

Interpersonal Violence Resource Guide

UNC Charlotte Police and Public Safety Department (“UNCC PPS”) and the UNC Charlotte Title IX Office (“Title IX Office”) in compliance with the Clery Act, including amendments by the Violence Against Women Reauthorization Act of 2013, have prepared the information below for victims of dating violence, domestic violence, sexual assault, and stalking.

In general, dating violence and domestic violence are crimes of violence perpetrated by one member of a romantic, intimate partnership against the other partner. Former spouses or intimate partners can also perpetrate dating or domestic violence. Sexual assault is sexual intercourse, oral sex, groping, or other sexual contact without the consent of one of the parties. Stalking is two or more acts directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others or (b) suffer substantial emotional distress.

For more detailed definitions of these offenses, please refer to North Carolina law (N.C.G.S. §§ 14-27.20 through 14-27.33, 50B-1; <http://ncleg.net/gascripts/statutes/Statutes.asp>) and University Policy 406, The Code of Student Responsibility (<http://legal.uncc.edu/policies/up-406>). Dating violence, domestic violence, sexual assault, and stalking are all criminal offenses under North Carolina law, even though they may be called by different names. All four offenses are also prohibited by University Policy 406, The Code of Student Responsibility.

The following information applies regardless of whether an incident of dating violence, domestic violence, sexual assault, or stalking occurs on or off campus.

What Do I Do If I’m the Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking?

First, you should go somewhere safe. Then find a trusted friend or family member who can support you as you think through your next steps.

The University encourages you to report the incident to the Title IX Coordinator, UNCC PPS, the Dean of Students Office, or Human Resources, because by reporting the incident, you will be connected with important and valuable resources and assistance. Their contact information is:

Title IX Coordinator
(704) 687-6130
titleixcoordinator@uncc.edu
Cone 349
titleix.uncc.edu

Police and Public Safety
Emergency: (704) 687-2200
Non-emergency: (704) 687-8300
9151 Cameron Blvd.
police.uncc.edu

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Dean of Students Office
(704) 687-0345
King Building 217

Human Resources
(704) 687-0659
King Building 113C

Preservation of Evidence

A victim of a sexual assault should not take a shower following the assault. Instead, the victim should seek medical help within 72 hours of the sexual assault so that any physical evidence can be preserved for use at a later date should that be necessary. A friend or family member can drive the victim to the hospital, or the victim can contact UNCC PPS (704-687-2200) for a ride to the hospital. Victims should be aware that their ability to keep certain information confidential (see pages 7-9 below) will be limited if they contact UNCC PPS.

The University encourages victims to go to the emergency room of any of the local hospitals, including CMC-University, CMC-Northeast, or Novant Health Presbyterian Medical Center (contact information on pages 3-4 below), and request a specially trained Sexual Assault Nurse Examiner (SANE) who will conduct an examination and collect physical evidence. Completing a forensic examination does not mean that you have to file a police report; it simply preserves evidence if you decide you want to use it later.

In all cases of dating violence, domestic violence, sexual assault, or stalking, victims are encouraged to preserve other evidence including, but not limited to, handwritten or electronic communications such as text messages, telephone messages and emails, videos and/or photographs of the incident or bruises/markings. Preserving physical and documentary evidence may be helpful in obtaining a protective order (see pages 5-6) or proving that an incident occurred in a criminal case or University process.

Resources

Victims should feel comfortable accessing any of the resources listed below even if they do not want to report the incident to University officials. None of the off-campus resources listed below is obligated to provide information to the University. The on-campus resources listed below are designated as confidential resources and, therefore, are not required to report information to other University officials.

Safe Alliance

Locations: Charlotte Children and Family Services Center
601 E. Fifth Street, Suite 400, Charlotte, NC 28202

Charlotte Domestic Violence Shelter (confidential location)

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Administrative contact: 704-944-0169

Charlotte Victim Assistance Court Services
720 E. Fourth Street, Suite 204, Charlotte, NC 28202

Phone: 704-375-9900 (24-hour Rape Crisis Hotline)
704-332-2513 (24-hour Domestic Violence Hotline)

Description of Services: 24-hour hotline and hospital accompaniment for victims of sexual assault, accompaniment to police interviews or meetings with district attorney, assistance with victim compensation, counseling for victims of sexual abuse.

