



**ASHEVILLE-BUNCOMBE TECHNICAL COMMUNITY COLLEGE**

**ANNUAL SECURITY REPORT**

**2017**

**Review Period January – December 2017**

**Published October 1, 2018**

## Introduction

Asheville Buncombe Technical Community College (A-B Tech) prepares this report in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* (The Clery Act). The security report is designed to provide you with important information about your safety and security and contains statistics about crime on campus. Safety is a shared responsibility and we strongly encourage every community member to contribute by reporting crimes and any suspicious activities.

Campus crime, arrests and referral statistics include those reported to A-B Tech Police and Security Department and Campus Security Authorities. A-B Tech also requests statistics for crimes on or near our campuses and non-campus properties that are reported directly to other law enforcement agencies.

An annual email is sent to all employees and currently enrolled curriculum students that contains a web link to access this report. The report may also be found on the College website at <https://www.abtech.edu/campus-police-and-security/campus-safety-and-security-reporting>. Copies of the report may also be obtained at the A-B Tech Police and Security Department located in the A-B Tech/Mission Health Conference Center on the Asheville Campus.

## Law Enforcement Authority

The A-B Tech Police and Security Department employs both sworn police officers and non-sworn security officers. Police officers are state certified and have full authority to enforce state and local laws and to make arrests on all A-B Tech campuses, the public properties within and immediately adjacent to those properties and non-campus properties under the control of A-B Tech. Both police and security officers are authorized to issue citations and make disciplinary referrals for violations of college parking and traffic regulations and the Code of Student Conduct.

The A-B Tech Police and Security Department has mutual aid agreements with Asheville Police Department, Buncombe County Sheriff Department and Madison County Sheriff Department and may request the assistance of those agencies in the investigations of major incidents committed on A-B Tech properties. The A-B Tech Police and Security Department also has an agreement with Asheville Police Department for entering stolen vehicles and other stolen articles into the NCIC database. Through necessary permitting, A-B Tech Police and Security Department have computer access to state, interstate and national databases containing vehicle and driver information, criminal histories and other state and federal law enforcement information.

## Reporting Crimes

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety incidents to the A-B Tech Police in a timely manner.

- A-B Tech Asheville - crimes committed should be reported to the A-B Tech Police and Security Department by calling 828-279-3166 or 828-398-7125. For emergencies, dial **9-1-1**. Crimes may also be reported in person, during normal business hours in the A-B Tech/Mission Health Conference Center.
- A-B Tech Enka - crimes committed should be reported to the A-B Tech Police and Security Department by calling 828-301-7150 or 828-398-7125. For emergencies, dial **9-1-1**. Crimes may also be reported in person, during normal business hours in the Small Business Center Building.
- A-B Tech Madison - report emergencies and crimes in progress by dialing **9-1-1** for Madison County Sheriff Department. As soon as possible notify the A-B Tech Police and Security Department by calling 828-279-3166. Crimes may also be reported in person, during normal business hours at the Director's office.
- A-B Tech Woodfin - report emergencies and crimes in progress by dialing **9-1-1** for Woodfin Police Department. As soon as possible notify the A-B Tech Police and Security Department by calling 828-279-3166. Crimes may also be reported in person, during normal business hours at the Dean's office.
- A-B Tech South - report emergencies and crimes in progress by dialing **9-1-1** for Buncombe County Sheriff's Department. As soon as possible notify the A-B Tech Police and Security Department by calling 828-279-3166. Crimes may also be reported in person, during normal business hours at the Director's office.
- Crimes occurring on non-campus sites should be reported to the law enforcement agency of jurisdiction by dialing **9-1-1**.

The A-B Tech Police and Security Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public record under state law, A-B Tech Police and Security Department cannot hold reports of crime in confidence.

Confidential reports made in the interest of campus security may generally be made to other A-B Tech Campus Security Authorities as identified on the next page. With such information, the college can keep an accurate record of the number of incidents, determine where there is a pattern of crime and alert the campus community to potential danger. Reports filed in this matter are counted and disclosed in the annual campus crime statistics.

## Campus Security Authorities

### *Terry Brasier*

Vice President of Student Services  
Asheville Campus  
terrybrasier@abtech.edu  
828-398-7146

### *Heather Pack*

Director, Student Support Services  
Asheville Campus  
heatherdpack@abtech.edu  
828-398-7141

### *Michele Hathcock*

Director, Title IX Compliance and Student Life  
michelechathcock@abtech.edu  
828-398-7203

### *Sherri Davis*

Director, Madison Campus  
sherrijdavis@abtech.edu  
828-398-7701

### *Jill Sparks*

Executive Director, Small Business Center  
Enka Campus  
jillmspark@abtech.edu  
828-398-7949

### *Jason Fair*

Director, A-B Tech South  
South Site  
jasonrfair@abtech.edu  
828-398-7716

### *Clint Gorman*

Dean, Emergency Services  
Woodfin Campus  
clintoncgorman@abtech.edu  
828-782-2123

### Additional Resources:

#### *Kara Walker*

Chief of Police  
karakwalker@abtech.edu  
828-398-7870

#### *J.R. Shelton*

Assistant Chief of Police  
conleywshelton@abtech.edu  
828-398-7115

For online reporting visit [www.abtech.edu/incidentreport](http://www.abtech.edu/incidentreport). Please note this information goes to Student Services and not directly to A-B Tech Police.

*The list of individuals designated as Campus Security Authorities may change during the reporting period as personnel and job descriptions change.*

## Counseling

Asheville-Buncombe Technical Community College provides free, confidential counseling and related services for students through the office of Student Support Services. A-B Tech recognizes the dual relationship that exists when counselors support both the institution and its students. Each counselor is bound by and subject to the code of ethics relevant to their certification and/or licensure. Each counselor is also responsible for seeking appropriate guidance regarding the issues that may arise as a result of this dual relationship.

As a result of the negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. § 1092(f), clarification was given to those considered to be campus security authorities. Campus “Professional Counselors,” when acting as such, are not considered to be Campus Security Authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are encouraged, if and when they deem it appropriate, to inform persons being counseled of the process to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

A “professional counselor” is defined as an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

## Voluntary Confidential Crime Reporting

Any student who is the victim of a sexual assault, domestic violence, dating violence, stalking or any other crime, or who witnesses any crime on any A-B Tech property is strongly encouraged to report that crime to the A-B Tech Police and Security Department for investigation and appropriate disciplinary referral or legal action. Any student who is the victim of a crime that occurs during any College sponsored activity not on a College property is encouraged to report that crime to the law enforcement agency having jurisdiction. Students who do not wish to pursue a crime through legal remedies may confidentially report a crime directly to any Campus Security Authority as identified on page 4 of this report. While maintaining the student’s confidentiality, the Campus Security Authority will work with the appropriate college officials to investigate the report for the purpose of identifying and implementing necessary preventive measures. Individuals wishing to anonymously report a crime may also submit an online incident report at [www.abtech.edu/incidentreport](http://www.abtech.edu/incidentreport).

For more immediate mental health assistance contact our community partner, Mobile Crisis Management at 888-573-1006.

The A-B Tech Police and Security Department shall not be involved in the investigation. The circumstances of a reported crime will be evaluated to determine if a timely warning should be issued. Under no circumstances will a student’s preferences override the College’s responsibility to ensure the health and safety of the reporting student or of the greater college community. Statistical information from all voluntary confidential crime reports will be recorded for inclusion in required crime statistics reporting.

## Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of Police or the Chief's designee, constitutes an ongoing or continuing threat to health or safety, a campus wide "timely warning" will be issued.

Timely warnings are sent to all currently registered curriculum students and current employees using the college email system. Students and employees should take responsibility for checking their email accounts frequently. Students and employees also have the option to receive text alerts, in addition to an email. Timely warnings are issued based on the nature of the crime, if the crime is a continuing danger to the college community, and if the notification does not interfere with law enforcement efforts.

Members of the college who know of a crime or other serious incident should report the incident immediately by phone (**828-279-3166 or 828-398-7125**) to the A-B Tech Police and Security Department so that a Campus Safety Alert can be issued, if warranted.

The sole purpose of a timely warning is to insure the health and safety of the college community. Accordingly, victims' names will be held as confidential and will not be included in any notification.

## Emergency Notification

In the event of a situation that poses an immediate threat, such as a severe weather event or an armed intruder, A-B Tech will immediately initiate the mass notification system. Upon confirmation of an immediate threat, through direct observation or a credible report, the President or designee will immediately initiate the notification process unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim, contain the emergency, respond to the emergency or otherwise mitigate the emergency. All available methods of emergency communication will be utilized such as, mass notification system, emergency text messages, computer "pop-up" messages, and postings on the college and social media websites. **Note:** All students and employees are encouraged to update their profile information in WebAdvisor to receive emergency text messages. WebAdvisor can be accessed from the college website at <http://www.abtech.edu>.

A-B Tech utilizes building captains in each building to facilitate the appropriate emergency response. Procedures to be followed in an emergency are outlined in the Emergency Management Guide which is posted in all classrooms and offices throughout each campus. Various tests of the Emergency Management Plan including secure in place and evacuation procedures are conducted periodically on all campuses.

## Testing Emergency Response and Evacuation Procedures

Emergency response and evacuation drills are coordinated by the A-B Tech Police and Security Department each semester for all facilities on the Asheville, Enka, Madison, Woodfin, and South campuses. Thus, the emergency response and evacuation procedures are tested at least twice each year and, sometimes, three times a year. These drills may be announced or unannounced. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Students are not told in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated evacuation assembly area on campus, and other factors such as the location and nature of the threat. In both cases, A-B Tech staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. Students also receive information about evacuation and Lock-Down procedures during their New Student Orientation.

Evacuation drills are monitored by the A-B Tech Police and Security Department and the Building Captains to evaluate egress and behavioral patterns. Evaluations are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

A-B Tech Police and Security Department coordinates announced and unannounced emergency response and evacuation drills each semester to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. A-B Tech's emergency response and evacuation procedures are posted in all classrooms and offices throughout each campus and on the MY EOP app. Documentation of emergency response and evacuation exercises will be maintained for seven years. This documentation includes a description of the exercise, date the exercise was held, the time the exercise started and ended, and whether the exercise was announced or unannounced.

*\*\*My EOP can be downloaded from Apple App Store or Google Play. Organization Code "A-B Tech" and Password "safety".*

**Lock-Down Guidance**— When a situation exists, such as an armed intruder in the immediate vicinity or a severe weather event, such that it would be inadvisable to leave the relative safety of a building, secure in place procedures will be initiated.

**Basic "Lock-Down" Procedures** - A Lock-Down notification may come from several sources, listed in the preceding Emergency Notification section.

### Remember "S.E.L.F"

- **SURVEY** – Be aware of your surroundings, where you are and what is available if you need to make yourself or others safe.
- **EVACUATE** – If there is an accessible escape path, try to evacuate the area.

- **LOCK-DOWN** – If evacuation is not possible, find a place to hide where the shooter is less likely to find you.
  - Close and lock classroom door. Turn off the lights. Get on the floor, away from doors and windows, out of the line of sight.
  - **TEXT 911**
  - Do not attempt to leave safe area until given the ALL CLEAR by college officials.
- **FIGHT BACK** – As a last resort, and only if your life is in danger, attempt to disrupt and/or incapacitate the shooter.

