Resource Guide for Sex-Based Misconduct at Appalachian State University
Campus Policies, Procedures, and Services
Table of Contents

Title IX of the Education Amendments of 1972 .................................................. 3
Appalachian’s Commitment .............................................................................. 3
What is Sex-Based Misconduct? ..................................................................... 4
If You Have Experienced Sex-Based Misconduct .......................................... 5
Responding to Allegations of Sex-Based Misconduct .................................. 6
Confidential and Private Resources ................................................................ 7
Supportive/Interim Measures .......................................................................... 7
Reporting Sex-Based Misconduct .................................................................... 8
Appalachian Policies ........................................................................................ 10
Process for Addressing Allegations of Sex-Based Misconduct ....................... 11
Investigation Process ....................................................................................... 12
Rights of Complainant and Respondent ........................................................ 13
Possible Sanctions ............................................................................................ 13
Prevention and Education ............................................................................... 14

DO YOU NEED HELP NOW?

If you or someone you know is in immediate danger:

CALL 911

Call University Police @ 828-262-8000

Call OASIS for Confidential Support @ 828-262-5035
Title IX of the Education Amendments of 1972

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving federal funds.”

The U.S. Department of Education’s Title IX of the Education Amendments of 1972 (“Title IX”) prohibits discrimination on the basis of sex under any educational program or activity receiving federal financial assistance. Accordingly, educational institutions that receive federal funds must respond promptly and effectively to incidents of sexual harassment, including incidents of sex-based misconduct that create a hostile environment. In May 2020, the Department issued a set of new Rules and Regulations effective August 14, 2020, that set forth processes and procedures to ensure due process for all parties.

The Department of Education’s Office for Civil Rights (“OCR”), requires campuses to employ numerous efforts to promote the safety and security of students, employees, guests, and visitors to institutions of higher learning.

Such efforts include documenting and maintaining policies against harassment and retaliation, establishing equitable grievance procedures for managing reports and complaints of Prohibited Conduct, and promoting awareness and information to prevent Prohibited Conduct through prevention education.

The Office of Title IX Compliance supports equity and access on the basis of sex or gender, including sexual orientation, gender expression, and gender identity across Appalachian, fostering an environment free of discrimination, harassment, and retaliation. The Office responds to reports of Sex-Based misconduct to mitigate its effect and prevent its recurrence. The Office also investigates complaints of Sex-Based misconduct.

Appalachian's Commitment

Appalachian State University is committed to providing a safe learning, living, and working environment for all members of our community. The University prohibits Sex-Based Misconduct. In accordance with this, Appalachian responds to allegations of such behavior seriously.

We recognize the rights of all members in our community and understand the importance of providing a prompt and fair response to allegations, and providing avenues of support.

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What is Sex-Based Misconduct?

Sex-based Misconduct is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence.

**Sexual Harassment:** unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to any Appalachian education program or activity.

- **Quid Pro Quo Harassment:** defined as, an employee of Appalachian conditioning the provision of an aid, benefit, or service of the Academy on an individual’s participation in unwelcome sexual conduct.
- **Sexual Assault:**

  Sex Offenses - Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.

  Non-Consensual Sexual Intercourse - Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

  Non-Consensual Sexual Contact - the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant.

  Incest - sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

  Statutory Rape - sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

**Sexual Exploitation:** taking non-consensual and/or abusive sexual advantage of another person for one’s own advantage or benefit, or for anyone other than the person being exploited, or taking advantage of another person’s sexuality.

