
<th>Number of Fires</th>
<th>Date/Time</th>
<th>Cause of Fire</th>
<th>Injuries Requiring Medical Care</th>
<th>Fire Related Deaths</th>
<th>Value of Property Damage</th>
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<td>Justice Hall</td>
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</tr>
</tbody>
</table>
20.04 **Fire Safety Education**

1. Residence Hall Staff are provided with a fire safety awareness program along with hands-on fire extinguisher training as part of their annual orientation. Hands on fire extinguisher training for residence hall occupants may be requested through the Residence Hall Staff as part of programming activities.

2. In accordance with North Carolina Fire Code, Appalachian State University conducts four evacuation drills annually in residential facilities. The first drill must occur within 10 days of the commencement of fall classes. One of the required drills is required to occur between the hours of sunset and sunrise. These evacuation drills are utilized to familiarize occupants with the sound of the alarm system, practice evacuation procedures, and evaluate alarm systems for proper operation.

3. Residence Hall Staff members will be given advanced notice of the drill date and time. Staff members are expected to participate in drills by assisting with evacuation, directing occupants to emergency assembly areas, and evaluating alarm systems for proper operation. Residence Hall staff should report any malfunctions or problems observed with the fire alarm system immediately to Safety & Workers’ Compensation Office Staff or Housing Personnel. Problems experienced during the drill such as residents who do not follow evacuation procedures (fail to leave the building, fail to leave promptly, ride elevators during the alarm), prohibited items, etc. should be reviewed with occupants and/or referred to Student Conduct by Residence Hall Staff members.

20.05 **Building Maintenance**

Any unsafe hazard or condition should be reported to University Housing for correction. Corrections are made by University Housing personnel, Physical Plant Personnel or if necessary, by outside vendors.

20.06 **Health & Safety Inspections**

1. Residence hall rooms and common areas are inspected each semester for health and safety by residence hall staff members. Written reports are filed with the University Housing Office. Prior notice of these inspections will be made through notices on hall bulletin boards or at the main building entrance.

2. If violations are observed there shall be a mandatory clean up/correction (by the student) and re-inspection (by the staff member) within 3 days. If the violation(s) have not been corrected within the clean up/correction period the student will be subject to judicial action.
3. An annual fire safety inspection is conducted by a representative from the N.C. Department of Insurance. Additional inspections may be conducted by University Safety Office personnel and/or the N.C. Department of Insurance.

20.07 Fire Safety

Coordinators, Residence Directors and Resident Assistants have the primary responsibility of communicating and executing the fire safety policies and procedures within their building(s), which include:

1. Communicating the importance and purpose of fire safety, fire drills and evacuation procedures to residents during house/floor meetings. Coordinators, Residence Directors and Resident Assistants should conduct floor meetings which incorporate discussions on fire safety and emergency evacuation procedures. Residents should be provided with emergency evacuation procedures, fire safety information and fire safety policies.
2. Attendance and participation in fire drills.
3. Maintaining current fire drill/emergency evacuation procedures for their resident hall.
4. Conduct periodic health and safety inspections and document/correct any violations/hazards which are observed.
5. Insure that fire safety policies are being followed by occupants and staff members.

20.08 Fire Prevention & Safety Policies

The following fire prevention & safety policies are taken from the University Housing Contract, University Housing Staff Manual and policies established by the University Safety Office.

1. All fires no matter how small should be reported to University Police & Boone Fire Department immediately, even if the fire has been extinguished.
2. Candles, incense burners, potpourri burners, oil lamps, tiki torches, etc. are prohibited in residence halls.
3. The use and storage of gasoline, kerosene, charcoal lighter fluid, art supplies such as paint thinner, oil based paint or any similar flammable liquid is prohibited in residence halls. The use or storage of charcoal is also prohibited in residence halls.
4. Flammable items such as tapestries, afghans, sheets, netting, large quantities of paper etc. should not be hung or draped from the walls, windows, ceilings, room/exit doors. Light fixtures are not to be covered with flammable items. Flammable items may not exceed/cover more than 13 square feet of any wall surface in a resident’s room.
5. **Posting** - notices or flyers should be placed **only** on designated bulletin boards. Notices or flyers **should not** be placed on hallway walls, stairwell doors, in stairwells, around elevator call buttons or inside elevators.

6. **Individual Room Door Decorations** - Residents may not decorate or cover more than 10% (2 square feet) of any individual room door.