**Evacuation Guidance**— When a situation exists, such as a fire, such that it would be advisable to evacuate a specific area or the entire campus, evacuation procedures will be initiated.

**Basic Evacuation Procedures** – An evacuation notification may come from several sources, listed in the preceding Emergency Notification section.

- Follow evacuation routes to the nearest building exit, taking your possessions with you.
- Proceed to the Evacuation Assembly Areas.
- Keep drives and accesses clear for emergency vehicles.
- Do not re-enter the building
- Await directions from emergency personnel.

## Access to Campus Facilities

A-B Tech encourages an open environment with limited constraints to ensure the reasonable protection of all members of the college community. A-B Tech is a non-residential institution of higher education. Therefore, most campus facilities are normally open during business hours. During non-business hours access to all College buildings is by key, if issued, or by admittance via the A-B Tech Police and Security Department. Individuals who wish to access College buildings or property during non-business hours or for special events should contact the appropriate department administrator, Coordinator, Facilities & Accounts Manager, or A-B Tech Police and Security Department. During non-business hours, the Police and Security Department can be contacted by calling 828-279-3166.

## Security Considerations in the Maintenance of Campus Facilities

A-B Tech is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. A-B Tech Police and Security Officers and Plant Operations personnel regularly conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately



controlled. A-B Tech Police and Security Officers conduct routine inspections of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is promptly acted upon by Plant Operations. The College encourages employees to report any deficiency in locks, lighting, steps or handrails, roadways, or unsecured equipment through the “School Dude” work request system located at <https://portal.abtech.edu>.

## **Security Awareness and Crime Prevention Programs for Students and Employees**

New Student Orientation is a required activity for all incoming curriculum students at A-B Tech. During this classroom-based or online orientation program, students are informed of services offered by the A-B Tech Police and Security Department. Topics include the following: how to reach A-B Tech Police for emergency and non-emergency situations, detailed instructions regarding the College emergency notification system and procedures, personal safety tips, as well as how to contact the Title IX Coordinator for incidents involving sexual misconduct. Students are also shown the A-B Tech Police and Security department webpages which contains more detailed information about general campus safety and crime statistics on-campus. Once students enroll, a first year experience course is offered during the beginning of their program wherein they learn about campus security and reporting. Additionally all curriculum students are shown an emergency response video during first month of each semester.

A similar program, New Employee Orientation is required for all full time and part time regular employees. Professional Development sessions are offered annually to all employees on a variety of topics including sexual misconduct and Title IX, drug and alcohol misuse and mental health. Employees also participate in bi-annual college emergency response drills.

The A-B Tech Police and Security Department regularly partners with the Student Life and Development office to help raise awareness on issues of campus safety. The department sets-up information booths at Activity Day events which are festival style programs during which all curriculum classes are canceled for a two-hour block. This provides an opportunity for students to interact with Police and Security officers in a positive relationship-building manner. During these events, wallet sized safety cards are distributed to students and employees. The card contains contact information for A-B Tech Police and the Title IX Coordinator, safety and risk reduction tips, and encourages the holder to report suspicious behaviors, sex/gender based harassment, dating violence, domestic violence, sexual assault, or stalking. Keychain flashlights and whistles with the A-B Tech Police and Security Department phone number are also distributed.

The Student Life office annually sponsors prevention and awareness programs that promote awareness of domestic violence, dating violence, sexual assault, and stalking. Programming includes statements that A-B Tech prohibits sexual assault, domestic violence, dating violence and stalking, as well as definitions of these offenses in NC, definitions of what is consent, safe and positive options for bystander intervention, as well as signs of abusive relationships and behaviors. The Student Life office regularly partners with the Student Support Services office to host annual substance abuse and mental health awareness events for

students and employees. Additional events are held in partnership with community-based agencies specializing in sexual assault and domestic violence awareness, response, and prevention.

In addition to seminars, information is disseminated to students and employees through the A-B Tech website, security alerts to computers and text alerts, social media tools, College catalog, the Student Handbook, and educational brochures in Coman and Bailey buildings.

## **Drug and Alcohol Policy** *(Updated: September 12, 2018)*

It is the policy of the Board of Trustees that A-B Tech will maintain a learning and working environment that is free from the negative impact of drug and/or alcohol abuse. The College prohibits students, employees, and visitors from being on the College's premises or attending any College-sponsored activity at a non-College location while impaired by any impairing substance. The College also prohibits the manufacture, possession, use, distribution, or sale of controlled substances or alcohol during work time and breaks, on A-B Tech premises or class/work sites, while driving a College vehicle, and/or while driving any vehicle for a College-sponsored, sanctioned, or required activity, with the following exception.

This policy permits College-sanctioned activities approved in writing by the President where alcohol is manufactured, possessed, used, distributed, sold, served, and/or consumed for academic, continuing education, social, or other purposes consistent with the College's procedures and applicable legal requirements. These documents will be maintained in the President's Office.

## Drug and Alcohol Procedure

### General Prohibition:

A-B Tech is committed to providing a drug-free learning and working environment. From a safety perspective, the use of drugs or alcohol may impair the well-being of students, employees, and visitors, interfere with the College's educational environment, and result in damage to College property. Therefore, it is the College's policy that the unlawful manufacture, distribution, dispensation, possession, or use of Alcohol, illegal or unauthorized Controlled Substances or Impairing Substances are prohibited at any College Location by College students and employees.

A-B Tech complies with the Drug Free Workplace Act and the Drug Free Schools and Campuses Act (DFSCA) and applicable Department of Education requirements by instituting the following practices:

1. The College will conduct an annual review of the effectiveness of the Drug and Alcohol Abuse Prevention Program (DAAPP). This activity will be the responsibility of the Vice President for Student Services, Executive Director of Human Resources and Organizational Development, or designee. The review will be completed by June 30 of each year so that this information may be used to revise the DAAPP for optimum effectiveness.
2. Annual review information will be compiled to produce a biennial review as required by the Department of Education and the DFSCA.

### Definitions:

Alcohol means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor and mixed beverages.

College Location means in any College building or on any College premises; in any College-owned vehicle or in any other College-approved vehicle used to transport students/employees to and from College or College activities; and off College property at any College-sponsored or College-approved activity, event or function, such as a field trip or athletic event, where employees and students are under the College's jurisdiction.

Controlled Substance means any substance listed in 21 CFR Part 1308 and other federal regulations, as well as those listed in Article V, Chapter 90 of the North Carolina General Statutes. Generally, the term means any drug which has a high potential for abuse and includes, but is not limited to: heroin, marijuana, cocaine, PCP, GHB, methamphetamines, and crack. This term also includes any drugs that are illegal under federal, state or local laws and legal drugs that have been obtained illegally or without a prescription by a licensed healthcare provider or are not intended for human consumption. The term also applies to improper use of over-the-counter medication.

Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug and alcoholic beverage statutes.

Impairing Substances means any substance taken that may cause impairment, including but not limited to bath salts, inhalants, or synthetic herbs.

Reasonable Suspicion is the legal standard required before the College can require a student or employee to take a drug or alcohol test. Some of the factors that constitute reasonable suspicion are: a) direct observation of drug use or possession; b) direct observation of the physical symptoms of being under the influence of drugs; c) impairment of motor functions; d) pattern of abnormal or erratic conduct or behavior; or e) reports from reliable sources or credible sources (anonymous tips may only be considered if they can be independently corroborated).

Safety-Sensitive Employee means employment positions where the duties involve such a significant risk of injury to others that even a momentary lapse of attention can have disastrous consequences or positions where a single slip-up may have irremediable consequences; the employee will have no chance to recognize and rectify the mistake, nor will other personnel have an opportunity to intervene before harm occurs.

The following positions are designated as safety-sensitive:

- a. All A-B Tech Police and Security employees except those who perform purely administrative, office duties.
- b. All Facilities and Plant Operations employees except those who perform purely administrative, office duties.

### Limited Immunity

A-B Tech realizes that individuals may be hesitant to report to College officials or participate in the resolution process because they fear that they themselves may be accused of policy violations, such as underage drinking or being under the influence of drugs and alcohol at the time of the incident. To encourage individuals to receive appropriate help for various circumstances and to encourage reporting, limited immunity will be provided in the following incidents:

1. *Sexual misconduct*: The College offers the reporting party and witnesses limited immunity from minor drug and alcohol policy violations. (Refer to the Sexual Misconduct Policy 112).
2. *Substance misuse treatment*: The College offers the reporting party limited immunity when seeking treatment assistance for an addiction. Likewise, a person seeking medical assistance for an individual experiencing a drug-related overdose may also be permitted limited immunity from minor drug and alcohol policy violations (NC Senate Bill 20, 2013).

## Students

1. No student shall distribute, dispense, possess, use or be under the influence of Alcohol, illegal or unauthorized Controlled Substance or Impairing Substance at a College Location at any time. Students in Continuing Education, Hospitality, Culinary, or Brewing programs over the age of 21, in which alcohol is part of the curriculum, may consume beverages as applicable to the course.
2. A student's legal use of prescribed or over-the-counter drugs is not a violation of policy only if such use does not endanger the student or others and it does not interfere with student learning or participation in student-related activities. Students shall be held strictly accountable for their behavior while under the influence of prescribed drugs or over-the-counter drugs.
3. Any student who manufactures, possesses, uses, sells, gives, or in any way transfers a Controlled Substance or Impairing Substance while at a College Location will be subject to disciplinary action up to and including expulsion and referral for prosecution, and possible legal sanctions.
4. A-B Tech hosts an Addition, Recovery, and Coping (ARC) program for students each semester. These programs are open to all students, but may be required for students in violation of this policy as a first level disciplinary sanction. Additional educational materials, programs, and other resources are available through both our Student Life and Support Services departments.
5. If the instructor suspects a student is under the influence of drugs or alcohol, they should contact A-B Tech police to remove the student from the classroom. Instructors must notify the Vice President for Student Services or designee of this alleged violation of Code of Student Conduct as soon as possible.
6. College administrators reserves the right to search the student, vehicle and/or personal property of student when on College property or other location where instruction occurs, based on reasonable suspicion. The A-B Tech Police Department may search students consistent with applicable law.
7. A-B Tech complies with applicable Department of Education requirements by taking the following steps, as they apply to students:
  - a. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all currently enrolled students.
  - b. Publishes the Drug and Alcohol Policy and Procedures on the website and establishes an annual email notification to students with a link to the online documents.
  - c. Incorporates information about drug and alcohol Policy and Procedures in New Student Orientation.
8. Consequences for Violating Policy/Procedures:

A student who violates the terms of this policy will be subject to disciplinary action in accordance with the Code of Student Conduct and Student Due Process policies and procedures. The Vice

President for Student Services or designee may require any student who violates the terms of this policy to satisfactorily participate in a drug abuse awareness program or other sanctions as listed below. For repeated or more severe infractions, the student may be required to complete an off-campus drug or alcohol abuse rehabilitation program sponsored by an approved private or governmental institution as a precondition of continued enrollment at the College. The following sanction options may include, but are not limited to, the following:

- a. Determination of disciplinary Warning, Probation, or Suspension.
- b. Complete a drug and alcohol use assessment in order to identify the student's current level of use and to identify appropriate service recommendations.
- c. Required to attend one or more collegiate recovery group and/or a community recovery event.
- d. Mandatory counseling focusing on drug or alcohol abuse.
- e. Referral for offsite formal clinical assessment and treatment.