**Domestic Violence:** To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates: the people cohabitating must be current or former spouses or have an intimate relationship. Domestic violence involves felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the Complainant;
- A person with whom the Complainant shares a child in common;
- A person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
- A person similarly situated to a spouse of the Complainant under the domestic or family violence laws of North Carolina;
- Any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of North Carolina.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. "Course of conduct" is defined as two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property; and "substantial emotional distress" is defined as a significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Sex-Based Discrimination:** to exhibit preference or detrimental treatment of one individual compared to other individuals in any educational program or activity, including any facet of Appalachian education, employment, or conditions of full participation therein, on the basis of that individual’s sex. "Sex" in this context includes sex, gender, gender expression, and sexual orientation. Sex-based discrimination includes Quid Pro Quo Sexual Harassment and Hostile Environment Discrimination. "Sex" is defined under Appalachian policy as encompassing gender, gender expression, gender identity, genetic information, sex (including pregnancy), or sexual orientation, as defined by federal and state law and UNC system policies.

**Hostile Environment Discrimination:** unwelcome conduct that is based on sex as defined in this policy where enduring the offensive conduct unreasonably interferes with a person’s participation in the educational program or activity, OR the conduct is so severe, pervasive, and objectively offensive such that a reasonable person in similar circumstances and with similar identities would consider it intimidating, hostile, or abusive. An isolated incident, unless sufficiently severe, does not constitute a hostile environment.

For more definitions, please see titleix@appstate.edu/definitions
If You Have Experienced Sex-Based Misconduct

In the event of an emergency, please call 911 for immediate assistance!

If you or someone you know has experienced Sex-Based Misconduct (sexual assault, dating/domestic violence, sexual harassment, stalking), you may be trying to navigate next steps. Here are a few key places to start:

Medical Assistance:
Your physical health is important. Some medical concerns may not be immediately apparent, such as sexually transmitted diseases (STDs), internal injuries, and pregnancy. Some medications, such as the morning-after pill for pregnancy and antibiotics for STDs, are most effective when administered as soon as possible.

Medical care may also preserve evidence of the assault should you wish to pursue criminal charges immediately thereafter or in the future.

Watauga Medical Center, located on Deerfield Road in Boone, provides confidential, 24-hour medical care and assistance to all individuals including a medical exam, testing for sexually transmitted infections and pregnancy, and the preservation of evidence through a Sexual Assault Forensic Exam.

MS Shook Student Health Services is a primary care ambulatory campus health clinic available to Appalachian students. Student Health Services provides several medical care options including STI testing, emergency contraception, pregnancy testing, and physical exams.

OASIS provides Medical Advocates for those seeking additional support and wanting to learn more about what to expect when seeking medical attention. An OASIS staff member can be present with you during medical examinations to offer advocacy and support.

Confidential Therapeutic and Counseling Support:
OASIS is Boone’s local domestic and sexual violence resource agency. OASIS hosts a 24-hour confidential crisis line which puts you in touch with a staff member for immediate assistance: 828.262.5035. OASIS offers free crisis counseling, and long term support through case management.

Counseling and Psychological Services provides free confidential mental health counseling and support to Appalachian students. Located on the 1st floor of the Miles Annas Building, the Counseling Center offers emergency and urgent support connecting students with a Counselor On Call: 828.262.3180.

Counseling for Faculty and Staff provides free confidential mental health counseling and support to Appalachian employees. Located in University Hall, CFS provides short-term services to faculty, staff, and their family members to identify, prevent, and address personal, family, and workplace issues.

Request a Meeting:
If you are an employee or a student and would like to request a meeting with the Title IX Coordinator, please call 828-262-2144 or email titleix@appstate.edu to schedule a meeting.

You do not have to describe any details of your situation during your meeting. The Title IX Coordinator will go over your options and answer any questions you may have.

If you are a student, the Title IX Coordinator may assign a case manager who can help identify on and off-campus resources and information, and most importantly support your Appalachian experience.

Reach out to Someone you Trust:
If you are not sure what you want/should do - reach out to someone you trust: a friend, a family member, roommate, classmate, or even a professor. Having someone who cares about you and will support you can be helpful in these situations.