Website: <http://www.safealliance.org/>

The National Domestic Violence Hotline

Phone: 1-800-799-7233
1-800-787-3224 (TTY)

Description of Services: 24-hour listening line and referral for victims of domestic violence.

Website: <http://www.thehotline.org/>

Counseling Center

University of North Carolina at Charlotte
Atkins 158 Bldg.
9201 University City Blvd. Charlotte, NC 28223
Hours: Monday-Friday 8:00 AM – 5:00 PM
Phone: 704-687-0311
Website: <http://counselingcenter.uncc.edu/>

Student Health Center

University of North Carolina at Charlotte
Located on the corner of Cameron Boulevard and Mary Alexander Road
Hours: Monday-Thursday 8:00 AM – 6:30 PM; Friday 8:00 AM – 5:00 PM
Phone: 704-687-7400
Website: <https://studenthealth.uncc.edu/>

CMC-University

8800 North Tryon Street, Charlotte, NC 28262
Phone: 704-863-6000
Website: <http://www.carolinashealthcare.org/cmc-university>

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CMC-NorthEast

920 Church Street North, Concord, NC 28025

Phone: 704-403-3000

Website: <http://www.carolinashealthcare.org/cmc-northeast>

Novant Health Presbyterian Medical Center

200 Hawthorne Lane, Charlotte, NC 28204

Phone: 704-384-4000

Website: <https://www.novanthealth.org/presbyterian-medical-center.aspx>

Center for Wellness Promotion

University of North Carolina at Charlotte

Located in Student Health Center (corner of Cameron Blvd and Mary Alexander Rd)

Phone: 704-687-7407

Interpersonal Violence Prevention Specialist: Nicole Madonna-Rosario

Website: <http://wellness.uncc.edu/>

Mecklenburg County District Attorney's Office

700 E. Fourth Street, Charlotte, NC 28202

Phone: 704-347-7891

704-686-0700

Specialized teams: Domestic Violence Team or Crimes Against Persons Team

Website: <http://charmeckda.com/index.html>

Legal Aid of North Carolina

1431 Elizabeth Avenue, Charlotte, NC 28204

Phone: 704-971-2621

Description of Services: The staff of Legal Aid of North Carolina provides legal assistance in civil matters (non-criminal matters) to eligible, low-income clients who have problems with their basic needs and live in the area surrounding Mecklenburg County.

Website: <http://www.legalaidnc.org/public/learn/locations/offices/charlotte/>

North Carolina Victim Assistance Network (NCVAN)

410 Morrison Street, Raleigh, NC 27601

Phone: 1-800-348-5068

Description of Services: NCVAN promotes the rights and needs of crime victims by educating citizens and public policy leaders about crime's devastating impact on society.

Website: <http://www.nc-van.org/>

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Contacting Police

A victim of sexual assault, dating violence, domestic violence, or stalking has various options regarding contacting law enforcement:

- (1) You can notify law enforcement authorities, including:
 - a. UNCC PPS (704-687-2200 for emergencies or 704-687-8300 for non-emergencies; <http://police.uncc.edu>);
 - b. Charlotte-Mecklenburg Police Department (911 for emergencies, 311 for non-emergencies, or 704-336-7600 for non-emergencies outside Mecklenburg County; <http://charmeck.org/city/charlotte/CMPD/Pages/default.aspx>); or
 - c. Other law enforcement that has jurisdiction over the incident.
- (2) You can be assisted by the Title IX Coordinator (704-687-6130 or titleixcoordinator@uncc.edu) or other campus official in notifying appropriate law enforcement authorities.
- (3) You can choose not to notify law enforcement.