## Employees

### 1. Notice to Employees

A-B Tech complies with the Drug Free Workplace Act and applicable Department of Education requirements by taking the following steps, as they apply to employees:

- a. Prepares the College's Drug and Alcohol Abuse Prevention Program (DAAPP) for annual distribution to all employees.
- b. Publishes the Drug and Alcohol Policy and Procedures on the employee Portal page and established an annual email notification with a link to the online documents.
- c. Incorporates information about the Drug and Alcohol policy and procedures in New Employee Orientation.
- d. Offers an Employee Assistance Program (EAP), which includes drug and alcohol information, short-term counseling, and referrals.
- e. Notifies employees of their obligation to inform the Human Resources Department of any conviction of a criminal drug violation in the workplace (see below).
- f. Maintains a process for notifying the contracting or granting agency within ten days of receiving notice that a covered employee has been convicted of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity. Conducts a thorough and timely assessment regarding internal consequences for such conviction.
- g. Reserves the right to search the person, vehicle, and/or personal property of employees when on College property and/or while on duty regardless of location, consistent with applicable law.
- h. Establishes a separate file in the Human Resources Department where employee drug/alcohol information is maintained. The confidentiality of any medical issues discussed is protected as required by law, and this information will only be shared on a legitimate need-to-know basis or when required by law.

### 2. Consistent with the Drug Free Workplace Act, employees are required to:

- a. Sign a Drug-Free Workplace Statement as a condition of employment.
- b. Abide by all terms of the Drug and Alcohol Policy and Procedures.
- c. Notify the Human Resources Department in writing, within five calendar days after conviction of a criminal drug violation that occurred while on the College's premises or while participating in a work-related activity.
- d. Participate in the Employee Assistance Program and/or complete a treatment program, if required by the College as a condition of continued employment.
- e. Notify the immediate supervisor before work if the employee needs to take a prescribed or over-the-counter drug that may impair judgment or performance in any way. It is the employee's responsibility to use appropriate College procedures (i.e. request sick leave) if any use of legal drugs presents a safety risk. Any medical issues discussed will be kept in confidence according to legal requirements. The legal use of prescribed or over-the-counter drugs is permitted on the job only if it does not impair the employee's ability to perform the job effectively and in a safe manner, and that does not endanger the employee or others in the workplace or interfere with student learning or services.

### 3. Employee Assistance Program/Substance Abuse Treatment

A-B Tech encourages the identification and treatment of alcohol and chemical dependency in its early stages before work is affected. Toward this end, the College retains the services of an Employee Assistance Program (EAP) to assist employees who request help with substance abuse. Employees will not be disciplined, demoted, or terminated for seeking professional counseling and/or treatment to recover from an alcohol or chemical dependency. However, employee performance and work behavior will continue to be evaluated consistent with the College's expectations and requirements.

### 4. Drug/Alcohol Screening

A-B Tech maintains a drug/alcohol screening program consistent with legal requirements. All drug/alcohol screening is conducted by an approved laboratory identified by the College and in accordance with the NC Controlled Substance Examination Regulation Act and all testing shall comply with the Controlled Substances Examination Regulation, 13 NCAC 20.0101 *et seq.* All drug/alcohol screens must be approved by, and coordinated through, the Human Resources Department, except those required after hours, which must be approved and coordinated by the A-B Tech Police Department. The Human Resources Department shall be required to maintain all records associated with the College's drug/alcohol screening program.

Drug and/or alcohol testing occurs under the following circumstances:

- a. Pre-Employment. Pre-employment drug screens are required for employees in safety-sensitive positions and/or College programs where such screening is a requirement for placement at a clinical or other site.
- b. Post-Accident. When there is Reasonable Suspicion that drug and/or alcohol use or impairment may have contributed to the accident or incident, a post-accident drug/alcohol screen is required for any employee. The College will arrange transportation for the employee to the screening location and then home, if necessary to ensure the employee's safety. If the employee refuses to participate in the drug and/or alcohol screening, it will be considered a positive result.

- c. Reasonable Suspicion. A supervisor, with agreement of the appropriate ELT member and the ED of Human Resources and Organizational Development may require an employee to participate in drug and/or alcohol screening when the screening is based on Reasonable Suspicion. If the employee refuses to participate in the drug and/or alcohol screening, it will be considered a positive result.
5. Participation in College - Sanctioned and other Work-related Activities where Alcohol Is Served.
- a. When an employee and/or guest attend a College-sanctioned or work-related activity where alcohol is served, each individual is expected to use good judgment with regard to the amount of alcohol consumed and the legal requirements for safely driving away from the activity. Under no circumstances may an individual under the age of 21 hold or drink an alcoholic beverage on the College's premises or work-related activity at another location.
  - b. When the activity is hosted by A-B Tech, the College will arrange for alternate transportation to assist an impaired employee and/or guest in getting home safely when the need is brought to the attention of the A-B Tech employee in charge of the activity. In all situations, each employee and/or guest is responsible for their own behavior and any resulting consequences.
  - c. When chaperoning students during an off-site activity, the employee has an obligation to inform the students that the College's Drug and Alcohol policy is still in effect. Knowingly permitting a student to consume alcohol, except as specifically allowed by the Drug and Alcohol Policy, may result in disciplinary action or dismissal, depending on the College's interpretation of the circumstances and/or legal requirements.
6. Consequences for Violating Policy/Procedures
- a. Violations of this policy or procedures and/or a confirmed positive drug/alcohol screen may result, at A-B Tech's sole discretion, in disciplinary action and/or dismissal of any employee, depending on the College's interpretation of the circumstances and subject to Policy 509.02, Employee Due Process. Violations may also result in legal consequences, as A-B Tech will notify the appropriate authorities whenever warranted.
  - b. At its sole discretion, in lieu of or in addition to taking disciplinary action against an employee, the College may require the employee to satisfactorily complete a drug or alcohol abuse assistance or rehabilitation program. If an employee refuses to seek treatment when required, does not respond to treatment, and/or there are indications that the drug or alcohol dependency persists, the situation will be handled by the College like any other event which adversely affects job performance.
  - c. An employee who refuses to submit to a drug or alcohol screen that is consistent with the above criteria, adulterates or dilutes the specimen/sample, substitutes the specimen/sample with that from another person, sends an imposter, refuses to sign the required consent forms, and/or refuses to cooperate in the screening process in such a way that it prevents completion of the examination, will be dismissed subject to Policy 509.02, Employee Due Process, when applicable.

#### Requirements for A-B Tech and Third-Party Events when Alcohol is Sold or Served

At A-B Tech events, and events held on A-B Tech property by third parties, the following guidelines shall apply when alcohol is served:

- a. Alcoholic beverages may be served no more than one (1) hour before food for the main event is served.
- b. Once food has been served for the main event, only beer and wine may be served during the main event.
- c. Events at which alcoholic beverages are served may last no longer than three (3) hours.
- d. For events that do not precede a meal function, serving heavy hors d'oeuvres, with at least two (2) hot hors d'oeuvres, is required.
- e. Service of alcohol must be discontinued fifteen (15) minutes prior to the anticipated end of the event.
- f. When serving alcohol, a "Request to Serve Alcohol" application, provided by A-B Tech, must be completed and returned ten (10) full business days prior to the event.
- g. In cases where only malt beverages or unfortified wine, are to be served, only the approved "Request to Serve Alcohol" is required. In addition, in cases where fortified wine or spirituous liquor (i.e. more than malt beverages and unfortified wine) are to be served, all entities, including A-B Tech internal events, must apply for, and be approved for, a "Limited Special Occasion Permit," submitted to, and received from, the NC ABC Commission [Permits](#). This permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

Finally, in cases where malt beverages, unfortified wine, fortified wine or spirituous liquor are to be sold, all entities, including A-B Tech internal events, must apply for, and be approved for, a "Special Occasion Permit," submitted to, and received from, the NC ABC Commission (<http://abc.nc.gov/Permit/SpecialPermits>). This permit must be received by A-B Tech no later than five (5) full business days prior to the event date. Failure to obtain, or deliver, this permit will result in alcohol being banned from the event.

- h. Alcoholic beverages must be served/consumed only in the area designated for the event. It is not permissible for individuals to take alcoholic beverages from that area.
- i. The service of alcohol is limited to invitation-only, private events. Alcohol may not be served at events open to the general public.
- j. Violation of this policy may lead to the termination of the event by an A-B Tech staff person and/or A-B Tech Police.
- k. Bartenders and/or Catering Services must be licensed to serve alcohol. They shall provide proof that their staff has been adequately trained to recognize the early signs of intoxication in patrons. Staff must also be trained to exercise adequate intervention techniques to reduce or stop patrons' alcohol intake. Bartenders and/or Catering Services shall provide, in writing, intervention techniques, along with a copy of the liquor/serving license, appropriate insurance coverage, and a list of names, addresses, and ages of those who will distribute the alcohol. This documentation must be provided to A-B Tech Event Coordinator at least ten (10) business days prior to the event. Food and non-alcoholic beverages MUST be made available at all events where alcohol is distributed. Events held on the Victoria Road campus under the provisions of the Mission Health/A-B Tech Conference Center Memorandum of Understanding are exempt from guideline seven. Servers must be at least eighteen (18) years of age.



- l. No one under the age of twenty-one (21) will be allowed to consume alcohol at an A-B Tech event or event held on A-B Tech campuses. Sponsoring group will need to provide the A-B Tech Event Coordinator with detailed procedures to be followed to prevent service to minors (this is submitted with the "Request to Serve Alcohol" application).
- m. A-B Tech Police must be notified at least ten (10) days in advance of the date and time of all events at which alcohol service is to be served. A-B Tech Police will provide security coverage. The sponsoring organization will be responsible for any additional costs associated with that coverage.
- n. If requested, guests must provide photo identification for proof of age before being served.
- o. No one under the age of twenty-one (21) may sign a Facilities Usage Agreement for an event where alcohol will be served.
- p. At an event, if anyone is found to have provided an alcoholic beverage to an underage person, A-B Tech Police will respond and local police may be called.
- q. All parties involved in coordinating food service or catering an event at A-B Tech must sign a "Notice of Sale or Distribution of Alcoholic Beverages on A-B Tech Property" indicating their agreement and understanding of the above policy guidelines and agree to adhere to them at all times. Any member of the College community found to be in violation of the College alcohol policy shall be subject to disciplinary actions by the appropriate College office. A-B Tech departments require the approval and signature of the College President if students are to be present at the event.
- r. Refer to Policy 308, Use of Facilities, for more information regarding third party events on College property

## **Code of Student Conduct** *(Updated: April 5, 2017)*

It is the policy of the Board of Trustees to establish and maintain a learning environment that supports the students, the values, vision and mission of the institution. There are behavioral expectations that outline the responsibilities and proper practices for all students at the College. When the Code of Conduct is challenged, the following types of discipline include but are not limited to: verbal warning, written warning, a failing grade for an assignment or exam, probation, administrative withdrawal from a course, restitution for damages, consequences adapted to the specific violation, suspension, expulsion or actions recommended by a Threat Assessment Team.