Preserving Evidence:
- Do Not: If you are seeking medical attention after a sexual assault, do not bathe, shower, douche, brush your teeth, drink, change clothing, or comb your hair. It is only natural to want to do so, but in doing these things you may be destroying physical evidence that could be needed later if you wish to pursue criminal charges. If you have done these things, it does not mean that evidence cannot be found, it just may be more difficult. Gather additional evidence such as clothing and bedding.
- Maintain and log any form of communication between yourself and the perpetrator.
- Log any incident (verbal, physical, emotional, or otherwise).
- Take photos of injuries or any damage to property.
- Save and log any unwanted photographs, text messages, social media posts, emails, letters, or gifts.
- If contact is made through technology, consider using screenshots to document these instances.
- Do not delete your phone’s call log.
Responding to Allegations of Sex-Based Misconduct

Being accused of sex-based misconduct can be a worrisome and confusing experience. Know that Appalachian is committed to an equitable and safe campus community. Know that under federal and state law and Appalachian policy, every person accused of Sex-Based Misconduct is presumed not to be responsible for any allegation in the complaint.

During an investigation, investigators with the Office of Title IX Compliance serve as neutral fact-finders. Additionally, federal and state law and Appalachian policy forbid retaliation against persons who file a complaint (“Complainants”), those who provide information about complaints (“Witnesses”), and those who are accused of Sex-Based misconduct (“Respondents”).

The Title IX Coordinator is available to schedule in-person meetings to explain the rights of a Respondent and the University’s Title IX processes, as well as answer any questions relating to grievance policies. See Respondent rights on page 13.

Support for Student Respondents:

Counseling & Psychological Services (confidential)
Counseling & Psychological Services provides confidential immediate and short-term therapeutic support. Crisis and after-hours emergency support for urgent medical concerns also available by calling the department 24-hours a day.

Student Legal Clinic (confidential)
The Student Legal Clinic provides confidential information and assistance to students navigating questions about the law, contracts, and other local legal resources.

University Ombuds (confidential)
At ASU, the Office provides an independent, confidential environment for faculty, staff, and students of the Appalachian community to discuss campus-related concerns or problems. The Ombuds Office holds the identity and all communications with those seeking assistance in strict confidence and does not disclose confidential communications unless given permission to do so, except as required by law or where, in the judgment of the Ombuds, there appears to be imminent risk of serious harm.

Case Management (private)
Case Managers, located in the Office of the Dean of Students, can provide private assistance in navigating reporting options, administrative and legal processes, and referrals to campus and community resources.

The Office of Title IX Compliance (private)
The Office of Title IX Compliance supports equity and access across Appalachian, fostering an environment free of discrimination, harassment, and retaliation on the basis of sex or gender. The Office responds to reports of sex-based misconduct to mitigate its effect and prevent its recurrence.

Legal Aid of NC
They provide free legal help to low-income North Carolinians in civil cases involving basic human needs like safety, shelter, income, and more. 828.335.4890 | legalaidnc.org

Support for Employee Respondents:

Counseling for Faculty and Staff (confidential)
Counseling for Faculty and Staff provides free confidential mental health counseling and support to Appalachian employees. Located in University Hall, CFS provides short-term services to faculty, staff, and their family members to identify, prevent, and address personal, family, and workplace issues.

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The Office of Title IX Compliance (private)
The Office of Title IX Compliance supports equity and access across Appalachian, fostering an environment free of discrimination, harassment, and retaliation on the basis of sex or gender. The Office responds to reports of IPV to mitigate its effect and prevent its recurrence.

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# Confidentiality vs Privacy

To make informed choices, all parties should be aware of which services and resources are confidential versus private, as well as, institutional mandatory reporting requirements.

## Confidentiality

Shared information is restricted by the party who received the information, and may or may not be legally privileged and protected.

## Privacy

Shared information is securely maintained and accessible only by those with appropriate and relevant needs to review. Information will be therefore disclosed to those on a “need to share” basis, as the information is not legally privileged or protected.