7. **Holiday Decorations** - Holiday decorations must comply with guidelines issued by the University Safety Office (See Holiday Decorating Guidelines below).


9. **Extension cords** are not allowed in a resident’s room per the University Housing Contract. Care should be taken in the use of all electrical cords and sockets throughout the building. Do not overload circuits. Multi-plug adapters are prohibited. UL approved power strips equipped with surge protectors are permitted. Power strips should not be overloaded. Appliances that exceed 1200 watts, or refrigerators with an internal dimension larger than five cubic feet, are not permitted in a resident’s room.

10. **Cooking** - Use only appliances provided by University Housing. Items such as microwaves, toaster ovens, hot plates, and electric grills are not allowed. Never leave cooking food unattended. Use caution when cooking to avoid unnecessary smoke or burnt food which may result in fire alarm activation. Over 50% of fire alarms that occur in Appalachian’s residence halls are cooking related. Practice courtesy to others in your building and stay with your food for the entire cooking period.

11. **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 disposed of in a safe location and not allowed to come in contact with anything which will burn. Grills must be **completely** cool before being stored.

12. **Smoking** – Smoking is not allowed in any residence hall and is subject to Student Conduct Review.

13. **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 are located throughout the residence halls, in the corridors, at the stairwells and in some lobby areas.
14. Fire Alarm Equipment - Fire alarm equipment such as smoke/heat detectors, sprinklers, pull stations, fire extinguishers, etc. 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 fire alarm system, immediately report it to University Housing Staff.

15. Bicycles - Bicycles are 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.

20.09 Fire Alarm 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 University Police (262-8000) or Boone Fire Department (9-911) 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 an emergency blue light telephone or another building that is unaffected by the emergency. Continue with the following procedures:

1. Contact University Police (262-8000) or Boone Fire Department (9-911). 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 University Police at the pre-designated evacuation assembly area.

2. Join staff members and occupants outside at the evacuation assembly area. Keep residents outside, in designated locations (parking lot, across the street, etc.). Do not re-enter, permit re-entry, or interfere with emergency response personnel or equipment.

3. 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).

4. If necessary, provide University Police and Boone Fire Department personnel with master keys upon their arrival and communicate the nature and extent of the problem, if known.

5. Remain outside the building while emergency personnel inspect the premises, extinguish fires, remove trapped individuals and restore the alarm system.
6. Do not re-enter or allow others to re-enter the building until Fire Department Officials, University Police, or other designated safety personnel communicate that it is safe to return.

7. In the event that the fire alarm system cannot be reset, University Police will contact Physical Plant personnel to correct the problem. In the event the fire alarm system cannot be restored by Physical Plant personnel, a determination by emergency personnel or Physical Plant Personnel will be made regarding the appropriate measures to re-occupy the residence hall.

8. When it has been determined that it is safe for occupants to return to the building, assist emergency personnel in providing orderly re-entry into the residence hall.

9. The Coordinator/Residence Director should return the completed Residence Hall Fire and Safety Report (RF-7) to the Residence Life Assistant Director’s Office no later than noon following the date of the incident.

Note #1: During inclement weather, occupants should be directed towards the nearest residence hall lobby(s). Residence hall staff will assist in gaining access to the building.

Note #2: Fire alarm cabinets should remain locked at all times. Fire alarm cabinets should remain clear of furniture or other obstructions at all times.

20.10 Fire Watch Procedures

1. In the event that a fire alarm 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 will be asked to make rounds throughout the building to ensure that the building is fire safe.

2. If smoke, fire or other emergency situation is observed by staff during the fire watch period, University Police should be contacted immediately at 262-8000 and room by room evacuation/notification given, if possible. Fire alarm procedures should be followed.

20.11 Plans for Future Improvements in Fire Safety

1. Appalachian State continually evaluates the fire protection systems in residential facilities. A systematic process of annually planning and budgeting for fire protection system upgrades occurs through replacements or building renovations.

2. Current plans call for the fire alarm system replacement and sprinkler installation in Cone Residence Hall to be completed fall 2010.

4. Coffey Hall and Mountaineer Apartments will be demolished during the summer of 2010 for new sprinkled housing to be built on these sites.

20.12 Fire Log

A fire log for the most recent sixty-day period is available for public inspection, upon request, during normal business hours at 1039 State Farm Road, Boone, NC. Two business days are required for a request for any portion of the log older than sixty days. For further details, contact the University Safety Inspector at (828) 262-4007 ext. 1.