The President shall have final approval in the expulsion of a student.

A-B Tech strives to maintain a safe, nurturing, and orderly learning environment that supports the students, faculty, and staff. Therefore, there are behavioral expectations that outline the responsibilities and proper practices for all students at the College. When, in the judgment of College officials, the student's conduct disrupts or threatens to disrupt the College community, appropriate disciplinary action will be administered. Students have the rights of Due Process when accused of a violation of the Code of Student Conduct (please reference policy 823) All matters related to alleged sexual misconduct shall be referred to the College's Title IX Coordinator and governed pursuant to the Sexual Misconduct Policy 112. For matters regarding alleged discrimination and harassment, please refer to the Non-Discrimination and Harassment Policy 111.

A student who is in possible violation of the Code of Student Conduct will be referred to the Vice President for Student Services or designee. If the student's alleged actions are considered egregious or disruptive to the teaching and learning environment or to campus safety, the student may be immediately suspended for up to ten College business days, at the discretion of the Vice President of Student Services or designee. The matter also may be referred to a Threat Assessment Team for review.

Students who have been found responsible of a violation of the Code of Student Conduct may be assigned consequences based upon the seriousness of the offense. Sanctions for violations may include but not be limited to: verbal warning, written warning, a failing grade for an assignment, examination, or course, administrative withdrawal from courses or academic program, restitution for damages, consequences adapted to the specific violation, suspension, expulsion or actions recommended by a Threat Assessment Team. The President shall have final approval in the expulsion of a student.

Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as campus discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus.

### Violations for which disciplinary proceedings may be initiated are as follows:

**Academic Dishonesty:** Academic Dishonesty includes submitting someone else's work as one's own; using notes or other material without permission from the faculty on an exam, homework, or other assignments; receiving information from another student during an exam; obtaining a copy of an exam or questions from an exam prior to taking the exam; or having someone else take one's exam and submitting it as his or her own.

**Aiding Acts of Academic Dishonesty:** Providing information to another student with the awareness that the student intends to use it for deceptive purposes.

**Alcoholic Beverages:** Students may not possess or use alcoholic beverages on campus. Students may not be under the influence of alcoholic beverages on campus or at College-affiliated activities or events. (please reference Policy 501.05)

**Animals:** Students may not have an animal of any kind on campus, or at any College affiliated activities, sites or events. This includes animals left within a vehicle. Exceptions to this code would be working dogs such as police dogs, guide dogs and service dogs. (please reference Policy 802)

**Assault:** Students may not assault or threaten to assault another person for any reason whatsoever. Assault may include a demonstration of force, unlawful physical touching, or striking.

**Bullying:** Students may not intimidate or threaten with harm any other individual. Bullying is defined as “any pattern of gestures or written, electronic or verbal communications, or any physical act or any threatening communication that takes place on College premises or at any College sponsored function that: (a) places a person in actual and reasonable fear of harm to his or her person or damage to his or her property; or (b) creates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities or benefits, or a College employee’s ability to perform the essential functions of his or her job.”

**Communicating Threats:** Students may not verbally, in writing, through a third party, or by any other means threaten to physically injure another person or that person’s child, sibling, spouse, or dependent or willfully threaten to damage the property of another.

**Copyright Infringement and Peer-to-Peer File Sharing:** Students may not violate the College’s Copyright Infringement and Peer-to-Peer File Sharing Policy through the act of violating, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement. (please reference Policy 215 and Policy 1006)

**Damage to Property:** Students may not damage property of the College or of any other person working at or attending the College.

**Disobedience:** Students may not disobey the reasonable directions of College employees, including administrators, faculty members, security officers, and other staff employees.

**Disorderly Conduct:** Students may not conduct themselves in a way which will interrupt the academic mission of the College or which will disturb the peace of the College.

**Disrespect:** Students are expected to treat all College employees with respect and courtesy, particularly when and if disagreements arise.

**Disruption:** Students may not disrupt the normal activities of the College by physically or verbally interfering with instruction, meetings, traffic, or scheduled administrative functions.

**Drugs:** Students may not possess, use, or be under the influence of any narcotic or illegal drugs on campus or at any College-affiliated activities or event. This is in violation of the laws of the state of North Carolina of the United States. (please reference Policy 501.05)

**False Information:** Students may not present to the College or its employees false information; neither may they knowingly withhold information which may have an effect on their enrollment or their status in the institution and which is properly and legally requested by the College.

Gambling: Students may not gamble on campus or at any College-affiliated activities or events.

Internet and Campus Network Acceptable Use: The College has an extensive policy for appropriate use of the Internet. Users of the College computers acknowledge the policy whenever they sign on. Students may not use the College's access to the Internet for access to sexually explicit material or for downloading music. Email accounts are provided for student use; however, no right of privacy exists for use of email. (please reference Policy 1003)

Plagiarism: The intentional theft or unacknowledged use of another's words or ideas. Plagiarism includes, but is not limited to paraphrasing or summarizing another's words or works without proper acknowledgement; using direct quotes of material without proper acknowledgement; or purchasing or using a paper or presentation written or produced by another. If a student is uncertain about what constitutes plagiarism, he or she should discuss this with the class instructor.

Possession of Weapons: Students may not have a weapon of any kind, including a knife, stun gun, or any firearm in their possession on campus or at any College-affiliated activities or events except handguns as allowed by NC GS §14-269.2(k). Handguns are permitted under these circumstances:

- The person has a concealed handgun permit that is lawfully issued.
- The handgun is in a closed compartment or container within the person's locked vehicle.
- The handgun is in a locked container securely affixed to the person's vehicle.
- A person may unlock the vehicle to enter or exit the vehicle provided the handgun remains in the closed compartment at all times.
- The vehicle is locked immediately following the entrance or exit.

Law enforcement officers are exempt from this prohibition. This includes facsimiles of weapons. (please reference Policy 305)

Public Laws: Violations of any federal, state or local laws occurring while on campus may lead to legal actions as well as campus discipline. Violations of federal, state or local laws occurring off campus may result in disciplinary action if the student's continued presence on campus constitutes a threat to the safety and order of the campus.

Skate Boards and Roller Skates: Skate boards and roller skates are not permitted to be used on campus.

Theft: Students may not steal the property of another individual or of the College. Students who are caught stealing will be required to make restitution and may be eligible for civil or criminal prosecution as well as College discipline.

Threats: Students may not engage in any behavior that constitutes a clear and present danger to the physical and/or emotion well-being of the student and/or other students, faculty and staff.

Trespass: Students are trespassing if in an unauthorized area of the College campus or remain on the College campus after having been directed to leave by a College official.

Tobacco, E-cigarettes, and Vaping: Students may not use tobacco of any form, use e-cigarettes, or vaporizing devices on campus or at any College-affiliated activity, sites, or events. (please reference Policy 306)

Unauthorized Access to Records: Students may not access, view, copy or change official College records without official authorization to do so.

Use of Social Media: Students should obey their social media platforms terms' of use. Students may not make, or cause to be made, communications (including electronically or through social media) to another person in any manner likely to seriously annoy or cause alarm. Social media may not be used to breach privacy, discriminate or harass. Students may not make, transmit, or attempt to transmit audio or video of any person(s) on College property where there is an explicit expectation of privacy. Any posts or tweets deemed inappropriate on an A-B Tech social web site or blog will be deleted immediately and may result in having access to the site blocked permanently.

Violations of Expected Classroom or Learning Environment Behaviors: May include, but not limited to, being disobedient, disrespectful, disruptive to the classroom or learning environment, or not abiding by professional conduct standards.

### Threat Assessment

When a violation leads to a concern about the safety of a student or members of the College community, a Threat Assessment Team will review and make recommendations to the Vice President for Student Services or designee prior to a hearing. If a student engages in criminal activity or demonstrates threatening behavior that constitutes a clear and present danger to the physical and/or emotional well-being of the student and/or other students, faculty and staff, the Vice President for Student Services or designee may immediately suspend the student and remove him or her from campus for no more than 14 College business days from the date the suspension is instituted, pending a hearing. In this situation, the Vice President for Student Services or designee must convene a Threat Assessment Team.

For violations that do not require the implementation of the Threat Assessment Policy, the Vice President for Student Services will review initial disciplinary referrals and may suspend a student for up to ten College business days while the review is conducted. Students are allowed to appeal any disciplinary action unless they have waived this right, and will be informed of their rights of due process.

Student Due Process Policy (please reference Policy 823)

Threat Assessment Policy (please reference Policy 819)

### Definitions:

Professional Conduct: Some curricula have specific codes of professional conduct for which students may be held accountable. This information is provided in course syllabi provided to students enrolled in these curricula.

Pursuant to Board policy, Chapter 800, Section 804, this procedure must be followed when addressing issues associated with the Code of Student Conduct.

## **Student Due Process** *(Updated: September 23, 2016)*

It is the policy of the Board of Trustees to endorse that a student has the liberty and/or property interest in their education, which is the expectation to continue enrollment at the College in the absence of academic failure and/or misconduct. Prior to action by the College to deprive a student of this interest through suspension or expulsion, the student will be given due process. The extent of process due is determined by state law. In addition, students who have been charged with a violation of the Code of Student Conduct shall be provided with an equitable system of due process, which can include the right to a fair hearing.

Students have the following rights of due process when an allegation has been brought against them regarding violations of the Code of Student Conduct (except, for issues involving sex and gender based discrimination, harassment and violence, see Sexual Misconduct Policy 112):

### Students have a right to a Written Notice:

1. Upon receipt of an incident report to the Office of the Vice President of Student Services, the student in question will be sent a written notice to inform him or her of the allegations regarding the possible violation(s) of the Code of Student Conduct.

### Students have a right to an Administrative Conference:

1. The student will be advised of the date, time, and location of the Administrative Conference with the Vice President for Student Services or designee to discuss and attempt to resolve the issue.
  - a. If the student's alleged actions are considered egregious or disruptive to the teaching and learning environment or to campus safety, the Vice President for Student Services or designee may suspend the student for up to ten College business days. The matter may be moved directly to a Student Due Process Hearing or referred to a Threat Assessment Team for review.
2. Outcome of Administrative Conference:
  - a. If the student admits responsibility for a violation(s) of the Code of Student Conduct, sanctions will be administered during the Administrative Conference process and this matter will be considered closed. The student will receive a written notice of all actions taken.
  - b. If the student disagrees with the proposed resolution or denies responsibility for any offense, the matter will move to a Student Due Process Hearing which will be conducted by the Vice President of Student Services or designee.
3. If the student fails to attend the scheduled conference, then the matter will be moved to a Student Due Process Hearing.

### Students have a right to a Student Due Process Hearing:

1. The hearing will be scheduled as soon as practical after receipt of an incident report of allegations deemed to be egregious in nature or after the conclusion of the Administrative Conference.
2. Prior to the hearing, the student has the right to review all evidence, including written statements made against him or her. Strict rules of evidence do not apply in the hearing.