### Confidential Resources:

At Appalachian, Confidential Resources are employees within designated University offices who will not share information regarding Prohibited Conduct without permission, absent a threat of serious harm to the individual or others or legal obligation to do so.

Confidential Resources at Appalachian include the following departments:

**For Students:**
- Counseling & Psychological Services
  Miles Annas Building · First Floor | 828.262.3180
- Student Legal Clinic
  324 Plemmons Student Union | 828-262-8284
- Student Health Services
  Miles Annas Building · Second Floor | 828-262-3100
- University Ombuds
  236A IG Greer Hall | 828-262-2559

**For Employees:**
- Counseling for Faculty & Staff
  400 University Hall | 828-262-4951
- University Ombuds
  236A IG Greer Hall | 828-262-2559
- Guidance Resources | 844-449-6537 (phone)

### Private Resources:

**For Students:**
- Case Management
  Office of the Dean of Students
  324 Plemmons Student Union | 828.262.8284
case-management.appstate.edu
deanofstudents.appstate.edu
- Office of Title IX Compliance
  123 IG Greer Hall | 828.262.2144
titleix.appstate.edu

**For Employees:**
- Office of Title IX Compliance
  123 IG Greer Hall | 828.262.2144
titleix.appstate.edu

**Supportive/Interim Measures:**
Supportive and/or interim measures may include the following, alone or in combination, along with any other measures deemed necessary by the appropriate University personnel:

- Academic modification
- Residence modification
- No-Contact directive
- Assistance with obtaining a Protective Order
- Facilitation of a coaching conversation
- Parking Modification
- Employment modification
- Facilitation of mediation or other alternative dispute mechanisms
- Administrative leave with pay
- Ban from campus building(s) or entire campus

The Title IX Coordinator or a Case Manager can speak with you concerning any of these resources and can assist in submitting documentation for a complaint or filing a report.
Reporting Sex-Based Misconduct

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

Reporting can:
- Provide safety and support for individuals affected by Sex-Based Misconduct
- Provide the complainant (the person who experienced the conduct) with resources and information about reporting (i.e. investigation, counseling, etc.)
- Help create a safer campus community

Appalachian has a number of resources available to those who have experienced Sex-Based Misconduct. Getting information about the policies, procedures, and your rights and options can help you to make an informed decision about reporting.

One common misconception about the reporting process is that making a report will automatically lead to a hearing and/or disciplinary action. While a report can become a formal complaint -- initiated either by the complainant or by Appalachian -- not every report becomes a complaint. Information is provided to assist individuals in making informed decisions regarding reporting incidents and seeking support.

For all questions related to making a report, filing a complaint, or the Title IX assessment, please contact the Director of Title IX Compliance/Title IX Coordinator at titleix@appstate.edu or call 828.262.2144, or a case manager in the Office of the Dean of Students, at 828.262.8284.

Report On-line:
1. Visit https://titleix.appstate.edu/
2. Click on “Report a Concern.”
3. Follow the prompted questions on the Online Report Form to the best of your ability.
4. Click “Submit Report” at the bottom of the online form.
5. You may also request to be emailed a copy of your submission, should you so desire.

Email: titleix@appstate.edu

Report by Calling:
The Office of Title IX Compliance at 828-262-2144
Case Management in the Office of the Dean of Students at 828-262-8284

If You Choose not to Report:

Appalachian supports an individual’s right to choose whether to report. If you or someone you know needs information and help to facilitate the reporting process, we are here to help. You may also consider seeking out legal guidance to help you better understand your options.

If you DO NOT want to report to Law Enforcement or to Appalachian, those impacted by dating or domestic violence may still want to seek immediate medical attention. Injuries may not be obvious at first. If you do not want to report you can still request that an anonymous forensic exam be completed at Watauga Medical Center. Please feel encouraged to consult confidential support through OASIS for more assistance.