UNCC PPS includes multiple officers who have been trained to conduct trauma-informed interviews with sexual assault or domestic violence victims. If you choose to file a police report, the officer will ask for detailed information about the incident being reported. The officer will request information to identify the reporting party, witness, and suspect information. The officer will need this information in order to fill out the police report. Depending on the type of crime reported, the officer may request the victim / witness to provide a written statement. A detective assigned to investigate the case may conduct a follow-up phone call or visit to request additional information or to provide an update on the status of the case.

Protective Orders

The Dean of Students Office (students) or Human Resources (faculty or staff) can help facilitate an on-campus no-contact order for members of the University community.

Information regarding protective orders that are effective throughout Mecklenburg County, including on the UNC Charlotte campus, is summarized below. Information is also available at http://charmeck.org/city/charlotte/CMPD/organization/investigative/SpecialVictims/DomesticViolence/Documents/DV_RsrcGuide2015.pdf.

The UNCC PPS will honor all Domestic Violence Protective Orders (DVPO) and Civil No Contact Orders (CNCO) that are brought to its attention whether issued in North Carolina or any other state. When a victim obtains a DVPO or CNCO, it should be presented to the UNCC PPS to be kept on file, and the victim should keep a valid copy of the order to be presented upon request.

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Qualifications for a DV Protective Order (50B)

1. Plaintiff or defendant must be a resident of Mecklenburg County, NC
2. Must have a valid address for the person you are seeking the order against.
3. Must have one of the following relationships with the defendant:
 - a. Married or Divorced
 - b. Persons of the opposite sex who are not married but live together or have lived together in the past
 - c. Have a child in common
 - d. Parent and child or grandparent and grandchild (must be at least 16 years old)
 - e. Current or former household members
 - f. Persons of the opposite sex who are in or have been in a dating relationship
4. The person you are seeking protection from must have committed one of the following acts; it is the victim's responsibility to prove that the act occurred:
 - a. Caused or attempted to cause bodily injury
 - b. Placed you or a member of your household in fear of immediate physical danger
 - c. Continued to harass you to the point where you are suffering from emotional distress
 - d. Committed one or more sexual offenses against you

Qualifications for a CNCO (Mecklenburg County 50C)

- Must be a resident of Mecklenburg County, NC
- Must have a valid address for the person you are seeking the order against.
- Has had an unlawful act committed against them by another person not involved in a personal relationship as defined in the qualifications for a DVPO (50B)

What is UNC Charlotte's Process for Responding to Complaints of Dating Violence, Domestic Violence, Sexual Assault, or Stalking?

Sexual assault, domestic violence, dating violence, and stalking are all prohibited conduct under University Policy 406, The Code of Student Responsibility ("the Code"), available at <http://legal.uncc.edu/policies/up-406>. Other sexual misconduct, including sexual harassment, gender-based harassment, sexual exploitation, and sexual exhibitionism without consent, is also prohibited by the Code.

Students who are accused of violating the Code are called "Respondents" and students or employees who allegedly experienced the sexual misconduct, dating violence, domestic violence, or stalking are called "Complainants."

Accommodations/Interim Measures

Once an incident has been reported, the Title IX Office will arrange for accommodations for the

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Complainant as needed. The Title IX Office will be responsible for contacting faculty, the Department of Housing and Residence Life, and any other relevant parties to make necessary accommodations, such as changes to academic, University housing, transportation, or University employment arrangements. The Title IX Office can also coordinate arrangements with the Office of Disability Services, the Office of International Programs, and/or other University offices as necessary to address disability, visa/immigration, financial aid/tuition, or other concerns.

The University must comply with a Complainant's reasonable request for a living and/or academic situation change. The Title IX Coordinator will consider the following factors in determining what accommodation(s) is appropriate:

- a. the specific need expressed by the Complainant;
- b. the age of the people involved;
- c. the severity or pervasiveness of the allegation(s);
- d. any continuing effects on the Complainant;
- e. whether the Complainant and the accused student share the same residence hall, dining hall, class(es), transportation, or job location; and
- f. whether other judicial measures (e.g., civil protection orders) have been taken to protect the Complainant.

The Title IX Office will separately assist the Complainant and the Respondent in connecting with both on-campus and off-campus resources, including counseling, health, mental health, victim advocacy, legal assistance, and other services, if requested. Many of those resources are listed above (pages 2-4).