3. A written hearing notice including the date, time, and location of the hearing will be sent to the student.
4. At the hearing, all parties involved in the incident will attend and be given the opportunity to provide evidence. All pertinent parties have a right to speak and be questioned by the Vice President of Student Services or designee during the hearing. Cross-examination between parties is not permitted during the hearing.
5. The student is allowed to be accompanied by an advocate. The advocate may not present on behalf of the student unless otherwise instructed to do so by the Vice President for Student Services or designee. If the student chooses to have an advocate who is an attorney, the student must provide notification to the Office of the Vice President for Student Services at least three College business days prior to the hearing date. In this case, the College Attorney will be present also.
6. The student has a right to a recording of the hearing.
7. The student has a right to a written notice of the hearing outcome.

**Students have a right to a final appeal:**

1. The student has the right to appeal the outcome of the Student Due Process Hearing to the College President.
2. Upon receipt of the hearing decision, the student has five College business days to submit a notice requesting an appeal. This notice must be submitted in writing to the Office of the Vice President for Student Services.
3. The President's document review does not include a new hearing but shall consist of evidence presented at the hearing along with a recording of the proceeding.
4. The President will affirm, modify, or reject the decision of the Vice President or designee. The President's decision will be final and notification of the decision will be sent directly from the President's office to the student.

The procedure above is in effect for all students. All meetings and/or hearings for distance learners will be arranged using email, fax, conference calls, or other agreed upon electronic means.

**Definitions:**

**Administrative Conference:** A meeting with the student and the Vice President for Student Services or designee to discuss and attempt to resolve the issue.

**Pertinent Parties:** Include students, witnesses, faculty, staff and other College Officials involved in the incident.

**Student Due Process Hearing:** A formal proceeding involving all parties involved where evidence is presented to the Vice President for Student Services or designee.

**Written Notice:** Documentation sent to the student via postal service and/or student email.

Pursuant to Board policy, Chapter 800, Section 823, this procedure must be followed in all situations involving the rights of student due process.

## Preventing and Responding to Sexual Misconduct

It is the policy of the A-B Tech Board of Trustees to provide the campus community with education and training to increase awareness, prevention and the prompt reporting and resolution of all types of sex/gender based discrimination, harassment and violence in compliance with all applicable federal and state laws and administrative regulations.

A-B Tech students, employees, and guests/visitors have the right to be free from all forms of sex/gender based misconduct, harassment, and discrimination, examples of which include acts of sexual assault, sexual harassment, domestic violence, dating violence, and stalking (collectively “Sexual Misconduct”). All members of the A-B Tech community are expected to conduct themselves in a manner that does not infringe upon the rights of others in an illegal or offensive manner. A-B Tech believes in zero tolerance for Sexual Misconduct. Zero tolerance means that when an allegation of Sexual Misconduct is brought to an appropriate administrator’s attention, protective and other interim safety measures will be used to reasonably ensure that such conduct is stopped, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a respondent is found to have violated this Policy.

### Prevention and Awareness:

The A-B Tech Title IX Coordinator works closely with the Human Resources and Professional Development departments as well as the Enrollment Management department to ensure that all new students and employees are made aware of A-B Tech policies regarding Sexual Misconduct, Title IX, and Support Services. This information is included in the New Student Orientation program and the New Employee Orientation program. Employees also participate in annual in-service training to remain current on College policies and procedures as related to Title IX.

The Student Life Development office annually sponsors prevention and awareness programs that promote awareness of domestic violence, dating violence, sexual assault, and stalking. Awareness and prevention programming also include positive options for bystander intervention and risk reduction strategies. The Student Life Development Office partners with community service providers to host additional student and employee prevention and awareness training and programming. Topics include *Nonviolent Sexuality; Sex, Consent, and the Law: Your Rights and Responsibilities under Title IX*; domestic violence awareness exhibit *Silent Witnesses* displayed in various campus facilities, and routine tabling by college and community support agencies including A-B Tech Police and Security Department, Counseling Services, Our Voice, Helpmate, Pisgah Legal Services, Employee Assistance Network, as well as agencies that provide support services related to drug and alcohol misuse, and the development of healthy relationships.

A-B Tech provides educational brochures on the following topic: sexual assault, domestic violence, drinking and violence, HIV awareness, healthy relationships, how the talk with your partner about sex, and risk reduction. These brochures are available in the Coman Student Center and Bailey Student Services Building. Additionally, the Support Services department publishes a brochure outlining the free and confidential counseling services provided to students. Students can access services by contacting the Support Services office in the Bailey Student Services building at [supportservices@abtech.edu](mailto:supportservices@abtech.edu) or by calling 828-398-7581. Community resources are also available and students and employees can contact Our Voice (regarding sexual violence) on the Crisis Line at 828-255-7576; HelpMate (regarding domestic



violence) on the Crisis Line at 828-254-0516; Mobile Crisis Management (community counseling) at 888-573-1006; Family Justice Center (regarding domestic violence and sexual assault) at 828-250-6900; or the Employee Assistance Network (for A-B Tech employees) at 800-454-1477. Additionally, the college partners with Pisgah Legal Services to provide students with information and assistance with legal matters involving protective orders, custody, immigration, housing and health care access.

### **Options for Bystanders:**

Bystander intervention includes safe and positive options that may be carried out by an individual or individuals to prevent harm or to intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes: (i) recognizing situations of potential harm; and (ii) understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking actions to intervene.

Any person who witnesses a sexual assault or incident of domestic violence, dating violence or stalking is requested to immediately call **9-1-1** or the A-B Tech Police and Security Department **828-398-7125** as deemed appropriate. An online incident report can be submitted at [abtech.edu/incidentreport](http://abtech.edu/incidentreport) or contact the Title IX office at 828-398-7932. Bystanders are strongly discouraged from intervening in an altercation to the extent that the bystander's safety is at risk. In addition to calling police, a person who witnesses an active assault may distract the person committing the assault and draw attention to the scene by shouting for help. If a person who commits an assault flees, a bystander should assist the victim of the assault and obtain the offender's description and direction of travel for responding officers. If a bystander encounters someone who is being followed by a stalker, the bystander may accompany that person to a safe, populated location and remain with the person until police arrive.

### **Safety:**

If you are the victim of a sexual assault, domestic violence, dating violence or stalking your first priority should be to get to a place of safety. You should then obtain appropriate medical treatment. A-B Tech strongly recommends that victims report the incident to law enforcement in a timely manner. Emergency assistance may be requested by calling **9-1-1** or on campus **828-398-7125**. An on-duty A-B Tech police officer may be contacted directly at 828-279-3166. Time is a critical factor for evidence collection and preservation. Although, the victim is encouraged to report directly to law enforcement, they may choose to report the incident to the A-B Tech Title IX Coordinator, College Counselor, or Campus Security Authority (see page 4) who can assist the victim with accessing College and community resources and services.

## **A-B Tech’s Sexual Misconduct Policy (Updated September 13, 2018)**

### Introduction

#### Overview

This procedure applies to any allegation of Sexual Misconduct made by or against a student, a College employee or a third party regardless of where the alleged Sexual Misconduct took place. The College’s disciplinary authority, however, may not extend to third parties who are not students or employees. Sexual Misconduct alleged to have occurred at a significant distance from the College and/or outside of the College’s property may be more difficult for the College to investigate. This procedure applies regardless of the sexual orientation or gender identity of the parties involved.

#### Title IX

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex/gender in any federally funded education program or activity. Under Title IX, discrimination on the basis of sex or gender also includes sexual harassment, stalking, dating and domestic violence, or sexual violence, such as rape, sexual assault, sexual battery, and/or sexual coercion. The College’s Title IX Coordinator has oversight responsibility for handling Sexual Misconduct complaints and for identifying and addressing any patterns and/or systemic problems involving Sexual Misconduct. All allegations involving Sexual Misconduct should be directed to the Title IX Coordinator or, in the case of actions solely between employees, the Executive Director, Human Resources. If the alleged incident involves both an employee and a student, the Title IX Coordinator shall take the lead but shall work cooperatively with the Executive Director, Human Resources.

#### Statements of Prohibition

##### Rules of Consent

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don’t. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence--without actions demonstrating permission--cannot be assumed to show consent. Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates these procedures in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing.

##### Prohibition of Sexual Misconduct

The College prohibits Sexual Misconduct and is committed to a timely and fair resolution. The College encourages prompt reporting of all types of Sexual Misconduct. While the College will investigate any and all reports of Sexual Misconduct, some Sexual Misconduct can be addressed effectively without full adjudication and/or without formal disciplinary sanctions against a Respondent.

## Prohibition of Retaliation

Retaliation against any person in connection with a complaint of Sexual Misconduct is strictly prohibited. Reports of retaliation will be addressed through this procedure and/or other applicable College procedures. Retaliation includes, but is not limited to, any form of intimidation, punitive actions from authority figure or peers, reprisal (acts of vengeance) or harassment. Retaliation is a serious violation and should be reported immediately. The College will take appropriate disciplinary action against any employee or student found to have retaliated against another.

## Prohibition of Providing False Information

Any individual who knowingly files a false report or complaint, who knowingly provides false information to College officials, or who intentionally misleads College officials involved in the investigation or resolution of a complaint may be subject to disciplinary action including, but not limited to expulsion or employment termination. The College recognizes that an allegation made in good faith will not be considered false when the evidence does not confirm the allegation(s) of Sexual Misconduct.

## Prohibition of Student/Employee Relationships

*Employee Relationships:* Romantic or sexual relationships between College employees in a direct supervisor/supervisee relationship are prohibited. This prohibition shall continue as long as the employees remain in a direct supervisor/supervisee relationship or in the chain of supervision. Employees violating this provision will be subject to disciplinary action up to and including termination of employment.

Romantic or sexual relationships between College employees not in a supervisor/supervisee relationship that impairs the College employee's effectiveness, disrupts the workplace/learning environment, and/or impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment.

*Employee/Student Relationships:* Romantic or sexual relationships between College employees and students are prohibited if the employee and the student have an academic relationship. Academic relationships include any activities in which the employee is a direct or indirect supervisor (i.e. student working in the program or department such as a work study/student worker or an employee serving as an advisor for a student club or organizational activity) or faculty and staff in an instructional setting for the student (i.e. classroom, lab, or clinical/practical setting). This prohibition shall continue until the student or the employee is no longer affiliated with the College. Employees engaging in inappropriate relationships will be subject to disciplinary action up to and including termination of employment. Students engaging in inappropriate relationships may be subject to disciplinary action up to and including expulsion.

Romantic or sexual relationships between College employees and students not in an academic relationship that impairs the College employee's effectiveness, disrupts the workplace/learning environment, and/or impairs the public confidence in the College will be subject to disciplinary action up to and including termination of employment or expulsion from the College.