20.13 Holiday Decorating Policy for On-Campus Housing

1. Decorations/Displays will only be permitted in lounge areas.
2. No items may be hung, taped, or displayed in hallways or corridors (other than items on bulletin boards and 10% of individual room doors).
3. No items may be hung, taped, displayed or placed in stairwells or exits.
4. All exit doors must remain clear and accessible at all times. Exit doors may not be decorated or disguised.
5. All fire alarm equipment (pull stations, fire extinguishers, smoke/heat detector heads, etc.) must remain clear/visible and accessible at all times.
6. All exit signs must remain visible and illuminated at all times.
7. Please note that the following decorative materials will not be permitted: cotton batting, dry/cut vegetation, moss, straw, hay, vines, leaves, twigs, or other similar materials.
8. Non-combustible, non-flammable or flame retardant materials should be utilized, if possible.
9. If combustible materials are used, 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.
10. Decorative light sets should not be anchored/taped or allowed to touch metal items such as window or door frames. Cords may not be run through doorways, under doors or across hallways.
11. If extension cords are necessary only UL listed heavy duty cords should be utilized. If cords are to be placed in high traffic areas, rubber cord covers should be used to avoid wear and tear on the inner wiring and to prevent tripping hazards. Cords may not be run through doorways, under doors or across hallways. Decorative light sets or other electrical items should be unplugged whenever the area is unattended.
12. Any residence hall wishing to decorate for Trick or Treat must have their decorations COMPLETED no later than 24 hours prior to the established Trick or Treat date.
13. Haunted houses and mazes are not permitted in university buildings.
14. Jack-O-Lanterns (artificial or natural) may be illuminated only by the use of battery powered or electrical lighting sources. Candles are prohibited in all residence halls.

15. 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.

16. All artificial trees, wreaths and garland must be labeled or certified by the manufacturer as being “flame retardant or flame resistive”.

17. Decorations should never be placed in emergency egress areas such as stairwells, hallways or exit passageways.

18. Properly dispose of gift wrapping and packing materials soon after opening gifts.

19. Remove all trees and combustible decorations prior to leaving for winter break.

20.14 Decorative Light Sets

1. Use only U.L. approved electrical lights and wiring and be sure to follow the manufacturers’ instructions.

2. Be sure that the lights have no noticeable damage such as burned out bulbs, frayed or kinked cords, or bent or broken plug ends. Test the lights to ensure that they work properly prior to use.

3. The lights should not come in contact with metallic surfaces such as ornaments or metal window or door frames.

4. Lights should not be placed on aluminum or metallic trees. Spot lighting or flood lighting systems should be used with these types of trees.

5. The lights must be disconnected whenever the area is un-staffed or unattended.

20.15 Fire Safety Warning

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.

REFERENCES:

Student Right-to-Know Act (Public Law 101-542)
Higher Education Technical Amendments of 1991 (Public Law 102-26)
Higher Education Technical Amendments of 1993 (Public Law 103-208)
Higher Education Opportunity Act (HEOA) of 2008 (Public Law 110-315)
20 U.S.C. 1092(f)
20 U.S.C. 1094
34 CFR Part 668

Appendices:

A. Campus Map
B. Three Year Crime Statistics Report
### Offense Type

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>On-Campus</th>
<th>Residential Facilities (#1)</th>
<th>Non-Campus Buildings &amp; Property (#2)</th>
<th>Public Property (#3)</th>
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### Number of Arrests/Referrals for Selected Offenses

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### Judicial Referrals

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<tr>
<td>Drug Violations</td>
<td>32</td>
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<td>20</td>
<td>20</td>
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<tr>
<td>Weapons Violations</td>
<td>9</td>
<td>2</td>
<td>9</td>
<td>9</td>
<td>1</td>
<td>9</td>
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</tr>
</tbody>
</table>

**Note:**
1. Crimes that occur in a Residential Facility are also included in crimes on campus and non-campus as appropriate.
2. Non-campus Buildings & Property are defined as: university property outside the boundaries of Main Campus and property owned or controlled by student organizations recognized by the university.
3. Public Property includes only crimes reported to the Town of Boone for locations adjacent to Main Campus.
   a. 2007 ALE made 124 arrests
   b. 2008 ALE made 47 arrests
   c. 2009 ALE made 0 arrests