The provision of accommodations, protective measures, and other interim remedies will be kept confidential except as needed to implement the accommodations or other measures. The Title IX Coordinator decides which information is necessary to share in order to implement interim measures. A Complainant may receive certain accommodations and other interim remedies even if he/she does not want to move forward with the student conduct process or report to law enforcement.

The Title IX Office, in consultation with the Director of Student Conduct, will also determine whether any interim protective measures, including but not limited to campus no-contact orders, are necessary. The Vice Chancellor for Student Affairs decides whether to impose interim suspension pursuant to the Code.

Confidentiality

Confidential Resources: If a Complainant wants to discuss the sexual assault, dating violence, domestic violence, or stalking incident with someone on campus who does not have to report the incident, he or she can go to one of five resources:

- Counseling Center
Atkins 158 Bldg.

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Hours: Monday-Friday 8:00 AM – 5:00 PM

Phone: 704-687-0311

Website: <http://counselingcenter.uncc.edu/>

- Student Health Center
Located on the corner of Cameron Boulevard and Mary Alexander Road
Hours: Monday-Thursday 8:00 AM – 6:30 PM; Friday 8:00 AM – 5:00 PM
Phone: 704-687-7400
Website: <https://studenthealth.uncc.edu/>
- Center for Wellness Promotion
Located in the Student Health Center
Phone: 704-687-7407
Website: <http://wellness.uncc.edu/>
- Graduate School Ombuds
Website: <http://graduateschool.uncc.edu/current-students/ombuds>
- Department of Athletics psychologist (student-athletes only)
ATAC Building 237
Email: sportspsych@uncc.edu

Most staff members at the Counseling Center and Student Health Center, as well as the Department of Athletics psychologist, also have legal confidentiality protections beyond the campus level. The Graduate School Ombuds and staff in the Center for Wellness Promotion do not have those same protections if legal proceedings were to occur beyond the campus.

Requesting Confidentiality: If a Complainant chooses to talk with an employee on campus who is not listed above and requests complete confidentiality, that person is still required to notify the Title IX Coordinator. In many cases, the Title IX Coordinator will respect a request for complete confidentiality. However, the Coordinator will weigh several factors before making the final decision, which are:

- the seriousness of the alleged sexual misconduct, relationship violence, or stalking;
- whether there have been other complaints of sexual misconduct, relationship violence, or stalking against the same Respondent at the University or any other school or in the nature of prior criminal charges;
- whether the Respondent threatened further sexual misconduct or violence against the Complainant or others;
- whether the sexual misconduct was committed by multiple Respondents;
- whether the sexual misconduct or relationship violence involved use of a weapon;
- the age of the Complainant;
- whether the University possesses other means to obtain relevant evidence of the sexual misconduct, relationship violence, or stalking;

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- whether the complaint reveals a pattern of conduct at a particular location or by a particular individual and/or student group or organization; and
- the Respondent's right to receive information about the allegations if the information is maintained by the University as an "education record" under FERPA.

Respecting a Complainant's request for confidentiality will limit the University's ability to respond effectively to the allegations. Even if a Complainant decides not to request confidentiality, the Title IX Coordinator and other involved University officials will only discuss the case with individuals who need to know.

Protecting Confidentiality in Public Records: Furthermore, even if the Complainant chooses to move forward with a student conduct case, information about the incident, including the Complainant's name, the Respondent's name, and other identifying information, is part of the Complainant's "education record" and the Respondent's "education record" under FERPA. Therefore, documentation about the incident is generally protected from public disclosure (see University Policy 402, Student Education Records (FERPA) at <http://legal.uncc.edu/policies/up-402>).

Timely warnings, the UNCC PPS daily crime log, the Annual Security Report, and other required public documentation of crimes do not include the names of purported victims. The provision of accommodations, protective measures, and other interim remedies will be kept confidential except as needed to implement the accommodations or other measures.