## Confidentiality

### Standards of Confidentiality

The College will respect and make every reasonable effort to preserve the confidentiality of the information and identities shared by the parties involved in a Sexual Misconduct matter. College administrators will, however, share information regarding an alleged Sexual Misconduct, as appropriate

and necessary, in order to address and resolve the allegation, prevent the recurrence of similar Sexual Misconduct and address the effects of the Sexual Misconduct. In keeping with this respect for confidentiality, information regarding alleged Sexual Misconduct will generally be disclosed by College personnel only as follows:

1. All full-time and part-time regular employees and curriculum adjunct faculty members are considered Responsible Employees and have a duty to report to the Title IX Coordinator (for student matters) or the Executive Director, Human Resources (for employee matters) unless they fall under the “Confidential Employee” section below. Complainants may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared by the employee with the Title IX Coordinator or Executive Director, Human Resources. No employee is authorized to investigate or resolve allegations without the involvement of the College’s Title IX Coordinator or Executive Director, Human Resources. If a Complainant does not wish for his or her name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the Complainants may make such a request to the Title IX Coordinator or Executive Director, Human Resources.
2. In cases where the Complainant or reporting party requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the Complainant but will not otherwise pursue formal action against the Respondent. However, in cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. The Title IX Coordinator or Executive Director, Human Resources will evaluate the following when determining if a report can remain confidential:
  - a) the seriousness of the alleged Sexual Misconduct;
  - b) the alleged Complainant’s age;
  - c) whether there have been other complaints of Sexual Misconduct against the Respondent; and/or
  - d) the applicability of any laws mandating disclosure to local law enforcement.

The privacy of all parties to a report of Sexual Misconduct will be respected unless it interferes with the College’s obligation to fully investigate allegations of Sexual Misconduct. Dissemination of information and/or written materials to persons not involved in the resolution process is not permitted. Violations of the privacy of the reporting party or the responding party may lead to disciplinary action by the College which could include expulsion or employment termination.

### Confidential Employees

If a Complainant would like to confidentially speak with someone about the details of an incident, the Complainant may contact:

#### *On campus – Student Resources:*

- Professional counselors in the K. Ray Bailey Student Services Building on the Asheville Campus (and by appointment at all A-B Tech instructional sites). Students may schedule an appointment with a counselor by calling (828) 398-7584 or (828) 398-7581. A-B Tech Counselors will maintain confidentiality except in cases of imminent harm to self or others or in cases related to the

abuse of a child, elder, or dependent adult. Counselors are available to help free of charge and can be seen on an emergency basis during normal business hours.

*Off-campus – Student and Employee Resources:*

- Mobile Crisis Management Services – 888-573-1006 (Community Counseling)
- Helpmate 24-Hour Hotline – 828-254-0516 (Domestic Violence)
- Our Voice 24-Hour Crisis Line – 828-255-7576 (Sexual Assault)
- Employee Assistance Network (EAN) 800-454-1477 (Support services for A-B Tech employees)

Federal Timely Warning Reporting Obligations

Complainants of Sexual Misconduct should be aware that College administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the College community. The College will make every effort to ensure that no identifying information is disclosed, while still providing enough information for A-B Tech community members to make safety decisions in light of the danger.

Reporting Options

Reporting to Local Law Enforcement

Individuals may report Sexual Misconduct directly to local law enforcement agencies by dialing 911. Individuals who make a criminal allegation may also choose to pursue College disciplinary action simultaneously. A criminal investigation into the matter does not release the College from its obligation to conduct its own investigation (nor is a criminal investigation determinative of whether Sexual Misconduct, for purposes of this procedure, has occurred). However, the College's investigation may be delayed temporarily while the criminal investigators are gathering evidence. In the event of such a delay, the College must take interim measures when necessary to protect the alleged Complainant and/or the College community.

Individuals may choose not to report alleged Sexual Misconduct to law enforcement authorities. The College respects and supports individuals' decisions regarding reporting; nevertheless, the College may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations.

Reporting to College Officials

*Title IX Coordinator* - A-B Tech's Title IX Coordinator oversees compliance with all aspects of the Sexual Misconduct policy. The Coordinator works under the Vice President for Student Services. Questions about this policy and procedure should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to Sexual Misconduct, discrimination or harassment may do so by reporting the concern to the College's Title IX Coordinator.

Michele Hathcock  
Title IX Coordinator  
Office of the Vice President for Student Services  
Asheville Campus  
828-398-7932  
[michelechathcock@abtech.edu](mailto:michelechathcock@abtech.edu)

*Online reporting:*

[Incident Report Form](#)

For incidents between students and employees, the Title IX Coordinator will work in partnership with the Executive Director, Human Resources or designee to investigate and resolve the allegation.

*Executive Director, Human Resources* - Incidents solely between employees may be referred directly to the Office of the Vice President.

Shanna Chambers  
Executive Director, Human Resources  
Asheville Campus  
828-398-7178  
[shannarchambers@abtech.edu](mailto:shannarchambers@abtech.edu)

*A-B Tech Police and Security* - The A-B Tech Police and Security Department is located across from the parking deck in the Mission Health/A-B Tech Conference Center and can be reached by phone at (828) 398-7125. A-B Tech Police Officers are available 24-hours a day, 7-days a week. To reach the on-duty officer, please call (828) 279-3166.

*Anonymous Reporting* - Individuals may also file anonymous reports by completing the Incident Report Form. It may be very difficult for the College to take action on anonymous reports where supporting information is limited. Anonymous reports may be used for statistical reporting purposes.

#### *Reporting Timeframe*

An allegation of Sexual Misconduct may be filed at any time, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the complaint. The College strongly encourages individuals to file complaints promptly in order to preserve evidence for a potential disciplinary or legal proceedings. A delay in filing a complaint may hinder the College's investigation.

#### *Limited Immunity*

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interest of this College that as many Complainants as possible choose to report to College officials, and that witnesses come forward to share what they know. To encourage reporting, the College offers Sexual Misconduct Complainants and witnesses amnesty from minor policy violations.

#### *Federal Statistical Reporting Obligations*

Campus Security Authorities have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be shared with campus law enforcement. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the Complainant and may be done anonymously. The Annual Security Report helps to provide the community with a clear picture of the extent and nature of campus crime, in order to build community safety and awareness. To see a copy of the report, you may go to the College website under Consumer Information or you can go to the following link: Campus Police and Security.

## Investigation Process

### Investigative Timeline

The College will make every reasonable effort to ensure that the investigation and resolution of a complaint occurs in as timely and efficient a manner as possible. The College's investigation and resolution of a complaint will generally be completed within 60 calendar days of the receipt of the complaint, absent extenuating circumstances. Any party may request an extension of any deadline by providing the Title IX Coordinator or Executive Director, Human Resources with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator or Executive Director, Human Resources may modify any deadline contained in this procedure as necessary and for good cause.

### Standard of Evidence

The College uses the preponderance of the evidence as the standard for proof of whether a violation occurred. In the student due process hearing and employee grievance process, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable. Student and employee due process hearings are conducted to take into account the totality of all evidence available from all relevant sources. The College will find the Respondent either "responsible" or "not responsible" for violating this procedure.

### Interim Measure

If at any point during the initial report, investigation or disciplinary processes the Title IX Coordinator deems it necessary for the protection of any member of the College community, the Title IX Coordinator may take actions such as the following for students:

- Temporarily suspend the Respondent for up to ten (10) College business days;
- Change the Respondent's and/or Complainant's class schedule;
- Take such steps as are reasonable, appropriate and necessary to restrict the Respondent's movement on campus.

For employees, the Human Resources representative and the Title IX Coordinator may take the following actions:

- Take such steps as are reasonable, appropriate and necessary to restrict the Respondent's movement on campus;
- Place Respondent on temporary paid administrative leave or reassign the Respondent to other duties.

### Determination of Investigator and Resolution Process

As this procedure applies to both students and employees as either the Complainant or the Respondent, the administrator receiving the incident report will determine if the case should be handled by the Title IX Coordinator (student/student) or the Human Resources representative (employee/employee) or both (student/employee). For incidents involving students and employees, the College will utilize the process for both the student investigation and the employee investigation sections as applicable.

## Student Investigations

### *Initial Meeting - Complainant*

As soon as is practicable, the Title IX Coordinator will contact the Complainant to schedule an initial meeting. During these initial meetings, the Title IX Coordinator will:

- Work with Complainant to stop and remedy the impact of the current situation;
- Implement safety measures as necessary;
- Conduct an initial investigation to retrieve all relevant facts related to the alleged Sexual Misconduct. During this initial meeting, the Title IX Coordinator will explain how the investigation will move forward;
- Arrange for escort on campus. The on-call officer cell number is 828-279-3166 for the Asheville Campus;
- Work as a liaison between Complainant and instructor(s) to allow the details of the situation to remain private;
- Work with the Registrar to adjust class schedule and delivery method as needed (i.e. change from seated class to online class, drop/withdraw from a class, move to a different section of a course, request extra time to make up course work, or request an incomplete grade);
- Assist Complainant with accessing our college counseling services. These are confidential sessions with a professional counselor who understands the impact of Sexual Misconduct as well as the demands of a student's academic program;
- Work with faculty to excuse class absences (documentation may be required) and allow extra time to make up assignments and/or exams;
- Assist Complainant with transportation needs (bus passes);
- Assist Complainant with issues related to Financial Aid;
- Assist Complainant who wish to take their case through the A-B Tech disciplinary process;
- Assist Complainant in connecting with community resources (Pisgah Legal Services, Help Mate, Our Voice, etc.); and/or
- Connect Complainant with resources regarding Protective Orders and work with Campus Police to enforce Protective Orders on College property.

### *Initial Meeting - Respondent*

Prior to the initial meeting with the Respondent, the Title IX Coordinator will provide the Respondent, in writing, the alleged allegations being brought against him or her. As soon as is practicable and after the initial meeting with the Complainant, the Title IX Coordinator will contact the alleged Respondent to schedule a meeting. At this meeting, the Title IX Coordinator will, as applicable:

- Discuss with the Respondent, as applicable, any initial interim measures that were implemented as a result of the alleged Sexual Misconduct;
- Work with Respondent to ensure that alleged actions of Sexual Misconduct are immediately stopped and prevent future reoccurrence;
- Implement safety measures as necessary;



- Conduct an initial investigation to retrieve all relevant facts related to the alleged Sexual Misconduct. During this initial meeting, the Title IX Coordinator will explain how the investigation will move forward;
- Work as a liaison between Respondent and instructor(s) to allow the details of the situation to remain private;
- Assist Respondent with accessing our college counseling services. These are confidential sessions with a professional counselor;
- Work with faculty to excuse class absences (documentation may be required) and allow extra time to make up assignments and/or exams;
- Work with the Registrar to adjust class schedule and delivery method as needed (i.e. change from seated class to online class, drop/withdraw from a class, move to a different section of a course, request extra time to make up course work, or request an incomplete grade);
- Assist Respondent with transportation needs (bus passes);
- Assist Respondent with issues related to Financial Aid;
- Arrange for escort on campus and provide the on-call officer cell number for the Asheville Campus; and/or
- Assist Respondent in connecting with community resources (Pisgah Legal Services, Help Mate, Our Voice, etc.).

### Employee Investigations

#### *Initial Meetings - Complainant*

As soon as is practicable, the Human Resources representative will contact the Complainant to schedule an initial meeting. During these initial meetings the following resources may be discussed as applicable:

- Conduct an initial investigation to retrieve all relevant facts related to the alleged Sexual Misconduct. During this initial meeting, the Human Resources representative will explain how the investigation will move forward.
- Work as a liaison between Complainant and supervisor to allow the details of the situation to remain private.
- Connect Complainant with resources regarding Protective Orders.
- Work with Campus Police to enforce Protective Orders on campus.
- Arrange for escorts on campus and provide the on-call officer cell number for the Asheville Campus.
- Work with supervisor to adjust work schedules and duties as needed.
- Work with Human Resources to excuse absences (documentation may be required).
- Assist Complainants with accessing the Employee Assistance Network Counseling Services. These are confidential sessions with a professional counselor.
- Assist Complainant in connecting with community resources (Pisgah Legal Services, Help Mate, Our Voice, etc.).