Report Anonymously:

If the university receives an anonymous report, we will work with the appropriate university officials on the most appropriate means to respond. While Appalachian will work to appropriately respond and remedy the alleged report anonymously, please be advised Appalachian’s response may be limited.
Report to Law Enforcement:

**Appalachian Police Department**
Individuals may file a complaint, request for hospital transportation, or file an official report with Appalachian State University Police. There are a number of ways you can file a report with App State PD:

1. In an emergency call 828-262-8000 (from your cell or home phone) or 8000 (from an on-campus phone).
2. In a non-emergency call 828-262-2150 (from your cell or home phone) or 2150 (from an on-campus phone).
3. Stop by the Police department located on the first floor of the River’s Street Parking Deck. The Police Department on campus is able to assist you 24 hours a day, seven days a week, including holidays.

**Local Law Enforcement**
Individuals may file a complaint, request for hospital transportation, or file an official report with Local Law Enforcement. For information pertaining to Local Law Enforcement Agencies, please see below:

- **Boone Police Department**
  Phone: 828-268-2900

- **Blowing Rock Police Department**
  Phone: 828-295-5212

- **Watauga County Sheriff’s Office**
  Phone: 828-264-3761

A case manager or the Title IX Coordinator can speak with you more concerning any of these resources and can assist in submitting documentation for a complaint or filing a report.
Appalachian Policies

In addition to our adherence to federal and state laws, including Title IX of the Education Amendments of 1972, Appalachian has its own internal policies regarding harassment, discrimination, and retaliation, including Policy 110 and 112, and the Code of Student Conduct, and adheres to University of North Carolina system-wide policies, including Policy 602.21. These policies communicate our expectations for behavior for all those affiliated with our institution.

**Policy 112 - Sex-Based Misconduct Policy**

Appalachian has policies that articulate expectations of community behavior and standards for all members of our community, including students, faculty, staff, visitors, and contractors. Policy 112 serves to address prohibited conduct adverse to Appalachian’s commitment to prevent sex-based discrimination, harassment, and misconduct, as well as to provide an administrative framework and oversight for reporting, investigating, adjudicating, and resolving violations of this policy.

**Policy 110 - Discrimination, Harassment, & Retaliation**

Policy 110 specifically prohibits all forms of discrimination and harassment based on protected class status. Protected Status, as defined by the Policy, includes age, color, disability, gender, gender identity, gender expression, genetic information, national origin, political affiliation, race, religion, sex, sexual orientation, and veteran status. Further, Policy 110 also prohibits retaliation against any individual for their report, investigation, and adjudication of any alleged prohibited conduct.

The Office of Title IX Compliance provides support and technical assistance involving reports of Prohibited Conduct in which gender, gender identity, gender expression, sex, and sexual orientation intersect. Reports and concerns regarding other forms of harassment, discrimination, workplace violence, or retaliation will be directed to the Office of the Dean of Students, Office of Student Conduct, Office of Faculty Affairs, or Office of Human Resources as appropriate.

Appalachian has the authority to address any prohibited conduct that occurs on university premises and reserves the right to address off-campus behavior prohibited by this policy when it is determined that the off-campus behavior is detrimental to Appalachian and its educational mission.

**Policy 602.21 - Improper Relationships Between Students and Employees**

Policy 602.21 articulates the University of North Carolina does not condone amorous relationships between students and employees. Members of the University community should avoid such liaisons, which can harm affected students and damage the integrity of the academic enterprise. Further, sexual relationships between unmarried persons can result in criminal liability. In two types of situations, University prohibition and punishment of amorous relationships are deemed necessary: (1) when the employee is responsible for evaluating or supervising the affected student; (2) when the student is a minor, as defined by North Carolina law. The following policies shall apply to all employees and students of the constituent institutions.

**The Code of Student Conduct**

The Code of Student Conduct articulates that Appalachian State University students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. Students are responsible for abiding by this Code, agree to the expectations set forth by the University, and can be held responsible for their behavior.
Allegations of Sex-Based Misconduct

This includes a brief breakdown of the process for addressing allegations of Sex-Based Misconduct for Faculty, Staff, and Students.