Student Conduct Process

When a report is received, the University will respond in a prompt manner. The University strives to resolve sexual misconduct, dating violence, domestic violence, and stalking cases within 60 calendar days of the report, excluding appeals, unless there are extenuating circumstances. In the University's experience, extenuating circumstances (including but not limited to parallel criminal investigations, University breaks, multiple witnesses with scheduling difficulties, and availability of parties and/or advocates) almost always exist. Therefore, the typical process will likely take approximately 120 calendar days. Both the Respondent and the Complainant will be notified in writing if the process will take more than 120 days and of the reason for the delay.

If the student conduct process is initiated, a trained staff member (called the Title IX Investigator) will talk with the Complainant and the Respondent separately in order to gather facts surrounding the incident in question. The staff member will also interview any witnesses who are identified by the parties and gather other physical and documentary evidence. Throughout the process, both the Complainant and the Respondent are entitled to the same rights and opportunities, including having an advisor present at any related meeting or hearing, providing evidence to support their side, reviewing the information provided by the other party, and appealing any decisions.

A Respondent is responsible for a violation of the Code if the evidence shows that it is more likely

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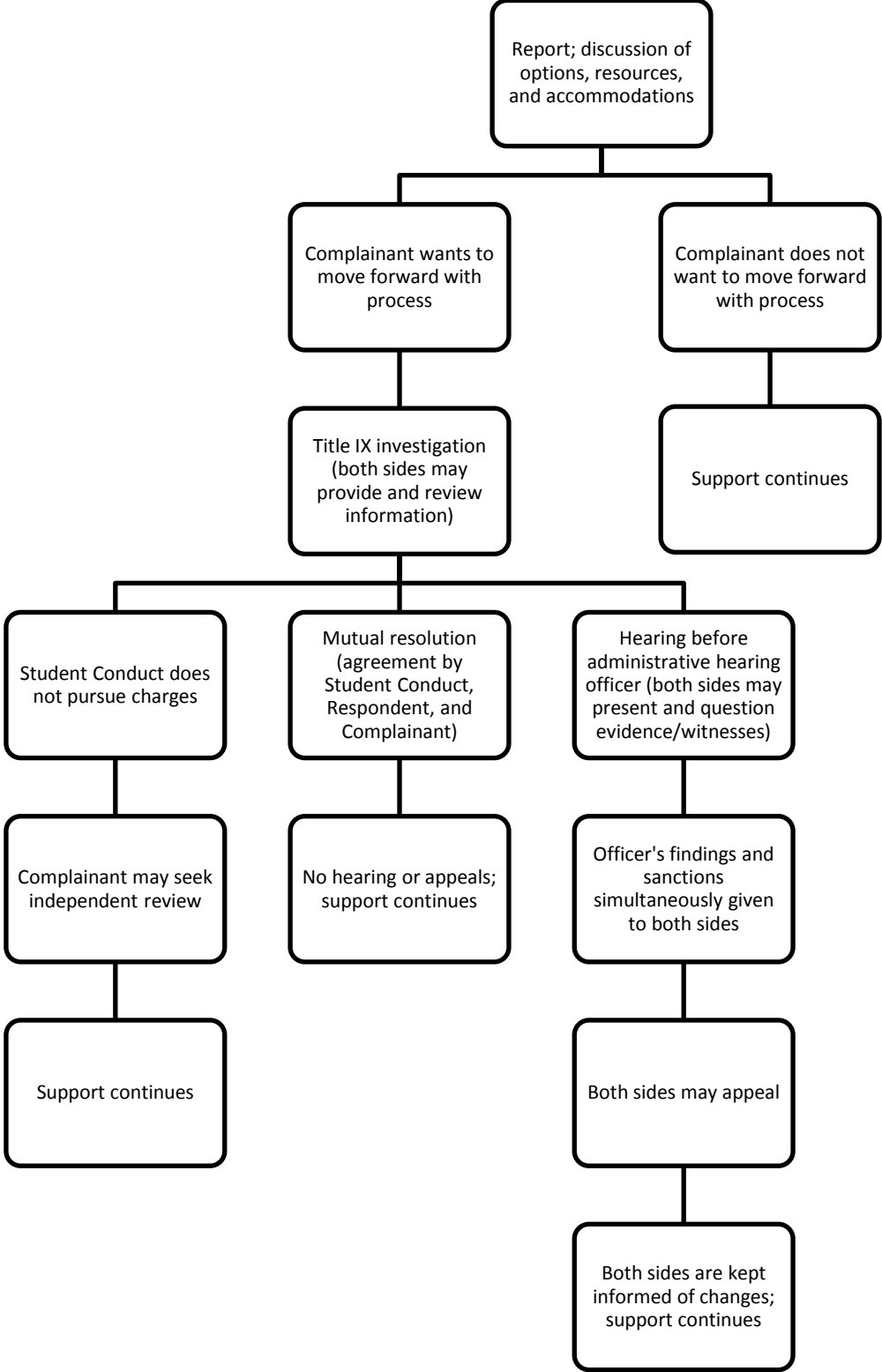
than not that he or she committed the violation (also called “preponderance of the evidence”). If the Director of Student Conduct, Respondent, and Complainant all agree on appropriate findings and sanctions, the matter could be resolved without a hearing. In other cases, a trained hearing officer will determine the findings and sanctions, which can be appealed. The Complainant and the Respondent will be simultaneously notified, in writing, of:

- (1) the outcome of the student conduct process,
- (2) the procedures for each party to appeal the results,
- (3) any change to the results prior to the finalization of the results, and
- (4) when the results become final.

Throughout the process, a Complainant will never be required to face or interact with the Respondent directly. The student conduct process provides a prompt, fair, and impartial investigation and resolution to complaints. The University officials involved in the process have received annual training on the conduct process and specialized training surrounding sexual misconduct, dating violence, domestic violence, and stalking cases. These officials include investigators, hearing officers, staff advisors, and appellate officers.

The flowchart on the next page provides a summary of the student conduct process. For a comprehensive explanation of the Title IX and student conduct processes, contact the Title IX Office (King 119, 704-687-6130) or review Chapter 8 of the Code.

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Potential Sanctions

One or more of the following sanctions may be imposed on a student found responsible for a violation(s) of the Code.

1. **Conduct Reprimand** – Formal written reprimand indicating that the Respondent's behavior was unacceptable and that if the Respondent is subsequently found responsible for a violation(s) of the Code, more severe sanctions could result.
2. **Conduct Probation** – A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Conduct Probation is imposed or for an indefinite period of time. Conduct Probation does not affect the Respondent's academic standing, is not shared with faculty members, and is not notated on the Respondent's academic transcript. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Conduct Probation, more severe sanctions, including Conduct Suspension or Expulsion, could result. Conditions restricting the Respondent's participation in University activities may also be imposed. If the Conduct Probation is for an indefinite period, the Respondent may petition the Director of Student Conduct in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Conduct Probation.
3. **Deferred Conduct Suspension** – A status in which the Respondent is deemed not to be in good conduct standing with the University for a definite period of time not less than the remainder of the semester in which the Deferred Conduct Suspension is imposed or for an indefinite period of time. Deferred Conduct Suspension does not affect the Respondent's academic standing, is not shared with faculty members, and is not notated on the Respondent's academic transcript. In the event the Respondent is subsequently found responsible for a violation(s) of the Code while on Deferred Conduct Suspension, more severe sanctions, including Conduct Suspension or Expulsion, could result, with Conduct Suspension being considered as a most likely possibility. Conditions restricting the Respondent's participation in University activities may also be imposed. If the Deferred Conduct Suspension is for an indefinite period, the Respondent may petition the Director of Student Conduct in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Deferred Conduct Suspension.
4. **Conduct Suspension** – Separation of the Respondent from the University for a definite period of time not less than the remainder of the semester in which the Conduct Suspension is imposed or for an indefinite period of time. During the Conduct Suspension period, the Respondent is trespassed from the University and may not be present on University Premises; attend or participate in classes; manipulate any web site or other material residing on the University's web server; access University email services; or participate in Student Organizations or any University-sponsored program, activity, or related event. Violation of the terms of Conduct Suspension may subject the Respondent