### Initial Meeting - Respondent

As soon as is practicable and after the initial meeting with the Complainant, the Human Resources representative will contact the alleged Respondent to schedule an initial meeting. At this initial meeting the following resources may be discussed as applicable:

- Provide the Respondent, in writing, the alleged allegations being brought against him or her.
- Conduct an initial investigation to retrieve all relevant facts related to the alleged Sexual Misconduct. During this initial meeting, the Human Resources representative will explain how the investigation will move forward.
- Discuss with the Respondent, as appropriate, possible interim measures that can be provided to the Respondent pending the results of the investigative and resolution processes.
- Connect Respondent with resources regarding legal recourse.
- Work as a liaison between Respondent and supervisor to allow the details of the situation to remain private.
- Arrange for escorts on campus and provide the on-call officer cell number for the Asheville Campus.
- Work with supervisor to adjust work schedules and duties as needed.
- Work with Human Resources to excuse absences (documentation may be required).
- Assist Respondent with accessing the Employee Assistance Network Counseling Services. These are confidential sessions with a professional counselor.
- Assist Respondent in connecting with community resources (Pisgah Legal Services, Help Mate, Our Voice, etc.).

### Recommendations and Hearing

#### Students

After the investigation is complete, the Title IX Coordinator will put forward a recommendation of finding and sanction(s) to both the Complainant and Respondent. If the recommendation is accepted by both parties involved, the recommendation and sanction(s) will become effective and both parties forgo the option of a formal hearing. The Title IX Coordinator will submit to each party a final outcome letter that will include, but not limited to, the following:

- Determination if the Respondent is responsible or not responsible for violating the Sexual Misconduct Policy.
- Sanction, if appropriate.
- Whether monitoring of academic schedules is needed between the parties to ensure that the individuals involved are not in classes together (the Title IX Coordinator will assist in this process).
- Short-term College counseling services available to each party.

If the recommendations of the Title IX Coordinator are not accepted by either the Complainant or the Respondent, the case will move to a formal hearing. The Vice President for Student Services or a designee will preside over the hearing as the Presiding Officer. If either party is an employee, the Executive

Director, Human Resources shall preside jointly over the hearing. The process for the hearing is outlined below:

- Prior to the hearing, the Complainant and the Respondent have the right to review all evidence, including written statements by the Respondent, the Complainant, or witnesses. Strict rules of evidence do not apply.
- Written notice including the date, time, and location of the hearing will be sent to all parties.
- At the hearing, all pertinent parties have a right to speak and be questioned by the Presiding Officer. Cross-examination between parties is not permitted. The College will provide options for questioning without confrontation. Each phase of the hearing will be heard by both parties in separate rooms by use of a speaker phone.
- The Complainant and the Respondent are allowed to be accompanied by an advocate. The advocate may not present on behalf of either party unless otherwise instructed to do so by the Presiding Officer. If the Complainant or the Respondent chooses to have an advocate who is an attorney, notification must be provided to the Presiding Officer at least three College business days prior to the hearing date. In this case, the College Attorney will also be present.
- Both parties have a right to a written notice of the hearing outcome.

### Employees

After the investigation is complete, the Human Resources representative will put forward a recommendation of finding and sanctions to both the Complainant and Respondent. If the recommendation is accepted by both parties involved, the recommendation and sanctions will become effective and both parties forgo the option of a formal hearing. A final outcome letter will be submitted to the Complainant and Respondent that may include, but not limited to, the following:

- Determination if the Respondent is responsible, not responsible, or if the decision is deemed inconclusive, or shared responsibility.
- Sanction, if appropriate.
- Monitoring of academic schedules or workplace schedule if needed.
- Short-term counseling services will be offered to each party.

If the recommendations of the Human Resources representative are not accepted by either the Complainant or the Respondent, the case will move to a formal hearing. The Executive Director, Human Resources or a designee will preside over the hearing as the Presiding Officer. If either party is a student, the Vice President for Student Services shall preside jointly over the hearing. The process for the hearing is outlined below:

- Prior to the hearing, the Complainant and the Respondent have the right to review all evidence, including written statements by the Respondent, the Complainant, or witnesses. Strict rules of evidence do not apply.
- Written notice including the date, time, and location of the hearing will be sent to all parties.
- At the hearing, all pertinent parties have a right to speak and be questioned by the Presiding Officer. Cross-examination between parties is not permitted. The College will provide options for questioning without confrontation, each phase of the hearing will be heard by both parties in separate rooms by use of a speaker phone.

- The Complainant and the Respondent are allowed to be accompanied by an advocate. The advocate may not present on behalf of either party unless otherwise instructed to do so by the Presiding Officer. If the Complainant or the Respondent chooses to have an advocate who is an attorney, notification must be provided to the Presiding Officer at least three College business days prior to the hearing date. In this case, the College Attorney will also be present.
- Both parties have a right to a written notice of the hearing outcome.

### Sanctioning

The following sanctions may be imposed for those who have violated the Sexual Misconduct Policy:

#### *Student Sanctions:*

- Verbal or Written Warning
- Probation
- Administrative withdrawal from a course without refund
- Required Counseling
- No Contact Directive
- Suspension
- Recommendation for Expulsion with automatic appeal to the President
- Other consequences deemed appropriate

#### *Employee Sanctions:*

- Verbal or Written Warning
- Performance Improvement Plan
- Required Counseling
- Required Training or Education
- Recommendation of Demotion (Automatic appeal to the President)
- Recommendation to Suspend with or without Pay (Automatic appeal to the President)
- Recommendation for termination with automatic appeal to the President
- Other consequences deemed appropriate to the specific violation

### Appeal Process

The Complainant or Respondent has a right to a final appeal to the President:

- a. Each party has the right to appeal the outcome of the hearing to the College President.
- b. Upon receipt of the hearing decision, both parties have five (5) College business days to submit a notice requesting an appeal. For students, this notice must be submitted in writing to the Office of the Vice President for Student Services. For employees, this notice must be submitted in writing to the Office of the Vice President of Human Resources.
- c. If an appeal is requested, both parties will be notified.

- d. The President will conduct a document review which does not include a new hearing but shall consist of evidence presented at the hearing along with a recording of the proceeding.
- e. The President will affirm, modify, or reject the decision and/or sanctioning. The President's decision will be final and notification of the decision will be sent directly from the President's office to each party.

## Records and Training Requirements

### Records Retention for Students and Employees

*Students* - All documentation will be stored in the Vice President for Student Services' office for a period of seven years at which point the documentation will be moved to an electronic version to be retained permanently.

*Students* - In cases where the Respondent is found responsible for violating the Sexual Misconduct Policy, this information will be considered as a disciplinary record with the College.

*Employees* – Personnel files are retained for 30 years. If the action taken is informal counseling, this does not become part of the permanent record.

Civil Rights files must be maintained for a minimum of two years.

### Student/Employee Education – Annual Training

- The College will provide education to students and employees on an annual basis related to Sexual Misconduct, consent, risk reduction, and bystander interventions.

Pursuant to Board Policy 112, this procedure must be followed when dealing with sexual misconduct.

### Definitions:

**Complainant:** A “Complainant” is an alleged victim of Sexual Misconduct who chooses to file a complaint and participate in the College's investigation and resolution of the alleged Sexual Misconduct.

**Confidential Employee:** “Confidential Employee” is a licensed professional counselors located on the Asheville Campus of A-B Tech in the K. Ray Bailey Building. Other confidential sources would include off-campus health service providers, community agents trained in victim support such as domestic violence and sexual assault, and community counselors. Employees may choose to access confidential counseling services through the College's Employee Assistance Program free of charge.

**Consent:** Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. 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 sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

**Dating Violence:** “Dating Violence” means violence committed by a person

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship.

**Domestic Violence:** “Domestic Violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited 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 State of North Carolina, or by 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 State of North Carolina.

**Employee:** An individual who is hired to provide services on behalf of the College on a regular or time limited basis in exchange for compensation and who does not provide these services as an independent contractor, as defined by the Internal Revenue Service.

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

**Harassment:** For purposes of this policy, “Harassment” consists of:

**Gender Identity Harassment:** Behavior that targets someone for offensive, hostile, degrading or insulting treatment because of their gender and the actions are persistent and severe and objectively offensive, hostile, degrading or insulting given the situation. The following are examples of conduct that may constitute gender harassment: using derogatory, gender-based terms; making derogatory jokes about gender-specific traits or based on negative gender stereotypes; suggesting that students of one gender should not engage in certain activities because of their gender; impeding the educational progress of a person of one gender wither explicitly or implicitly, such as by questioning an individual’s ability because of his/her gender or suggesting that it is abnormal for a person of that gender to hold a particular interest; limiting or denying an individual of one gender access to educational opportunities; using sexist humor as a classroom teaching technique; using personal or College electronic communications to convey inappropriate gender-based remarks, pictures, or images; or using verbal, graphic, or physical conduct which threatens, ridicules, or demeans an individual because of gender.

**Sexual Harassment:** Physical contact and/or conduct that creates an unwelcome or hostile environment. It includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when submission to the conduct is made a term or condition of an individual’s employment or academic performance (either implicitly or explicitly), when submission to or rejection of the conduct is used as the basis for employment or educational decisions affecting the individual, or when the conduct is sufficiently severe, persistent, or pervasive to interfere with an individual’s work or academic performance or to create an intimidating, hostile, or offensive working or learning environment. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

Sexual harassment may include but is not limited to:

- Physical assault, including rape, or any coerced sexual relations;
- Subtle pressure for sexual activity or for a relationship that takes on a sexual or romantic coloring, thereby exceeding the limits of healthy relation;
- Any demeaning sexual propositions;

- Unnecessary touching in any form;
- Sexually explicit or suggestive remarks about a person's physical attributes, clothing, or behavior;
- Sexually stereotyped or sexually charged insults, humor, verbal abuse, or graffiti;
- Any sexually inappropriate behavior that prevents an individual from participating in their employment, academic performance, or in any functions of the College.

**Hostile Environment:** A Hostile Environment includes any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the Complainant's) and an objective (reasonable person's) viewpoint.

The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was humiliating;
- The effect of the conduct on the alleged victim's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the alleged victim's educational or work performance;
- Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- Whether the speech or conduct deserves the protections of academic freedom or the First Amendment.

**Non-Consensual Sexual Contact:** Non-Consensual Sexual Contact is any intentional sexual touching, however slight, with any object, of a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any body parts, or making another touch you or themselves with any body parts; any intentional bodily contact in a sexual manner, though not involving contact with breasts, buttocks, groin, genitals, mouth, or other orifice.