Report of Alleged Misconduct

A report is made of alleged prohibited conduct falling under the Sex-Based Misconduct policy by a Responsible Employee / Mandatory Reporter, a student, a faculty member, or a staff member.

Supportive Measures

The Title IX Coordinator* will provide supportive measures for Parties in coordination with the appropriate administrative unit.

Reporting and Response

Discuss Resolution Options

The Title IX Coordinator will determine if the Complainant would like to move forward with initiating a resolution process. If they wish to stop the process at this step the Title IX Coordinator will attempt to respect the Complainant’s wishes unless there is a health or safety concern impacting the campus community requiring that action be taken.

Initial Assessment by Title IX Coordinator

The Title IX Coordinator will conduct an initial assessment to determine if there is a threat to the health or safety of the campus community. The Title IX Coordinator will enlist the Threat Assessment Team to explore any needs for emergency removal of a Party.

Resolution Process

Formal Resolution

The Complainant will submit a formal written complaint to the Title IX Coordinator. The Coordinator will review the complaint to determine the next steps. If an investigation is necessary, the Coordinator will assign a trained investigator to conduct a thorough, unbiased, and impartial investigation.

Informal Resolution

The Title IX Coordinator will determine if an Informal Resolution process can be offered. If an Informal Resolution process is offered, both Parties must agree to the Informal Resolution or the Formal Resolution process will be initiated.

Adjudication

Hearing Process

After an investigation has been completed the Final Investigative Report is shared with the Parties and the case is referred to the Hearing Panel. A live hearing will be held and the panel will decide if the Respondent is responsible for the policy violation. If found responsible the appropriate administrative unit will be consulted on the sanctions and the Parties will be notified of the outcome.

Appeal of Decision and/or Sanction

Appeals may be granted based on specific grounds laid out in Policy.

*Title IX Coordinator or Designee should be assumed anytime "Title IX Coordinator" is used.
The Investigative Process for Faculty, Staff, and Students: Allegations of Sex-Based Misconduct

1. **Complaint Filed**
   The process begins after a written complaint of sex-based misconduct is received by Appalachian either authored by the Complainant or Title IX Coordinator. The Title IX Coordinator will provide supportive measures throughout the process.

2. **Complaint Reviewed**
   The Title IX Coordinator will review the complaint and offer options for informal or formal resolution processes. If moving forward with a formal resolution process an Investigator will be assigned to investigate the matter further. An informal process may be requested by either party at any time during the process, but must be agreed upon.

3. **Investigation Initiated**
   The Notice of Investigation and Allegation letter will be sent to both Parties via University email. This Notice will include a proposed date and time for the first interview.

4. **Evidence Collected**
   Additional evidence will be collected and examined, including witness testimony, medical documents, emails, text messages, and police reports, when available. Parties may suggest additional witnesses and evidence at any point.

5. **Interviews Facilitated**
   The Investigator will meet individually with relevant people for the investigation. All interviews are recorded for the purpose of transcription. Interviewees will have the opportunity to review a transcript of their interview electronically within one week of the interview.

6. **Rights Reviewed**
   During the first interview, the Investigator will review the Rights with the Party, including the right to a prompt, equitable investigation. Investigations typically completed in 60 business days. The Investigator will supply updates as the process continues.

7. **Follow-Up Interviews**
   The Investigator will conduct additional interviews with the Complainant, Respondent, and follow up with any additional witnesses.

8. **Report Reviewed**
   Upon completion, the Parties will be able to review and respond to the Preliminary Investigative Report, including providing additional information or questions for the Investigator’s consideration.