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to additional sanctions pursuant to Chapter 5, Paragraph e and Chapter 5, Paragraph q of the Code and/or to arrest. The Respondent will be automatically withdrawn from registered courses based upon the effective date of the Conduct Suspension. The Respondent will be responsible for any financial obligations to the University but may be eligible for a reduction of tuitions and fees based upon the effective date of the Conduct Suspension and the University's Reduction of Tuition and Fees Schedule. Notification of the Conduct Suspension will appear on the Respondent's academic transcript and will remain until the end of the Conduct Suspension period. The Respondent's name will be added to the UNC System Suspension/Expulsion Database, where it will remain indefinitely. In order to re-enroll at the University at the conclusion of the Conduct Suspension period, the Respondent must reapply for admission to the University, but no Respondent may be readmitted to the University until after the Conduct Suspension period has ended. If the Conduct Suspension is for an indefinite period, the Respondent may petition the Director of Student Conduct in writing for reinstatement to good standing, but not earlier than two (2) calendar years from the effective date of the Conduct Suspension. If the Director of Student Conduct grants reinstatement, the Respondent may reapply for admission to the University, but no Respondent may be readmitted to the University until after the Director of Student Conduct has granted reinstatement.

5. **Expulsion** – Permanent separation of the Respondent from the University. The Respondent is trespassed from the University and may not be present on University Premises; attend or participate in classes; manipulate any web site or other material residing on the University's web server; access University email services; or participate in Student Organizations or any University-sponsored program, activity, or related event. Violation of the terms of Expulsion may subject the Respondent to arrest. The Respondent will be automatically withdrawn from registered courses based upon the effective date of the Expulsion. The Respondent will be responsible for any financial obligations to the University but may be eligible for a reduction of tuitions and fees based upon the effective date of the Expulsion and the University's Reduction of Tuition and Fees Schedule. A Respondent who has been expelled from one constituent institution of The University of North Carolina system may not be admitted to another UNC System institution until the Expulsion has been rescinded by the institution that imposed the sanction. Notification of the Expulsion will appear on the Respondent's academic transcript until the date the Expulsion is rescinded, if it is rescinded. The Respondent's name will be added to the UNC System Suspension/Expulsion Database, where it will remain indefinitely. The Respondent may petition the Chancellor in writing for the Expulsion to be rescinded, but not earlier than two (2) calendar years from the effective date of the Expulsion.
6. **Removal from University Housing** – Loss of the privilege of living in University housing. Removal may be for a definite period of time not less than the remainder of the semester in which the Removal is imposed or for an indefinite period of time. If the Removal is for an indefinite period, the Respondent may petition the Director of Student Conduct in writing for restoration of University housing privileges, but not earlier than one (1)

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calendar year from the effective date of the Removal. Any cancellation fee, pro-rata refund, or return of deposit shall be assessed as set forth in the housing contract between the University and the Respondent.

7. **Post-Enrollment and Post-Graduation Sanctions** – A Respondent who is found responsible for a violation(s) of the Code, but who graduates from the University before imposition of a sanction, is subject to (a) revocation of any degree awarded; (b) temporary or permanent withholding of the transcript for any degree earned, regardless of whether the degree has been awarded; and/or (c) having sanction(s) imposed as a condition of re-enrollment at the University.

8. **Additional Sanctions** – The following sanctions may be imposed in addition to those listed in Chapter 10, Section I.1-7 of the Code:
 - a. restitution for loss incurred by an individual or the University as a result of the Respondent's violation(s);
 - b. exclusion and/or trespass from all or a portion of any University Premises or any University-sponsored program, activity, or related event, as specified in the sanction, for a definite or indefinite period of time;
 - c. loss of driving and/or parking privileges on University Premises;
 - d. a student conduct fee not to exceed \$100;
 - e. community service and/or participation in educational programs;
 - f. restitution for expenses incurred by individuals or the University as a result of providing educational programs or other educational experiences related to the violation(s);
 - g. parental/guardian notification, pursuant to Section II.B.11 of University Policy 402, Student Records; or
 - h. any other appropriate sanction as determined by the Director of Student Conduct or designee.