**Non-Consensual Sexual Intercourse:** Non-Consensual Sexual Intercourse is any sexual intercourse, however slight, with any object, of a person upon another person that is without consent and/or by force. Intercourse includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

**Personally Identifiable Information:** Personally Identifiable Information as defined by FERPA includes, but is not limited to:

- A student's name;

- The name of the student’s parent(s) or other family members;
- The address of a student or a student’s family;
- A personal identifier, such as a student’s social security number, student number, or biometric record;
- Other indirect identifiers, such as a student’s date of birth, place of birth, or mother’s maiden name;
- Other information that, alone or in combination, is linked or linkable to a specific student and that would allow a reasonable person in the College community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- Information requested by a person whom the College reasonably believes knows the identity of the student to whom the education record relates.

**Preponderance of Evidence:** “Preponderance of the Evidence” (also known as “more likely than not”) is the standard for proof is what the College uses to determine whether a violation occurred.

**Rape:** “Rape” is the act of sexual intercourse or penetration (anal, oral or vaginal), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without consent, including vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).

**Respondent:** A “Respondent” is an individual who has been accused of committing Sexual Misconduct by the reporting or filing of a complaint.

**Responsible Employees:** The College’s “Responsible Employees” are all non-student College employees not designated as “Confidential Employees”.

**Retaliation:** “Retaliation” means any adverse action threatened or taken against a person because he or she has filed, supported, or provided information in connection with a complaint of Sexual Misconduct, including but not limited to direct and indirect intimidation, threats, and harassment.

**Sexual Assault:** “Sexual Assault” means any actual, attempted, or threatened sexual act with another person without that person’s consent. Sexual Assault includes but is not limited to:

- Rape and attempted rape;
- Intentional and unwelcome sexual touching (including disrobing or exposure), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without effective consent, of a person’s breasts, buttocks, groin, or genitals (or clothing covering such areas), or coercing, forcing, or attempting to coerce or force another to touch you, themselves, or a third party with any of these body parts or areas when such touching would be reasonably and objectively offensive;
- Any sexual act in which there is force, violence, or use of duress or deception upon the victim;
- Any sexual act perpetrated when the victim is unable to give consent;
- Sexual intimidation, which includes but is not limited to:
  - Threatening, expressly or impliedly, to commit a sexual act upon another person without his or her consent,



- Stalking or cyber-stalking, and
- Engaging in indecent exposure.

**Sexual Battery:** Sexual Battery is sexual conduct that does not involve penetration, but does involve physical contact of a sexual nature without the other person’s consent. It often is defined as the touching of an intimate part of the body for the purpose of sexual arousal or pleasure, without the other person’s consent; or forcing another person to touch an intimate part of the offender’s body for the same purpose.

**Sexual Coercion:** Sexual Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Sexual Exploitation:** Sexual Exploitation occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other Sexual Misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another student;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**Sexual Misconduct:** Any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without consent. Sexual Misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual Misconduct can be committed by men or by women, and it can occur between people of the same or different sex. Sexual Misconduct also includes complicity in Sexual Misconduct. Sexual Misconduct includes but is not limited to Dating Violence, Domestic Violence, Sexual Violence/Assault, Rape, Sexual Exploitation, Sexual/Gender Harassment, and Stalking.

**Stalking:** Engaging in a course of conduct directed to a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress by placing that person in fear of continued harassment, bodily injury, or death.

**Student:** An individual who is currently enrolled in a curriculum or continuing education class.

**Visitor:** An individual who is visiting an A-B Tech campus/site or another site where an A-B Tech program, class, or event is being held and does not meet the definitions above.

## **Sex Offender Registration**

Pursuant to North Carolina General Statute 14-208.7, individuals who have reportable convictions for any sex offense are required to maintain a registration with the sheriff of the county in which they reside. Any nonresident with such a conviction who works or attends school in North Carolina is required to maintain a registration with the sheriff in the county in which that individual works or is a student. Additionally, the North Carolina Division of Criminal Statistics is responsible for compiling and keeping current a central statewide sex offender registry. Specific information as set forth in General Statute 14-208.10 is public record and is made available for public inspection. The Division of Criminal Statistics provides free public access to automated data from the statewide registry, including photographs provided by the registering sheriffs, via the Internet. The public is able to access the statewide registry to view an individual registration record, a part of the statewide registry, or the entire statewide registry. The Division may also provide copies of registry information to the public upon written request and may charge a reasonable fee for duplicating costs and mailings costs. The North Carolina Sex Offender Registry website may be accessed at the following link: <http://sexoffender.ncsbi.gov/search.aspx>.

## **Annual Fire Safety Report and Missing Student Policies**

A-B Tech does not have any on-campus residence facilities. Therefore, the College is not required by the Campus Safety and Security Reporting Act to maintain a fire report or to have a missing student policy.

## **Daily Crime Log**

The A-B Tech Police and Security Department maintains a daily crime log to record criminal incidents and alleged criminal incidents that are reported. The log contains reported crimes from the last 60 days. Crime logs for the Asheville Campus, Madison Campus, South Campus, Woodfin Campus and non-campus properties can be viewed at the A-B Tech Police and Security Department located in the A-B Tech/Mission Health Conference Center on the Asheville Campus. The crime log for the Enka Campus can be viewed at the Enka Police and Security office located in the Small Business Center on the Enka Campus.

## **Sources of Crime Statistics**

Campus crime, arrests and referral statistics include those reported to A-B Tech Police and Security Department and to Campus Security Authorities through voluntary confidential reporting procedures. A-B Tech also requests statistics for crimes reported directly to other law enforcement agencies. In addition to the tables below, A-B Tech's crime statistics can be viewed at the Department of Education's web site at <http://ope.ed.gov/security/>

**NOTE:** Hate crimes are reported separately and pertain to crimes that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, gender identity, ethnicity, national origin or disability. Hate crimes include criminal homicide, sex offense, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property or any other crime involving personal injury.

## **Unfounded Reports**

A-B Tech may withhold, or subsequently remove, a reported crime from its crime statistics when sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded”. Only sworn or commissioned law enforcement personnel may “unfound” a crime. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution and the failure to make an arrest does not “unfound” a crime report.

## ASHEVILLE CAMPUS – CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	1	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		1	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	1		0	
	2016	0		0	
	2017	1		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	1		0	
	2016	0		0	
	2017	4		0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	1		0	
	2016	0		0	
	2017	1		0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	0		0	
	2016	2		0	
	2017	2		0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	5		0	
	2016	2		0	
	2017	10		1	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	1		0	
	2017	2		0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0		0	
	2016	0		0	
	2017	0		0	

## ASHEVILLE CAMPUS - HATE CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
		Rape	Fondling	Rape	Fondling
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## ENKA CAMPUS - CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0		0	
	2016	1		0	
	2017	0		0	

## ENKA CAMPUS – HATE CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## MADISON CAMPUS - CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0		0	
	2016	0		0	
	2017	0		0	



## MADISON CAMPUS – HATE CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## SOUTH CAMPUS - CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	1		0	
	2016	0		0	
	2017	0		0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0		0	
	2016	0		0	
	2017	0		0	

## SOUTH CAMPUS – HATE CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## WOODFIN CAMPUS - CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0		0	
	2016	0		0	
	2017	0		0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0		0	
	2016	0		0	
	2017	0		0	

## WOODFIN CAMPUS – HATE CRIME STATISTICS

OFFENSE	YEAR	ON-CAMPUS PROPERTY		PUBLIC PROPERTY	
		Rape	Fondling	Rape	Fondling
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2015	0		0	
	2016	0		0	
	2017	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## NON-CAMPUS PROPERTY - CRIME STATISTICS

OFFENSE	YEAR	NON-CAMPUS	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0	
	2016	0	
	2017	0	
NEGLIGENT MANSLAUGHTER	2015	0	
	2016	0	
	2017	0	
SEX OFFENSES, FORCIBLE		Rape	Fondling
	2015	0	0
	2016	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape
	2015	0	0
	2016	0	0
ROBBERY	2015	0	
	2016	0	
	2017	0	
AGGRAVATED ASSAULT	2015	0	
	2016	0	
	2017	0	
BURGLARY	2015	0	
	2016	0	
	2017	0	
MOTOR VEHICLE THEFT	2015	0	
	2016	0	
	2017	1	
ARSON	2015	0	
	2016	0	
	2017	0	
DOMESTIC VIOLENCE	2015	0	
	2016	0	
	2017	0	
DATING VIOLENCE	2015	0	
	2016	0	
	2017	0	
STALKING	2015	± 0 (Moved to South Campus Stats)	
	2016	0	
	2017	0	
ARRESTS: WEAPONS: CARRYING, POSSESSING ETC.	2015	0	
	2016	0	
	2017	0	
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2015	1	
	2016	0	
	2017	0	
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0	
	2016	1	
	2017	0	
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2015	0	
	2016	0	
	2017	0	
ARRESTS: LIQUOR LAW VIOLATIONS	2015	0	
	2016	0	
	2017	0	
DISCIPLINARY REFERRALS: LIQUOR LAW	2015	0	
	2016	0	
	2017	0	

## NON-CAMPUS PROPERTY – HATE CRIME STATISTICS

OFFENSE	YEAR	NON-CAMPUS PROPERTY		PUBLIC PROPERTY	
MURDER / NON-NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
NEGLIGENT MANSLAUGHTER	2015	0		0	
	2016	0		0	
	2017	0		0	
SEX OFFENSES, FORCIBLE		Rape	Fondling	Rape	Fondling
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
SEX OFFENSES, NON-FORCIBLE		Incest	Statutory Rape	Incest	Statutory Rape
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
ROBBERY	2014	0		0	
	2015	0		0	
	2016	0		0	
AGGRAVATED ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
BURGLARY	2015	0		0	
	2016	0		0	
	2017	0		0	
MOTOR VEHICLE THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
ARSON	2015	0		0	
	2016	0		0	
	2017	0		0	
LARCENY - THEFT	2015	0		0	
	2016	0		0	
	2017	0		0	
SIMPLE ASSAULT	2015	0		0	
	2016	0		0	
	2017	0		0	
INTIMIDATION	2015	0		0	
	2016	0		0	
	2017	0		0	
DESTRUCTION / DAMAGE / VANDALISM OF PROPERTY	2015	0		0	
	2016	0		0	
	2017	0		0	
DOMESTIC VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
DATING VIOLENCE	2015	0		0	
	2016	0		0	
	2017	0		0	
STALKING	2015	0		0	
	2016	0		0	
	2017	0		0	

## UNFOUNDED REPORTS

OFFENSE	YEAR	ASHEVILLE CAMPUS	P/P	ENKA CAMPUS	P/P	MADISON CAMPUS	P/P	SOUTH CAMPUS	P/P	WOODFIN CAMPUS	P/P	NON- CAMPUS PROPERTY	P/P
MURDER / NON- NEGLIGENT MANSLAUGHTER	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
SEX OFFENSES, FORCIBLE	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
SEX OFFENSES, NON- FORCIBLE	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
BURGLARY	2014	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
ARSON	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
DOMESTIC VIOLENCE	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
STALKING	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING,	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY WEAPONS: CARRYING, POSSESSING, ETC.	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY DRUG ABUSE VIOLATIONS	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2014	0	0	0	0	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY LIQUOR LAW	2015	0	0	0	0	0	0	0	0	0	0	0	0
	2016	0	0	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0	0	0