9. **Investigation Forwarded**
   Upon completion, the Final Investigative Report is forwarded to the Title IX Coordinator who will initiate the adjudication process through a formal or informal resolution process.
All Parties Have the Right to:

- be treated with dignity and respect in any meeting or process associated with these Procedures.
- experience a safe living, educational, and work environment.
- a fundamentally fair process, including an initial presumption that no Party being investigated has committed any infraction.
- a fair, equitable, and timely investigation into allegations of Prohibited Conduct.
- to be informed of supportive resources within the campus community, including the right to request reasonable accommodations through the Appalachian State University Office of Disability Resources, pursuant to Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
- be informed of and to request reasonable interim measures in association with these Procedures.
- designate supportive individuals (Support Individuals, an Advisor, or Observer) in any meeting or process associated with these Procedures.
- be free from retaliation.
- challenge an individual designated by the University to investigate a complaint based on a conflict of interest.
- receive Notice of the investigation, a summary of allegations, requests for meetings and interviews, and related investigative developments in writing.
- not have irrelevant prior sexual history discussed in association with these Procedures.
- review their own transcript(s) produced in conjunction with investigative interviews.
- submit names of witnesses, material evidence, and questions for consideration in the investigative process.
- review and respond to the Preliminary Investigative Report prior to its formal finalization and submission.

Possible Sanctions

Sanctions for Employees
The range of sanctions for violations of this policy by an employee (faculty or staff) respondent may include any of the following, alone or in combination:

- Letter of reprimand/Written Warning: Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action. Such a letter will be placed in the employees’ personnel file.
- Educational Requirements: Completion of training, projects, programs, or requirements designed to help the responsible party manage behavior and understand why it was inappropriate (including any appropriate and relevant community service opportunities or professional development).
- Enhanced Supervision, Observation, or Review: More frequent and/or more in-depth supervision or formal review of performance or conduct relevant to the violation.
- Formal Performance Improvement Plan (Not applicable for faculty)
- Restitution: Repayment to the University and/or an affected party for damages resulting from the policy violation
- Removal from current administrative role (e.g., program director, assistant/associate dean, etc.) accompanied by loss of associated stipend.
- Assignment to a New Supervisor (Not applicable for faculty)
- Transfer and/or Reassignment of Duties (Not applicable for faculty)
- Restriction of Professional Development Resources (Not applicable for faculty)
- Decrease in pay for a specified period of time, or denial of a scheduled pay increase.
- Denial of Promotion (Not applicable for faculty)
- Demotion in rank: Reduction in faculty rank, accompanied by associated pay decrease. Upon a specified period of time, requests for promotion in rank may be considered.
- Suspension without pay: Exclusion from University premises, attending classes, and other privileges or activities for a specified period of time, as set forth in the suspension notice. Notice of this action will remain in the employee’s personnel file. Conditions for return to work may be specified in the suspension notice.
- Discharge: Permanent termination of employment status and exclusion from University premises, privileges, and activities. This action will be permanently recorded in the employee’s personnel file.

Sanctions for Students
The range of sanctions for violations of this policy by a student respondent is incorporated in Appalachian's Code of Student Conduct.

- Letter of Concern.
- Disciplinary Warning.
- Disciplinary Probation.
- Suspension.
- Expulsion.
- Community Service with a non-profit agency.
- Restitution for loss, damage, or actual expenses incurred as a result of the student’s behavior.
- Participation in educational programming, which may include online programs, counseling, evaluation, and compliance with any recommendations, reflection pieces, or other activities.
- Program service fee for on-campus alcohol and other drug education.
- Change in current University Housing assignment.
- Loss of University Housing privileges.
- Random drug testing at the student’s expense.
- Restriction from representing the University in any official function or leadership position (e.g., varsity athletics, student leadership position, cheerleader, senator or officer in Student Government Association, elected office in any recognized student organization).
- Ban for a definite or indefinite period of time from all or a portion of any University premises or University-sponsored activity.
- Restriction of contact with, or proximity to, other specified members of the University community.
- Any other sanction determined appropriate by a Conduct Review Officer or Board.
Prevention and Education

Red Flag Educators
Appalachian State University's Red Flag Educators (RFEs) have a responsibility for creating Active Bystanders on campus and in the Boone community. They educate peers on "red flags" of interpersonal violence while encouraging the Appalachian community to be active bystanders and speak out when they see potentially dangerous situations. RFEs present to peer groups, organizations, classes, and more, on topics of interpersonal violence, active bystander intervention, and rape culture.

Haven: Understanding Sexual Assault
Students learn about healthy relationships, the importance of consent, and being a good communicator, and the many ways they can help create a safe, positive campus they can be a part of.

Bridges: Building a Supportive Community
To continue to build upon efforts to prevent and respond to incidents of gender and sexual harassment and violence, Appalachian implemented a required online training program for Mandatory Reporters, formally known as Responsible Employees. Mandatory Reporters include any employee who has the authority to address sexual harassment, has the duty to report such conduct to the institution, or whom a student could reasonably believe has this authority or duty.

Request Training
Workshops related to Sex-based Misconduct, procedures, prohibited conduct, process, resources, and reporting can be requested by the university community and facilitated by the Office of Title IX Compliance, Wellness and Prevention, and the Office of the Dean of Students.

Ongoing Campaigns:
Ongoing awareness and prevention campaigns are provided throughout the school year to students, faculty, and staff. The Office of Title IX Compliance actively does training throughout the year for both athletes and the Athletic Department, Fraternity and Sorority Life, new student orientation, new employee orientation, as well as for faculty departments and student organizations that request training.
Notes:
IF YOU OR SOMEONE YOU KNOW HAS EXPERIENCED SEX-BASED MISCONDUCT, HELP IS AVAILABLE

**PHYSICAL SAFETY**
CALL 911
Appalachian Police Department:
828.262.8000 (EMERGENCY)
828.262.2150

**MEDICAL CARE**
CALL 911
Student Health Services:
828.262.3100
Watauga Medical Center:
828.262.4100

**MENTAL HEALTH**
Counseling & Psychological Services:
828.262.3180
Counseling for Faculty and Staff:
828.262.4951

**CONFIDENTIAL RESOURCES**
Counseling & Psychological Services:
828.262.3180
Student Legal Clinic: 828.262.8284
Student Health Services: 828.262.3100
Ombuds Office: 828.262.2559
Counseling for Faculty and Staff: 828.262.4951
OASIS: 828.262-5035

**PRIVATE RESOURCES**
Case Management: 828.262.8284
Office of Title IX Compliance:
828.262.2144

**REPORTING OPTIONS**
Online: titleix.appstate.edu
Email: titleix@appstate.edu
Phone: 828.262.2144
Walk In: 123 IG Greer Hall
By Mail: ASU Box 32053

Any questions regarding Title IX may be referred internally to the Title IX Coordinator or externally to the U.S. Department of Education’s Office of Civil Rights.

**Director Title IX Compliance / Title IX Coordinator**
Office of Title IX Compliance
123 I.G. Greer Hall | P.O. Box 32053
Appalachian State University
Boone, NC 28608
828.262.2144
Email: titleix@appstate.edu
Website: titleix.appstate.edu

**Office for Civil Rights (OCR)**
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
Email: OCR@ed.gov
TDD#: (877) 521-2172
Web: http://www.ed.gov/ocr

**U.S. Equal Employment Opportunity Commission Headquarters**
131 M Street, NE
Washington, DC 20507
Phone: 202-663-4900
Email: info@eeoc.gov
Web: http://www.eeoc.gov

Appalachian State University does not discriminate in its employment practices or in its educational programs or activities on the basis of sex. Appalachian also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internally or externally. Reports of misconduct, questions regarding Title IX, and concerns about non-compliance should be directed to the Title IX Coordinator. For a complete copy of the policy or for more information, please contact the Title IX Coordinator or the Assistant Secretary of Education within the Office for Civil Rights (OCR). titleix@appstate.edu